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OCT 27 2006
DEPT OF ENV PROTECTION
WEST PALM BEACH

Revision Date: 10/23/2006

Safety-Kleen 309702
Medley Branch
Emergency Phone Numbers

Primary: Ron Burkett
7519 NW 17th Drive
Pembroke Pines, FL 33024
Home (407) 207-0699
Office (305) 884-0123
Cell (305) 216-6481

Alternate: Jorge Rigo
6541 SW 10th St.
Pembroke Pines, FL 33023
Home (954) 894-6014
Office (305) 884-0123
Cell (786) 299-6375

Emergency Notification Numbers

Infotrac (Safety-Kleen's 24 Hour Emergency Response Reporting System)
1-800-468-1760

Florida DEP- Southeast District

(561) 681-6600 (Monday – Friday, 8:00 a.m. to 5:00 p.m. except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the above, please call:
National Response Center 1-800-424-8802

Emergency Teams to be Notified:

Metro Dade Fire Rescue
9300 NW 41st Street
Miami, FL 33178
(786) 331-4256 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 883-2044 or 911

Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Primary Contact
SWS
3133 NW 25th Ave
Pompano Beach, FL 33069
(800) 282-4584

Secondary
ACT Inc.
1875 W. Main Street
Bartow, FL 33830
(800) 624-5302

Table II.A.4(b)-1

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

August 26, 2005

Certified Return Receipt Requested
7003 2260 0006 0109 3661

Mr. Matt Hedrick, EHS Manager
Safety-Kleen, Medley
8755 NW 95th Street
Medley, FL 33178-1462

Subject: Safety-Kleen, Medley
EPA ID: FLD 984 171 694
Used Oil Facility Closure Cost Estimates and Financial Assurance

Dear Mr. Hedrick:

In accordance with Rule 62-710.800, Florida Administrative Code (F.A.C.) permits for Used Oil Processing Facilities must now provide financial assurance sufficient to cover the cost of closing the facility. This requirement is in two parts.

First, a Used Oil Facility Closing Cost Estimate Form (Form 62-710.901(7)) must be completed (in accordance with the provisions of the facility closing plan described in the company's Used Oil Processing Permit Application), signed, and submitted to the Department's Used Oil Permit Coordinator no later than December 9, 2005. The Used Oil Permit Coordinator will notify the applicant when the closing cost estimate is approved.

Second, within 60 days of receiving approval of the cost estimate from the Used Oil Permit Coordinator, the owner/operator shall submit proof of financial assurance sufficient to cover the estimated closing cost, using any of the tools allowed under 62-710.800(6), to Solid Waste Financial Coordinator.

Also note that the closing cost estimate must be annually adjusted for inflation in accordance with the provisions of this Rule.

All used oil processors must comply with this Rule by the dates specified. As this is a Rule requirement, there is no fee associated with this provision outside of any applicable permit or permit renewal fee.

If you have any questions regarding this issue, please feel free to contact the Used Oil Permit Coordinator, Bheem Kothur, at (850) 245-8781.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TB/kt

Enclosure

cc: Raoul Clarke/Tallahassee
Fred Wick/Tallahassee
Augusta Posner/Tallahassee
Jorge Patino/SE District

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

February 10, 2005

RECEIVED
FEB 22 2005
DEPT OF ENV PROTECTION
WEST PALM BEACH

Ms. Kathy Hodge
Safety Kleen System, Inc.
164 Frontage Road
Lexington, South Carolina 29073-9141

Re: FLD 984 171 694
Safety Kleen-Medley
8755 Northwest 95th Street
Medley, Florida 33178-1462

Subject: Financial Responsibility Compliance for 2005

Dear Ms. Hodge:

The department has received the documentation submitted to demonstrate financial responsibility. The Indian Harbor Insurance Company certificate of insurance policy number PEC000659403 effective January 25, 2005 indicates an inflation adjusted closure cost of **$371,296**. In addition, the Greenwich Insurance Company certificate of liability insurance policy number PEC000709903 effective September 1, 2004 shows the required coverage for sudden and nonsudden accidental occurrences.

Therefore, Safety Kleen of Medley is in compliance with the financial responsibility requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact Mr. Edgar Echevarría of my staff at 850-245-8793.

Sincerely,

Bryan Baker
Professional Geologist III
Hazardous Waste Regulation Section

BB/ee

CC: Ms. Elizabeth Sawyer, USEPA/Region 4
Mr. Jorge Patiño, FDEP/Southeast District Office
FDEP File

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

March 1, 2004

Ms. Kathy Hodge
Safety Kleen Corporation
164 Frontage Road
Lexington, South Carolina 29073-9141

Re: FLD 984 171 694
Safety Kleen-Medley
8755 Northwest 95th Street
Medley, Florida 33178-1462

Subject: Financial Responsibility Compliance for 2004

Dear Ms. Hodge:

The department has received the documentation submitted to demonstrate financial responsibility. The Indian Harbor Insurance Company certificate of insurance policy number PEC000659402 effective January 25, 2004 indicates an inflation adjusted closure cost of **$365,089**. In addition, the Greenwich Insurance Company certificate of liability insurance policy number PEC000709902 effective September 1, 2003 shows the required coverage for sudden and nonsudden accidental occurrences.

Therefore, Safety Kleen of Medley is in compliance with the financial responsibility requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact Mr. Edgar Echevarría of my staff at 850-245-8793.

Sincerely,

Douglas Outlaw
Professional Engineer III
Hazardous Waste Regulation Program

DO/ee

cc: Ms. Elizabeth Sawyer, USEPA/Region 4
Mr. Paul Wierzbicki, FDEP/Southeast District Office
FDEP File

RECEIVED
MAR 12 2004
DEPT OF ENV PROTECTION
WEST PALM BEACH

Department of Environmental Protection

RECEIVED
FEB 14 2005
DEPT OF ENV PROTECTION
WEST PALM BEACH

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

February 7, 2005

CERTIFIED - RETURN RECEIPT
7003 1680 0002 4618 6059

Mr. Matt Hedrick
Environmental Heath & Safety Manger
Safety – Kleen Systems, Inc.
5309 24th Avenue South
Tampa, Florida 33619

SUBJECT: Facility Name: Safety Kleen - Medley
FLD 984 171 694
Operating/Corrective Action Permit 56019-HO-005

Dear Mr. Hedrick:

Enclosed is Permit Number 56019-HO-005 to add a Used Oil Tank Processing Facility. This permit is being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-520, 62-522, 62-532, 62-550, 62-710 and 62-730, Florida Administrative Code (F.A.C.).

This permit modification is final and effective ("issued") on the date filed with the Clerk of the Department. When the permit modification 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.

The Notice of Appeal must be filed within thirty (30) days from the date the final permit modification is issued.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/jeg

cc with enclosure:

Jon Johnston, EPA/Region 4

Stephen Brown, DEP/West Palm Beach

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

I.D. NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56019-HO-005
DATE OF ISSUE: February 10, 2005
EXPIRATION DATE: MARCH 19, 2008

ATTENTION:
Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

COUNTY: DADE
LATITUDE / LONGITUDE: 25°51'38"N/80°20'25"W
PROJECT: Operation of a Hazardous Waste Container Storage Facility, Treatment Unit, HSWA Corrective Action Requirements and Used Oil Tank Processing Facility

Pursuant to the Solid Waste Disposal Act and 40 Code of Federal Regulations (CFR) 264.101 (as adopted in Rule 62-730.180, of the Florida Administrative Code [F.A.C.]) and 40 CFR Part 279, this permit modification is issued under the provisions of Sections 403.722 and 403.769, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-160, 62-522, 62-532, 62-550, 62-701, 62-710, 62-730, 62-737 and 62-762. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application, and 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 drum and tank storage units within a service accumulation center (See Attachment A – Facility Layout).

Tank Storage:

Utilization of one above ground 20,000 gallon storage tank for managing waste solvent under this permit. Two 20,000 gallon tanks are used for fresh solvent and shall not be used for hazardous waste. All tanks are underlain by 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B) and utilization of one horizontal tank with a capacity of 10,000 gallon and one vertical tank with a capacity of 15,000 gallon for Used Oil Processing. The Used Oil Processing will be used by Atlantic Industrial Services, Inc. All tanks are above ground storage tanks.

Solvent Return / Fill Station:

Spent solvents enter the waste solvent storage tank through the two wet dumpsters located in the Solvent Return / Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

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:

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.

Three solid waste management units have been identified at the facility in the United States Environmental Protection Agency (EPA) Hazardous and Solid Waste Amendments (HSWA) permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units: No further Action

- SWMU-1 Container Storage/Transfer Waste Area
- SWMU-2 Aboveground Storage Tank Area
- SWMU-3 Return/Fill Area

The State of Florida received authorization from EPA for implementing HSWA Corrective Action Program on November 17, 2000. This permit incorporates corrective action, including HSWA Corrective Action requirements and constitutes a full permit for Safety-Kleen Systems, Inc. Medley facility under the Resource Conservation and Recovery Act (RCRA).

The Permittee, pursuant to this permit, 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.

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. The Permittee must inform the Department of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

Pursuant to 40 CFR 264.10, the 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). 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 33166.

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.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

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, 403.727, or 403.859 through 403.861, 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 subsections 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 location reasonable necessary to assure compliance with this permit or Department rules.

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

8. 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:

   a. A description of and cause of noncompliance; and

   b. 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.

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 proscribed 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, 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 Department approval in accordance with Rule 62-4.120 and 62-730.300 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
    a. Determination of Best Available Control Technology (BACT);

    b. Determination of Prevention of Significant Deterioration (PSD);

    c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

    d. Compliance with New Source Performance Standards.

14. The Permittee shall comply with the following:

    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, and records of all data used to complete the application for this permit. 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:

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

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

(3). the dates 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.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. 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. In the case of an underground injection control permit, the following permit conditions also shall apply:

a. All reports or information required by the Department shall be certified as being true, accurate and complete.

b. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

c. Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

(1). The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

(2). The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.

d. The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

    a. The following reports shall be submitted to the Department:

        (1). 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.

        (2). Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

        (3). Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

    b. Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

        (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. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

    d. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

    e. Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS

PART I - STANDARD REQUIREMENTS

1. All submittals in response to these conditions (except Specific Condition 2 of this Part) shall be as follows:

   a. Two (2) copies shall be sent to:

      Environmental Administrator
      Hazardous Waste Regulation Section
      M.S. 4560
      Bureau of Solid and Hazardous Waste
      Department of Environmental Protection
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

   b. One (1) copy shall be sent to:

      Hazardous Waste Supervisor
      Department of Environmental Protection
      400 North Congress Avenue
      West Palm Beach, Florida 33401

   c. One (1) copy shall be sent to:

      Chief, RCRA Programs Branch
      United States Environmental Protection Agency
      Region 4
      Sam Nunn Atlanta Federal Center
      61 Forsyth Street, S.W.
      Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(7), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Regulation Section
   M.S. 4560
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   In the event a cost estimate for closure, postclosure, or corrective action increases, the financial instrument must be updated accordingly. Pursuant to 40 CFR Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount covered by the instrument within

60 days of the estimate increase. Those facilities using a financial test must cover the estimate increase in the next scheduled submittal. If the estimate increase causes the inability of facility to provide financial assurance through their currently selected mechanism, alternate financial assurance must be provided within 30 days. The Permittee shall provide assurances of financial responsibility for completion of off-site corrective action, if required, in accordance with Rule 62-730.180(7), F.A.C.

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All documents modifying the approved permit must be submitted to the Department for review shall be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(7), F.A.C.

4. 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(8), F.A.C.

5. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapter 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 revisions to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the revisions to the addresses in Specific Condition 1 of this Part.

6. Prior to 180 calendar days before the expiration of this permit (Rule 62-730.260(2), F.A.C.), the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless closure 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 closure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with Rule 62-730.900(2), F.A.C.

   The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the renewal to the addresses in Specific Condition 1 of this Part.

7. The Department of Environmental Protection's 24-hour emergency telephone number is (850)413-9911 or (800)320-0519. During normal business hours, the DEP District Office may be contacted at (561)681-6600.

8. The facility shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.184, F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from closure care requirements and all site-wide corrective action requirements.

9. The Permittee shall revise "Part I - General" of the **Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] within thirty (30) days of any changes in the Part I information. The revised "Part I - General" must be submitted to the Department within thirty (30) days of such changes.

10. Before transferring ownership or operation of this facility during the operating, closure or postclosure period, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)]. The Permittee shall comply with Rule 62-730.300, F.A.C.

11. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the site security provisions of the permit application. If the site becomes a suspected or confirmed contaminated site where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.181(3), F.A.C.

    a. Warning signs shall be at least 2 feet by 2 feet, made of durable weather resistant material, with a light background and lettering in a highly contrasting color. All lettering must be at least 1 inch high.

    b. Warning signs shall be unobstructed and mounted in such a manner that the center of the sign is approximately 56 inches above ground surface and is capable of being seen from at least 75 feet away.

    c. Warning sign text shall warn of danger, prohibit the entry of unauthorized persons, convey other information appropriate to site conditions, and include a telephone number to call for more information.

    d. The Permittee is responsible for supplying, installing and maintaining the warning signs.

12. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5 of the permit application during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 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.

13. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained on-site. 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 and their respective job titles at the site [40 CFR 264.16].

14. 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 are described in the **Contingency Plan**, Section 5 of the permit application, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 12 and 14.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 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 as required by 40 CFR 264.35.

15. The contingency plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

16. The Permittee shall comply with the following conditions concerning the contingency plan:

    a. The Permittee shall immediately carry out the provisions of the emergency plan, Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 fifteen (15) calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

    b. The Permittee shall comply with the requirements of 40 CFR 264.53.

    c. Within seven (7) calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (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 (7) days of the change. All amended plans must be distributed to the appropriate agencies.

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

17. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72 and 264.76.

    a. At least four weeks prior to accepting hazardous waste from a foreign source, the Permittee shall notify the Department in writing as required by 40 CFR 264.12(a). Subsequent shipments of the same waste from the same source in the same calendar year do not require this notice.

    b. Within three working days of receipt of a shipment subject to 40 CFR 262.80 through 40 CFR 262.89, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the Department, the EPA Office of Enforcement and Compliance Assurance, and to competent authorities of other concerned countries.

    c. Prior to accepting a hazardous waste other than the permitted and transfer wastes shown in Table 7.1-1 of the permit application, the Permittee shall submit a request for permit modification which includes a waste analysis of the proposed new waste stream. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. (40 CFR 264.13)

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

    a. The results of the waste analysis;

    b. A summary report and details of incidents that require implementation of the contingency plan;

    c. Manifests;

    d. The results of inspections;

    e. The closure plan and closure cost estimate;

    f. Biennial reports;

    g. Monitoring, testing, or analytical data where required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228;

    h. Inspections of emergency and safety equipment (Specific Condition 12 of this Part);

    i. Personnel training records (Specific Condition 13 of this Part);

    j. The Waste Minimization Program Plan (Specific Conditions 19 and 20 of this Part);

    k. The description and quantity of each hazardous waste received or generated;

    l. The location of each hazardous waste within the facility and the quantity at location;

    m. Biennial certification of waste minimization; and

    n. Notices to generators as specified in 40 CFR 264.12(b)

    These records must be maintained at the facility until the completion of closure (40 CFR 264.73)

19. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). 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;

    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; and

    c. The Permittee shall maintain copies of certification in the facility operating record as required by 40 CFR 264.73(b)(9).

20. The Waste Minimization Program Plan, required in Specific Condition 19 of this Part, should include the following elements:

    a. Top Management Support

    (1). Dated and signed policy describing management support for waste minimization and for implementation of a waste minimization plan.

    (2). Description of employee awareness and training programs designed to involve employees in waste minimization planning and implementation to maximize the extent feasible.

    (3). Description of how a waste minimization plan has been incorporated into management practices so as to ensure ongoing efforts with respect to produce design, capital planning, production operations, and maintenance.

    b. Characterization of Waste Generation

    (1). Identification of types, amounts, and hazardous constituents of waste streams, with the source and date of generation.

    c. Periodic Waste Minimization Assessments

    (1). Identification of all points in a process where materials can be prevented from becoming a waste, or can be recycled.

    (2). Identification of potential waste reduction and recycling techniques applicable to each waste, with a cost estimate for capital investment and implementation.

    (3). Description of technically and economically practical waste reduction/recycling options to be implemented, and a planned schedule for implementation.

    (4). Specific performance goals, preferably quantitative, for the source reduction of waste by stream. Whenever possible, goals should be stated as weight of waste generated per standard unit of production, as defined by the generator.

d. Cost Allocation System

(1). Identification of waste management costs for each waste, factoring in liability, transportation, record keeping, personnel, pollution control, treatment, disposal, compliance, and oversight costs to the extent feasible.

(2). Description of how departments are held accountable for the wastes they generate.

(3). Comparison of waste management costs with costs of potential reduction and recycling techniques applicable to each waste.

e. Technology Transfer

(1). Description of efforts to seek and exchange technical information on waste minimization from other parts of the company, other firms, trade associations, technical assistance programs, and professional consultants.

f. Program Evaluation

(1). Description of types and amounts of hazardous waste reduced or recycled.

(2). Analysis and quantification of progress made relative to each performance goal established and each reduction technique to be implemented.

(3). Amendments to waste minimization plan and explanation.

(4). Explanation and documentation of reduction efforts completed or in progress before development of the waste minimization plan.

(5). Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

21. Facilities submitting a Waste Minimization Plan pursuant to Specific Conditions 19.b and 20 of this Part shall, no less often than annually, submit a Waste Minimization Evaluation Report, that includes, at a minimum, the following:

a. Description of types and amounts of hazardous waste generated in the past six months.

b. Description of types and amounts of hazardous waste eliminated or recycled.

c. Analysis and quantification of progress made relative to each performance goal established in accordance to Specific Condition 20 c. of this Part, and each reduction technique to be implemented.

d. Amendments to waste minimization plan and identification and description of waste streams and processes that develop during the previous six months, and was not included in the Waste Minimization Plan.

e. Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

22. If, at any time, the Permittee or the Department determines that contamination has migrated, or is suspected to have migrated, into any media beyond the facility [40 CFR 260.10] (other than for immediate and short-term emergency response actions), or to other areas within the facility controlled by different operators, the Permittee shall notify the Department within seven calendar days of the initial discovery [Section 403.704(16) F.S., and 40 CFR 270.32(b)(2)]. This notification shall include a proposed notification letter to and a list of known and potentially affected property owners and operators, for Department approval, before the Permittee sends the notification letter to the parties listed below. Within 30 days of Department approval of the notification letter, the Permittee shall notify, by certified or registered mail, at a minimum the following list of people and agencies:

    a. All property owners onto which the contamination is known or suspected by the Permittee to have migrated;

    b. All onsite operators within the facility;

    c. Water Management District(s) with jurisdiction over the geographical area containing the contaminated properties;

    d. City, county or other local environmental agencies jurisdiction over the geographical area containing the contaminated properties; and

    e. EPA Region 4.

    In addition, if groundwater contamination has migrated into any media beyond the facility or to other areas within the facility with different operators, the Permittee shall immediately notify the local County Health Department and the Department of Health Bureau of Water Programs in Tallahassee at (850) 245-4240. Copies of the notification letters and proof of receipt must be submitted to the Department within 45 days of the Department's approval of the letter.

23. The Maximum Contaminant Levels, Groundwater Protection Standards, Residential Soil Cleanup Goals, Leachability Soil Cleanup Goals and Groundwater Target Cleanup Levels contained in this permit are to be used over the life of this permit, unless otherwise modified by the Department in writing.

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

25. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal, or until corrective action 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.

26. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated Interim Measures (IM) under Condition **HSWA IV.2**, which impact known or suspected contamination at or from SWMUs or AOCs referenced in Specific Conditions **HSWA I.1, and HSWA I.6 and HSWA I.7**. The notice

shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

27. Written notification of compliance or noncompliance with any item identified in the compliance schedule in Appendix D shall be submitted according to each schedule date. If the Permittee does not notify the Department within fourteen (14) calendar days of its compliance or noncompliance with the schedule, the Permittee shall be subject to an enforcement action. Submittal of a required item according to the schedule constitutes notification of compliance.

28. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.310, F.A.C.

PART II – CONTAINER STORAGE AREA:

1. Container storage shall be conducted within the areas of the facility as depicted in Figure 8.1-1 of the application. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per Section 8.1 of the permit application received on September 3, 2002.

    a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.

    b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.

    c. Hazardous waste with a 10-day storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.

2. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 40 CFR 264.173]

3. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas in accordance with the schedule and procedures identified in Section 8.4 of the permit application and 40 CFR 264.174.

6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device in accordance with 40 CFR 264.177(c) requirements.

7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.

8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system [40 CFR 264.175(b)(5)].

9. The secondary containment provided at the container loading/unloading areas shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in a timely a manner as possible.

10. The Permittee shall comply with the 15 meters (50 foot) setback rule concerning the storage of ignitable and reactive wastes in containers as per 40 CFR Part 264.176 and shall comply with the requirements of 40 CFR 264.17.

11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.

12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.26.

13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.

14. The container storage area shall be closed in accordance with Section 10 of the application as required by 40 CFR Part 264 Subpart G and 40 CFR 264.178.

15. The Permittee may store non-regulated materials in the regulated storage area provided:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in the regulated storage area.

    b. The Permittee shall maintain the required aisle spacing in the storage area for both the regulated and non-regulated materials in accordance with 40 CFR 264.35.

    c. The Permittee assures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    d. The Permittee provides a written record of non-regulated material in the facility operating record of any non-regulated materials in the regulated storage area. The notice shall include:

        i. The type and the quantity of the materials;
        ii. Verify adequate secondary containment;

iii. Confirm that appropriate aisle spacing is available; and
iv. Document compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

17. The Permittee shall ensure that those containers being managed under the transporter/transfer station requirements of 40 CFR Part 263 are clearly identified.

18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

PART III – TANK SYSTEM:

Tank system, for Part III of this permit, is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures for storage of fresh and waste solvent and for processing used oil.

1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Figure 9.2-1 of the permit application.

2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank (40 CFR 264.192(a)) or the residue of any material previously in the tank (40 CFR 264.199) or if there are any conditions that may cause the waste to ignite or react (40CFR264.198).

3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

4. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank system in accordance with 40 CFR 264.194.

5. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department (40 CFR 264.196(d)). The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. (40 CFR 264.196(b)(2)).

6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.

7. The Permittee shall report any changes, component replacement or extensive repairs to the tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report as required by 40 CFR 264.196(f) has been submitted to the Department and approved.

8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the application and 40 CFR 264.195.

9. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

   a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release in compliance with 40 CFR 264.196(a).

   b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time in accordance with 40 CFR 264.196(b).

   c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues in compliance with 40 CFR 264.196(c).

   d. Comply with the notification and report requirements of 40 CFR 264.196(d).

   e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

   f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

10. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).

11. The two wet dumpsters in the Solvent Return/Fill Station contain drum washers and solvent. At least once in each 24-hour period, all liquids and sludge shall be removed from each Dumpster and all drums shall be removed from the Return/Fill Station.

PART IIIA – USED OIL PROCESSING REQUIREMENTS:

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: Safety-Kleen Systems, Inc. shall maintain records on DEP Form 62-701.900 (13) or on substantially equivalent forms which contain at least the same information as the Department form.

   (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

      1. The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;

      2. The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;

      3. The quantities of each type of used oil accepted and date of acceptance; and

4. Waste stream approval number and the off load tank number.

(b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

1. The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;

2. The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;

3. The quantities of used oil shipped and date of shipment; and

4. The tracking number corresponding to analytical results that demonstrate that the shipment meets the used oil on-specification criteria.

(c) Record retention: The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.

2. Pursuant to 40 CFR 279.57, the Permittee must keep a written operating record at the Facility and maintained until closure of the Facility, which includes the following information:

(a) Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55.

(b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.711, F.A.C., for aboveground storage tanks, integral piping, and process tanks.

4. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks, having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards of Rule 62-762.501, F.A.C., for new tanks, or Rule 62-762.511, F.A.C., for existing shop-fabricated/field-erected tanks. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

5. The Permittee shall submit the proposed or constructed new tanks as built drawings within 30 days of completion of construction. Each drawing shall be certified by a Professional Engineer registered in Florida.

6. The Permittee shall register its used oil activities annually and display the validated registration form and identification number in a prominent place at the facility in accordance with Rule 62-710.500(4), F.A.C.

7. No later than March 1 of each year, the Permittee shall submit an annual report for the preceding calendar year to the Department on DEP form 62-701.900(14). The report shall summarize the records kept pursuant to 40 CFR 279.57(b) and 62-710.510, F.A.C., Record Keeping: The records described in this paragraph shall include:

   (a) The EPA identification number, name, and address of the processor/ re-refiner;

   (b) The calendar year covered by the report; and

   (c) The quantities of used oil accepted for processing/ re-refiner and the manner in which the used oil is processed/ re-refined, including the specific processes employed.

8. The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements. The Permittee shall notify the Department Southeast District Office, Hazardous Waste Section at (561) 681-6600.

PART IV – CLOSURE:

1. The Permittee shall have a written closure plan as required by 40 CFR 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 CFR 264.115, and accepted by the Department.

2. The Permittee shall submit a written request for a permit modification to authorize a change in the closure plans in accordance with the procedures in Chapter 62-730, F.A.C. The written request must include a copy of the amended closure plan for Department approval as per 40 CFR 264.112.

3. The Permittee shall manage all hazardous waste, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the units in accordance with the applicable provisions of 40 CFR Parts 260 through 268 and DEP Form 62-730.900(2), including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with closure certification.

4. The Permittee shall close the hazardous waste units in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere as per 40 CFR 264.111.

5. Closure or partial closure of the container storage area, tank system, and wet dumpsters shall be conducted in accordance with plans specified in Section 10 of the application and 40 CFR Part 264 Subpart G.

6. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s) as per 40 CFR 264.112.

7. The Permittee shall complete closure activities within 180 days after Department approval of the closure plan. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval as per 40 CFR 264.113.

8. The Permittee shall decontaminate or dispose of as hazardous waste all facility equipment, structures, and residues resulting from the closure activities as required by 40 CFR 264.114.

9. Within 60 days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a letter signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the facility has been closed in compliance with the closure plan as required by 40 CFR 264.115.

10. Used oil storage and processing tanks and all integral piping will be closed pursuant to Rule 62-761.800, F.A.C.

11. In addition, pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store or process used oil in above ground tanks must comply with the following requirement:

    At closure of a tank system, the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.

12. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the facility and perform post closure care as required by 40 CFR 264.310.

PART V - ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section 11 of the application.

2. The Permittee shall keep complete and current the Equipment Inventory Log [40 CFR 264.1064(b)(1)].

3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR Part 264 Subpart CC in accordance with Section 11 of the permit application.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years [40 CFR 264.1064].

5. Prior to constructing, installing or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB or CC, the Permittee shall supply the specific information required pursuant to 40 CFR Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit (container, tank, surface impoundment or miscellaneous unit) such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.

6. On December 6, 1994, EPA published the final rule for Phase II Organic Air Emissions Standards (40 CFR Part 264 and 265, Subpart CC) for hazardous waste treatment, storage and disposal facilities, including certain hazardous waste generators accumulating waste on-site in RCRA permit-

exempt (90-day) tanks and containers. Major clarifications to the rule were published on February 9, 1996, November 25, 1996, and December 8, 1997. In general, under these standards air emissions controls must be used for tanks, surface impoundments, containers and miscellaneous units which contact hazardous waste containing an average organic concentration greater than 500 ppmw at the point of origination determined by the procedures outlined in 40 CFR Part 264.1083(a), except as specifically exempted under 40 CFR Parts 264.1080 .1082.

PART VI – MISCELLANEOUS:

1. The permittee shall comply with the storage limits of 2,000 kilograms or less of mercury containing lamps and 100 kilograms or less of mercury-containing devices not to exceed a storage period of one (1) year in accordance with Rules 62-737.400(2) and 62-737.400(7), F.A.C.

2. The permittee must be able to demonstrate the length of time mercury containing lamps and devices are stored as specified in 40 CFR 273.15(c).

HSWA CONDITIONS

HSWA PART I – CORRECTIVE ACTION

1. The Conditions of this Part apply to:

   a. The solid waste management units (SWMUs) and areas of concern (AOCs) identified in **Appendix A.1**, which require a RCRA Facility Investigation (RFI);

   b. The SWMUs and AOCs identified in **Appendix A.2**, which require no further action under this permit at this time;

   c. The SWMUs and AOCs identified in **Appendix A.3**, which require confirmatory sampling;

   d. The SWMUs and AOCs identified in **Appendix A.4**, which require corrective action;

   e. 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 hazardous constituents to the environment; or

      (3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment; and

   f. Contamination that has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary 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 (5) 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 damages, costs, or expenses, including expert and attorneys' fees, 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-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC discovered under Specific Condition 1.e of this Part. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (*e.g.*, media affected, hazardous constituents released, magnitude of release, *etc.*). The Department may conduct, or require that the Permittee conduct, further assessment (*i.e.*, Confirmatory Sampling) in order to determine the status of the suspected AOC. The Department will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Department determines that further investigation of an AOC is required, the permit will be modified in accordance with Rule 62-730.290, F.A.C.

3. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any additional SWMU discovered under Specific Condition 1.e of this Part.

4. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Specific Condition 3 of this Part. At a minimum, the SAR shall provide the following information:

   a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19).

   b. Designation of type and function of unit(s).

   c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).

   d. Dates that the unit(s) was operated.

   e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

   f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

5. Based on the results of the SAR, the Department shall determine the need for further investigations at the SWMUs covered in the SAR. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Conditions **HSWA III.2** or **HSWA II.2.**

6. The Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Specific Condition 1.e of this Part or SWMUs or AOCs identified in Specific Condition 1.e of this Part for which further investigation under Specific Condition 5 of this Part was not required.

7. If the Department determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.**

HSWA PART II – CONFIRMATORY SAMPLING (CS)

1. The Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for each unit identified under Specific Condition **HSWA I.1.c.** The CS Work Plan shall be submitted within forty-five (45) calendar days from the effective date of this permit. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not a release has occurred. It shall also address applicable requirements and 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.

2. Upon notification by the Department, the Permittee shall prepare and submit a CS Work Plan for suspected AOCs per Specific Condition **HSWA I.2** or for newly identified SWMUs per Specific Condition **HSWA I.5.** The work plan shall be submitted within forty-five (45) calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall meet the basic requirements listed in Specific Condition 1 of this Part.

3. The CS Work Plan must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the CS Work Plan schedule in the letter approving the CS Work Plan. If the Department disapproves the CS Work Plan, the Department shall either:

   a. Notify the Permittee in writing of the CS Work Plan's deficiencies and specify a due date for submission of a revised CS Work Plan;

   b. Revise the CS Work Plan and notify the Permittee of the revisions; and

   c. Conditionally approve the CS Work Plan and notify the Permittee of the conditions.

4. The Permittee shall implement the confirmatory sampling in accordance with the approved CS Work Plan.

5. The Permittee shall prepare and submit to the Department in accordance with the schedule in the approved CS Work Plan, a CS Report identifying all SWMUs or AOCs that have released hazardous waste or hazardous constituents into the environment. The CS Report shall include all data,

including raw data, and a summary and analysis of the data that supports the above determination. If submittal of the CS Report coincides with submittal of the RFI Report, then the CS Report and the RFI Report may be combined into one submittal.

6. Based on the results of the CS Report, the Department shall determine the need for further investigations at the SWMUs or AOCs covered in the CS Report. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2**. The Department will notify the Permittee of any no further action decision.

HSWA PART III - RCRA FACILITY INVESTIGATION (RFI)

1. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of the effective date of this permit, a RCRA Facility Investigation (RFI) Work Plan(s) for those units identified in Specific Condition **HSWA I.1.a**. This Work Plan shall be developed to meet the requirements of Specific Condition 3 of this Part.

2. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification by the Department, an RFI Work Plan for those units identified under Specific Conditions **HSWA I.5**, **HSWA I.7**, or **HSWA II.6**. The RFI Work Plan(s) shall be developed to meet the requirements of Specific Condition 3 of this Part.

3. The RFI Work Plan(s) shall meet the requirements of Appendix B. The RFI Work Plan(s) shall include schedules for implementation and completion of specific actions necessary to determine the nature and extent of contamination and the potential pathways of contaminant releases to the air, soil, surface water, and groundwater. The Permittee must provide sufficient justification and associated documentation that a release is not probable or has already been characterized if a unit or a media/pathway associated with a unit (groundwater, surface water, soil, subsurface gas, or air) is not included in the RFI Work Plan(s). Such deletions of a unit, media or pathway from the RFI(s) are subject to the approval of the Department. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix B. Such omissions or deviations are subject to the approval of the Department. In addition, the scope of the RFI Work Plan(s) shall include all investigations necessary to ensure compliance with 40 CFR 264.101(c).

4. The RFI Work Plan(s) must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the RFI Work Plan schedule in the letter approving the RFI Work Plan(s). If the Department disapproves the RFI Work Plan(s), the Department shall either:

   a. Notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submission of a revised RFI Work Plan;

   b. Revise the RFI Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved RFI Work Plan; or

   c. Conditionally approve the RFI Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the RFI(s) in accordance with the approved RFI Work Plan(s) and Appendix B. The Permittee shall notify the Department at least twenty (20) days prior to any sampling activity within the scope of the RFI Work Plan.

6. The Permittee shall prepare and submit to the Department Draft and Final RCRA Facility Investigation Report(s) for the investigations conducted pursuant to the RFI Work Plan(s) submitted under Specific Conditions 1 through 4 of this Part. The Draft RFI Report(s) shall be submitted to the Department for review in accordance with the schedule in the approved RFI Work Plan(s). The Final RFI Report(s) shall be submitted to the Department within thirty (30) calendar days of receipt of the Department's final comments on the Draft RFI Report. The RFI Report(s) shall include an analysis and summary of all required investigations of SWMUs and AOCs and their results. The summary shall describe the type and extent of contamination at the facility, including sources and migration pathways, identify all hazardous constituents present in all media, and describe actual or potential receptors. The RFI Report(s) shall also describe the extent of contamination (qualitative/quantitative) in relation to background levels indicative of the area. If the Draft RFI Report is a summary of the initial phase investigatory work, the report shall include a work plan for the final phase investigatory actions required based on the initial findings. Approval of the final phase work plan shall be carried out in accordance with Specific Condition 4 of this Part. The objective of this task shall be to ensure that the investigation data are sufficient in quality (*e.g.*, quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support a CMS, if necessary.

7. The Permittee shall prepare and submit to the Department, along with the Draft and Final RFI Report(s), Screening Levels for each of the hazardous constituents reported in Specific Condition 6 of this Part. Screening Levels shall be calculated as specified in Appendix E of this permit.

8. The Department will review the RFI Report(s), including the Screening Levels described in Specific Condition 7 of this Part. The Department shall notify the Permittee of the need for further investigative action if necessary and, if appropriate at this moment of the investigation, inform the Permittee, if not already notified, of the need for a CMS to meet the requirements of HSWA Part V and 40 CFR 264.101. The Department will notify the Permittee of any no further action decision. Any further investigative action required by the Department shall be prepared and submitted in accordance with a schedule specified by the Department and approved in accordance with Specific Condition 4 of this Part.

9. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee shall provide the Department with quarterly RFI Progress Reports (90 day intervals) beginning ninety (90) calendar days from the start date specified by the Department in the RFI Work Plan approval letter. The Progress Reports shall contain the following information at a minimum:

   a. A description of the portion of the RFI completed;

   b. Summaries of findings;

   c. Summaries of any deviations from the approved RFI Work Plan during the reporting period;

   d. Summaries of any significant contacts with local community public interest groups or State government;

e. Summaries of any problems or potential problems encountered during the reporting period;

f. Actions taken to rectify problems;

g. Changes in relevant personnel;

h. Projected work for the next reporting period; and

i. Copies of daily reports, inspection reports, data, *etc.*

HSWA PART IV – INTERIM MEASURES (IM)

1. Upon notification by the Department, the Permittee shall prepare and submit an Interim Measures Work Plan for any SWMU or AOC that the Department determines is necessary. IM are necessary in order to minimize or prevent the further migration of contaminants and to limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in Specific Condition 2 of this Part. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

2. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Specific Condition I.26. The Department will process Permittee-initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Specific Condition 1 of this Part. Permittee-initiated IM shall be considered conditionally approved unless the Department specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee-initiated IM. The scope and success of Permittee-initiated IM conditionally approved per Specific Condition 2 of this Part (in other words, **this** Specific Condition) shall be subject to subsequent in-depth review; the Department will either comment on or approve the Permittee-initiated IM. Permittee-initiated IM must follow the progress and final reporting requirements in Specific Conditions 8 and 9 of this Part.

3. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and are consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

4. The IM Work Plan imposed under Specific Condition 1 of this Part must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Department disapproves the IM Work Plan, the Department shall either:

   a. Notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan;

   b. Revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan; or

c. Conditionally approve the IM Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the interim measures imposed under Specific Condition 1 of this Part in accordance with the approved IM Work Plan.

6. The Permittee shall give notice to the Department as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Specific Condition 1 of this Part or initiated by the Permittee under Specific Condition 2 of this Part.

7. Final approval of corrective action required under 40 CFR 264.101 which is achieved through IM shall be in accordance with Rule 62-730.290, F.A.C. and **HSWA Part VI** as a permit modification.

8 If the time required for completion of interim measures imposed under Specific Condition 1 of this Part or implemented under Specific Condition 2 of this Part is greater than one year, the Permittee shall provide the Department with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee-initiated IM. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the IM completed;

b. Summaries of findings;

c. Summaries of any deviations from the IM Work Plan during the reporting period;

d. Summaries of any problems or potential problems encountered during the reporting period; and

e. Projected work for the next reporting period.

9. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of completion of IM conducted under this Part, an IM Report. The IM Report shall contain the following information at a minimum:

a. A description of IM implemented;

b. Summaries of results;

c. Summaries of all problems encountered;

d. Summaries of accomplishments and/or effectiveness of IM; and

e. Copies of all relevant laboratory/monitoring data, *etc.*

HSWA PART V – CORRECTIVE MEASURES STUDY (CMS)

1. The Permittee shall prepare and submit a CMS Work Plan for those units requiring a CMS within ninety (90) calendar days of notification by the Department that a CMS is required. This CMS Work Plan shall be developed to meet the requirements of Specific Condition 2 of this Part. The Permittee may seek approval from the Department for concurrent RFI/CMS. The CMS may be performed concurrent with the RFI process if the Department determines that sufficient investigative details are available to allow concurrent action.

2. The CMS Work Plan shall meet the requirements of Appendix C at a minimum. The CMS Work Plan shall include schedules for implementation and completion of specific actions necessary to complete a CMS. The Permittee must provide sufficient justification and/or documentation for any unit deleted from the CMS Work Plan. Such deletion of a unit is subject to the approval of the Department. The CMS shall be conducted in accordance with the approved CMS Work Plan. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix C. Such omissions or deviations are subject to the approval of the Department. The scope of the CMS Work Plan shall include all investigations necessary to ensure compliance with Chapter 62-730, F.A.C., 40 CFR 264.101, 40 CFR 264.552, and 40 CFR 270.32(b)(2). The Permittee shall implement corrective actions beyond the facility boundary, as set forth in Specific Condition **HSWA I.1.f.**

3. The Department shall either approve or disapprove, in writing, the CMS Work Plan. If the Department disapproves the CMS Work Plan, the Department shall either:

   a Notify the Permittee in writing of the CMS Work Plan's deficiencies and specify a due date for submittal of a revised CMS Work Plan;

   b. Revise the CMS Work Plan and notify the Permittee of the revisions; or

   c. Conditionally approve the CMS Work Plan and notify the Permittee of the conditions.

   This revised CMS Work Plan becomes the approved CMS Work Plan. Any disapproval and subsequent revision of a CMS Work Plan or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

4. The Permittee shall begin to implement the CMS according to the schedules specified in the CMS Work Plan, no later than fifteen (15) calendar days after the Permittee has received written approval from the Department for the CMS Work Plan. Pursuant to Specific Condition 2 of this Part, the CMS shall be conducted in accordance with the approved CMS Work Plan.

5. The Permittee shall prepare and submit to the Department a draft and final CMS Report for the study conducted pursuant to the approved CMS Work Plan and in accordance with Appendix C. The draft CMS Report shall be submitted to the Department in accordance with the schedule in the approved CMS Work Plan. The final CMS Report shall be submitted to the Department within thirty (30) days of receipt of the Department's final comments on the draft CMS Report. The CMS Report shall summarize any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. If a remedial alternative requires the use of a Corrective Action Management Unit (CAMU), the CMS report shall include all information necessary to establish and implement the CAMU. The CMS Report shall present all information gathered under the approved CMS Work Plan. The CMS Final Report must contain adequate information to support the Department's decision on the recommended remedy, described under HSWA Part VI.

6. If the Department determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition 5 of this Part, the Department may disapprove the CMS Final Report. If the Department disapproves the CMS Final Report, the Department shall notify the Permittee in writing of deficiencies in the CMS Final Report and specify a due date for submittal of a revised CMS Final Report. The Department will notify the Permittee of any no

further action decision. Any disapproval and subsequent revision of a CMS Report or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

7. As specified under Specific Condition 6 of this Part, based on preliminary results and the CMS Final Report, the Department may require that the Permittee evaluate additional remedies or particular elements of one or more proposed remedies.

HSWA PART VI – REMEDY APPROVAL AND PERMIT MODIFICATION

1. A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any IM implemented to date.

2. Upon Department approval of the Remedy (Specific Condition 1 of this Part), the Permittee shall public notice the Statement of Basis in accordance with Rule 62-730.220(9)(c), F.A.C. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

3. Within one hundred-twenty (120) calendar days after permit modification for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy in accordance with Rule 62-730.180(7), F.A.C.

HSWA PART VII – MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

1. If at any time the Department or the Permittee determines that modification of the Corrective Action Schedule of Compliance is necessary, the permit may be modified to reflect the change(s) to the Schedule of Compliance (Appendix D), with Department approval.

2. Modifications that are initiated and finalized by the Department will be in accordance with the applicable provisions of Chapter 62-730, F.A.C. The Permittee may also request a permit modification in accordance with Rule 62-730.290(3), F.A.C., to change the Schedule of Compliance.

3. If the Department determines that steps or dates in Appendix D may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

HSWA PART VIII – WORK PLAN AND REPORT REQUIREMENTS

1. All work plans and schedules shall be subject to approval by the Department prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Department. Upon approval the Permittee shall implement all work plans and schedules as written.

2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Department based on the Permittee's demonstration that sufficient justification for the extension exists.

3. If the Department or the Permittee at any time determines that the SAR information required under HSWA Part I, the CS Work Plan under HSWA Part II, or RFI Work Plan(s) required under HSWA Part III no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Department within ninety (90) calendar days of such determination.

HSWA PART IX – APPROVAL/DISAPPROVAL OF SUBMITTALS

1. The Department will review the work plans, reports, schedules, and other documents ("submittals") which require the Department's approval in accordance with the conditions of this permit. The Department will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore.

HSWA PART X – DISPUTE RESOLUTION

1. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (**Administrative Procedures Act**) and the Department's existing Rules and Procedures.

HSWA PART XI – LAND DISPOSAL RESTRICTIONS

1. 40 CFR 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 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

3. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

HSWA PART XII – DEFINITIONS

1. For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270, unless this permit specifically provides otherwise. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

   a. "Screening Levels" for the purposes of this permit are the Department's risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health and/or the environment.

b. The term "area of concern" (AOC) for purposes of this permit includes any area having a probable release of a hazardous waste or hazardous constituent which is not from a solid waste management unit and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under RCRA Section 3005(c)(3) and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

c. "Corrective Action Management Unit" (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility (40 CFR Part 264 Subpart S).

d. "Corrective measures" for purposes of this permit, include all corrective action necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.101. Corrective measures may address releases to air, soils, surface water or groundwater.

e. "Extent of contamination" for the purposes of this permit is defined as the horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above detection limits or background concentrations indicative of the region, whichever is appropriate as determined by the Department.

f. A "hazardous constituent" for purposes of this permit is any substance listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX.

g. "Interim Measures" (IM) for purposes of this permit are actions necessary to minimize or prevent the further migration of contaminants and limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented.

h. "Land Disposal" for purposes of this permit and 40 CFR Part 268 means placement in or on the land except for a CAMU or staging pile and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, underground mine or cave, or concrete vault or bunker intended for disposal purposes.

i. A "release" for purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.

j. A "solid waste management unit" (SWMU) for the purposes of this permit includes any unit which has been used for the treatment, storage, or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. RCRA regulated hazardous waste management units are also solid waste management units. SWMUs include areas that have been contaminated by routine and systematic releases of hazardous waste or hazardous constituents, excluding one-time accidental spills that are immediately remediated and cannot be linked to solid waste management activities (*e.g.*, product or process spills).

k. A "Temporary Unit" (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment or storage of hazardous remediation wastes during specific remediation activities. Designated by the Department, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.

l. A "unit" for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, septic tank, drain field, wastewater treatment unit, elementary neutralization unit, transfer station, or recycling unit.

Appendix A

Solid Waste Management Unit Summary

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring a RCRA Facility Investigation (RFI):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a RCRA Facility Investigation.				

A.2. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU-1	Container Storage/ Transfer Waste Area	Regulated Unit	1992 to Present
SWMU-2	Aboveground Storage Tank Area	Regulated Unit	1992 to Present
SWMU-3	Return/Fill Area	Regulated Unit	1992 to Present

A.3. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Confirmatory Sampling (CS).				

A.4. List of solid waste management units (SWMUs) and areas of concern (AOCs) undergoing Corrective Action (CA):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for CA	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Corrective Action (CA).				

Appendix B

RCRA Facility Investigation (RFI) Outline

The purpose of the RFI portion of the RCRA corrective action process is to evaluate the nature and extent of releases of hazardous wastes and/or hazardous constituents and to gather necessary data to support the CMS and/or IM. Planning for the investigation is best accomplished through a logical progression of tasks:

1. Gather information on the source of the release(s) to the environment (Source Characterization),

2. Gather information on the physical aspects of the environment which will affect the migration and fate of the release and identification of exposure pathways for both humans and non-human members of the environment (Environmental Setting) and

3. Use Source Characterization and Environmental Setting to develop a conceptual model of the release which will be used to plan and conduct a program to define the nature, rate and extent of the release (Sampling and Analysis Plan).

An RFI Work Plan and RFI Report are generally required elements of the RCRA corrective action process. The requirements for a full, detailed RFI are listed in this Appendix. The Department recognizes that each facility is unique. Therefore, the scope and requirements of the RFI shall be focused to fit the complexity of the site-specific situation. The work plan requirements listed in this Appendix in no way limit the site-specific opportunities for a Permittee. For example, the RFI may be implemented in phases. Relevant information contained in previously developed documents, such as a RCRA Part B permit application, may be referenced as appropriate, but must be summarized in either the RFI Work Plan or the RFI Report. In addition, the Department understands that Risk Assessments are becoming more widely utilized to place characterization information into context and to aid in determining remedial solutions. If a Risk Assessment is expected to be performed in the future, the Permittee and the contractor should meet with the Department to discuss the general format and process the Department expects a Risk Assessment to follow.

In some cases, it may be possible to implement the RFI concurrent with the CMS (also see Appendix C). This approach can save time and money because the earlier in the corrective action process potential remedies can be identified, the more effectively information gathering can be focused. The Department anticipates that a concurrent RFI/CMS approach may be appropriate in the following types of situations, among others: facilities where removal remedies have been proposed by the owner/operator, facilities with straightforward remedial solutions or where presumptive remedies can be applied, facilities where few remedial options are available, and facilities where the remedy is phased. The Department will determine on a case-by-case basis if a concurrent RFI/CMS is appropriate. Because of the unique data collection requirements necessary for a remedial solution which includes natural attenuation of contaminants in groundwater, if natural attenuation is expected to be part of the remedial solution, then the Sampling and Analysis Plan should be crafted to include monitoring of specific water quality parameters unique to natural attenuation (*e.g.*, nitrites/nitrates, ferrous iron, sulfides, dissolved oxygen, methane, hydrogen, *etc.*).

I. RFI WORK PLAN REQUIREMENTS - ELEMENTS OF THE RFI WORK PLAN

The RFI Work Plan shall include, at a minimum, the following elements:

A. Introduction - Summary of any relevant existing assessment data

The Permittee shall describe the purpose or objective of the RFI Work Plan and provide a summary of any existing environmental data, which is relevant to the investigation. The summary should provide the following items, at a minimum:

1. Land ownership history;
2. Facility operating dates;
3. Facility's product(s);
4. Raw materials used in facility operations, wastes generated;
5. Nature and extent of any known contamination;
6. Summary of an ongoing IM and past assessments; and
7. Summary of permit objective and how this objective will be satisfied.

B. Environmental Setting

The Permittee shall provide information on the environmental setting at the facility. The Permittee shall characterize the Environmental Setting as it relates to identified sources, pathways and areas of releases of hazardous constituents from Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs). Data gaps pertinent to characterization of releases shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The Environmental Setting shall cover the following items, at a minimum:

1. Hydrogeology

   The Permittee shall provide a summary of the hydrogeologic conditions at the facility. This discussion shall include, but not be limited to, the following information:

   a. A description of the regional and facility specific geologic and hydrogeologic characteristics affecting groundwater flow beneath the facility, including:

      (1). Regional and facility specific stratigraphy: description of strata including strike and dip, identification of stratigraphic contacts;

      (2). Structural geology: description of local and regional structural features (*e.g.*, folding, faulting, tilting, jointing, metamorphic foliation, *etc.*);

      (3). Depositional history;

(4). Regional and facility specific groundwater flow patterns (porous media, fracture media, karst media); and

(5). Identification and characterization of areas and amounts of recharge and discharge (springs in karst terrain, base level streams and rivers).

b. An analysis of any topographic features that might influence the groundwater flow system (*e.g.*, sinkholes and sinking streams in karst terrains).

c. Based on any existing field data, tests (*e.g.*, pump tests, tracer tests), and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (*i.e.*, the aquifers and any intervening saturated and unsaturated units), including:

(1). Hydraulic conductivity and porosity (total and effective), groundwater flow velocity, groundwater basin discharge;

(2). Lithology, grain size, sorting, degree of cementation;

(3). An interpretation of hydraulic interconnections between saturated zones (*i.e.*, aquifers) and surface waters; and

(4). The attenuation capacity and mechanisms of the natural earth materials (*e.g.*, ion exchange capacity, organic carbon content, mineral content, *etc.*).

d. Based on data obtained from groundwater monitoring wells and piezometers installed upgradient, water wells and/or springs downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring including:

(1). Water-level contour and/or potentiometric maps, including seasonal variations;

(2). Hydrologic cross sections showing vertical gradients;

(3). The flow system, including the vertical and horizontal components of flow; and

(4). Any temporal changes in hydraulic gradients, for example, due to tidal or seasonal influences and for karst terrain, stormflow.

e. A description of man-made influences that may affect the hydrology of the site, identifying:

(1). Local water supply and production wells with an approximate schedule of pumping; and;

(2). Man-made hydraulic structures (pipelines, french drains, ditches, roofs, runways, parking lots, *etc.*).

2. Soils

The Permittee shall provide an explanation of the soil and rock units above the water table in the vicinity of contaminant release(s). This summary may include, but not be limited to, the following types of information as appropriate:

a. Surface soil distribution;

b. Soil profile, including ASTM classification of soils;

c. Transects of soil stratigraphy;

d. Hydraulic conductivity (saturated and unsaturated);

e. Relative permeability;

f. Bulk density;

g. Porosity;

h. Soil sorption capacity;

i. Cation exchange capacity (CEC);

j. Soil organic content;

k. Soil pH;

l. Particle size distribution;

m. Depth of water table;

n. Moisture content;

o. Effect of stratification on unsaturated flow;

p. Infiltration;

q. Evapotranspiration;

r. Storage capacity;

s. Vertical flow rate; and

t. Mineral content.

3. Surface Water and Sediment

The Permittee shall provide a description of the surface water bodies in the vicinity of the facility. This summary may include, but not be limited to, the following activities and information:

a. Description of the temporal and permanent surface water bodies including:

(1). For lakes and estuaries: location, elevation, surface area, inflow, outflow, depth, temperature stratification, and volume;

(2). For impoundments: location, elevation, surface area, depth, volume, freeboard, and construction and purpose;

(3). For streams, ditches, and channels: location, elevation, flow, velocity, depth, width, seasonal fluctuations, flooding tendencies (*i.e.*,, 100 year event), discharge point(s), and general contents;

(4). Drainage patterns; and

(5). Evapotranspiration.

b. Description of the chemistry of the natural surface water and sediments. This includes determining the pH, total dissolved solids, total suspended solids, biological oxygen demand, alkalinity, conductivity, dissolved oxygen profiles, nutrients, chemical oxygen demand, total organic carbon, specific contaminant concentrations, *etc.*

c. Description of sediment characteristics including:

(1). Deposition area;

(2). Thickness profile; and

(3). Physical and chemical parameters (*e.g.*, grain size, density, organic carbon content, ion exchange capacity, pH, *etc.*).

4. Air

The Permittee shall provide information characterizing the climate in the vicinity of the facility. Such information may include, but not be limited to:

a. A description of the following parameters:

(1). Annual and monthly rainfall averages;

(2). Monthly temperature averages and extremes;

(3). Wind speed and direction;

(4). Relative humidity/dew point;

(5). Atmospheric pressure;

(6). Evaporation data;

(7). Development of inversions; and

(8). Climate extremes that have been known to occur in the vicinity of the facility, including frequency of occurrence (*i.e.*, Hurricanes)

b. A description of topographic and man-made features which affect air flow and emission patterns, including:

(1). Ridges, hills or mountain areas;

(2). Canyons or valleys;

(3). Surface water bodies (*e.g.*, rivers, lakes, bays, *etc.*); and

(4). Buildings.

C. Source Characterization

For those sources from which releases of hazardous constituents have been detected, the Permittee shall provide analytical data to completely characterize the wastes and the areas where wastes have been placed, to the degree that is possible without undue safety risks, including: type, quantity; physical form; disposition (containment or nature of deposits); and facility characteristics affecting release (*e.g.*, facility security, and engineering barriers). Data gaps on source characterization shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. This summary shall include quantification of the following specific characteristics, at each source area:

1. Unit/Disposal Area Characteristics:

a. Location of unit/disposal area;

b. Type of unit/disposal area;

c. Design features;

d. Operating practices (past and present);

e. Period of operation;

f. Age of unit/disposal area;

g. General physical conditions; and

h. Method used to close the unit/disposal area.

2. Waste Characteristics:

a. Type of wastes placed in the unit;

(1). Hazardous classification (*e. g.*, flammable, reactive, corrosive, oxidizing or reducing agent);

(2). Quantity; and

(3). Chemical composition.

b. Physical and chemical characteristics such as:

(1). Physical form (solid, liquid, gas);

(2). Physical description (*e.g.*, powder, oily sludge);

(3). Temperature;

(4). pH;

(5). General chemical class (*e.g.*, acid, base, solvent);

(6). Molecular weight;

(7). Density;

(8). Boiling point;

(9). Viscosity;

(10). Solubility in water;

(11). Cohesiveness of the waste; and

(12). Vapor pressure.

c. Migration and dispersal characteristics of the waste such as:

(1). Sorption capability;

(2). Biodegradability, bioconcentration, and biotransformation;

(3). Photodegradation rates;

(4). Hydrolysis rates; and

(5). Chemical transformations.

D. Potential Receptors

The Permittee shall provide data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Data gaps pertinent to receptor analysis shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The following characteristics shall be identified at a minimum:

1. Current local uses and planned future uses of groundwater:

   a. Type of use (*e.g.*, drinking water source: municipal or residential, agricultural, domestic/non-potable, and industrial);

   b. Location of groundwater users, to include withdrawal and discharge wells and springs, within one mile of the impacted area.

   The above information should also indicate the aquifer or hydrogeologic unit used and/or impacted for each item.

2. Current local uses and planned future uses of surface waters directly impacted by the facility:

   a. Domestic and municipal (*e.g.*, potable and lawn/gardening watering);

   b. Recreational (*e.g.*, swimming, fishing);

   c. Agricultural;

   d. Industrial; and

   e. Environmental (*e.g.*, fish and wildlife propagation).

3. Human use of or access to the facility and adjacent lands, including but not limited to:

   a. Recreation;

   b. Hunting;

   c. Residential;

   d. Commercial; and

   e. Relationship between population locations and prevailing wind direction.

4. A general description of the biota in surface water bodies on, adjacent to, or affected by the facility.

5. A general description of the ecology within the area adjacent to the facility.

6. A general demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age; sex; and sensitive subgroups.

7. A description of any known or documented endangered or threatened species near the facility.

E. Sampling and Analysis Plan(s) for Characterization of Releases of Hazardous Waste/Hazardous Constituents

The Permittee shall prepare a plan to document all monitoring procedures necessary to characterize the extent, fate and transport of releases (*i.e.*, identify sample locations, sample procedures and sample analysis to be performed during the investigation to characterize the environmental setting, source, and releases of hazardous constituents, so as to ensure that all information and data are valid and properly documented). The sampling strategy and procedures shall be in accordance with EPA Region 4 Environmental Compliance Branch's **Standard Operating Procedure and Quality Assurance Manual** (SOP) (most recent version) or a Department-approved Quality Assurance Project Plan pursuant to Chapter 62-160, F.A.C. Any deviations from this reference must be requested by the applicant and approved by the Department. If a Risk Assessment is expected to be performed once release characterization is complete or nearly complete, Data Quality Objectives (DQO) for a Human Health Risk Assessment requires a Data Quality Objective of Level 3 or greater.

The Sampling and Analysis Plan must specifically discuss the following unless the SOP procedures are specifically referenced.

1. Sampling Strategy

   a. Selecting appropriate sampling locations, depths, *etc.*;

   b. Obtaining all necessary ancillary data;

   c. Determining conditions under which sampling should be conducted;

   d. Determining which media are to be sampled (*e.g.*, groundwater, air, soil, sediment, subsurface gas);

   e. Determining which parameters are to be measured and where;

   f. Selecting the frequency of sampling and length of sampling period;

   g. Selecting the types of samples (*e.g.*, composite *vs.* grab) and number of samples to be collected.

2. Sampling Procedures

   a. Documenting field sampling operations and procedures, including;

(1). Documentation of procedures for preparation of reagents or supplies which become an integral part of the sample (*e.g.*, filters, preservatives, and absorbing reagents);

(2). Procedures and forms for recording the exact location and specific considerations associated with sample acquisition;

(3). Documentation of specific sample preservation method;

(4). Calibration of field instruments;

(5). Submission of appropriate blanks (*e.g.*, field, equipment, trip, *etc.*);

(6). Potential interferences present at the facility;

(7). Construction materials and techniques, associated with monitoring wells and piezometers;

(8). Field equipment listing and sampling containers;

(9). Sampling order; and

(10). Decontamination procedures.

b. Selecting appropriate sample containers;

c. Sampling preservation; and

d. Chain-of-custody, including:

(1). Standardized field tracking reporting forms to establish sample custody in the field prior to shipment; and

(2). Pre-prepared sample labels containing all information necessary for effective sample tracking.

(3). Chain-of-custody seals for sample containers and shipping coolers.

3. Sample Analysis

Sample analysis shall be conducted in accordance with **SW-846: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods** (most recent version) or an alternate approved method. The sample analysis section of the Sampling and Analysis Plan shall specify the following:

a. Chain-of-custody procedures, including:

(1). Identification of a responsible party to act as sampling custodian at the laboratory facility authorized to sign for incoming field samples, obtain

documents of shipment, and verify the data entered onto the sample custody records;

(2). Provision for a laboratory sample custody log consisting of serially numbered standard lab-tracking report sheets; and

(3). Specification of laboratory sample custody procedures for sample handling, storage, and dispersement for analysis.

b. Sample storage (*e.g.*, maximum holding times for constituents);

c. Sample preparation methods;

d. Analytical Procedures, including:

(1). Scope and application of the procedure;

(2). Sample matrix;

(3). Potential interferences;

(4). Precision and accuracy of the methodology; and

(5). Method Detection Limits; and

(6). Practical Quantitative Limits

e. Calibration procedures and frequency;

f. Data reduction, validation and reporting;

g. Internal quality control checks, laboratory performance and systems audits and frequency, including:

(1). Method blank(s);

(2). Laboratory control sample(s);

(3). Calibration check sample(s);

(4). Replicate sample(s);

(5). Matrix-spiked sample(s);

(6). "Blind" quality control sample(s);

(7). Control charts;

(8). Surrogate samples;

(9). Zero and span gases; and

(10). Reagent quality control checks.

h. External quality control checks by the Department, including:

(1). Spikes and blanks at sampling events for which the Department or its technical representative provides oversight; and

(2). The equivalent of a CLP data package for samples split with the Department or for which the Department specifically requests the package.

i. Preventive maintenance procedures and schedules;

j. Corrective action (for laboratory problems); and

k. Turnaround time.

F. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation.

1. Data Record

The data record shall include the following:

a. Unique sample or field measurement code;

b. Sampling or field measurement location and sample or measurement type;

c. Sampling or field measurement raw data;

d. Laboratory analysis ID number;

e. Property or component measures; and

f. Result of analysis (*e.g.*,. concentration, data qualifiers).

2. Tabular Displays

The following data shall be presented in tabular displays:

a. Unsorted (raw) data;

b. Results for each medium, or for each constituent monitored;

c. Data reduction for statistical analysis, as appropriate;

d. Sorting of data by potential stratification factors (*e.g.*, location, soil layer, topography); and

e. Summary data.

3. Graphical Displays

The following data shall be presented in graphical formats (*e.g.*, bar graphs, line graphs, area or plan maps, isopleth plots, cross-sectional plots or transects, three dimensional graphs, *etc.*):

a. Display sampling location and sampling grid;

b. Indicate boundaries of sampling area, and area where more data are required;

c. Display geographical extent of contamination, both horizontally and vertically;

d. Illustrate changes in concentration in relation to distances from the source, time, depth or other parameters; and

e. Indicate features affecting inter-media transport and show potential receptors.

G. Project Management Plan - Schedule of Implementation

The Permittee shall prepare a Project Management Plan that will cover qualifications of personnel categories and the management control structure for the project. The Permittee shall also provide a schedule for completing the planned RFI activities. The schedule shall be as specific as possible (*i.e.*, it should indicate the number of days/weeks/months required for each major work plan task).

II. RFI REPORT REQUIREMENTS - ELEMENTS OF THE RFI REPORT

The RFI Report shall include, at a minimum, the following elements:

A. Introduction

The Permittee shall describe the purpose of the RFI Work Plan and provide a summary description of the project.

B. Environmental Setting

The Permittee shall describe the Environmental Setting in and around the facility. The RFI Work Plan should contain some, if not all, of the information on the Environmental Setting. Any information collected during work plan implementation that clarifies or improves understanding of the Environmental Setting should be provided in this section.

C. Source Characterization

The Permittee shall summarize the sources of contamination and nature of releases identified at the facility. The RCRA Facility Assessment and the RFI Work Plan should contain some, if not all, of the information on Source Characterization. Any information collected during work plan implementation or obtained from the sources (*e.g.*, voluntarily or from other Environmental Programs) that directly addresses Source Characterization shall be provided in this section.

D. Sampling and Analysis Results

The Permittee shall present data results obtained pursuant to the RFI Work Plan. The Permittee shall identify any work plan proposals that were not completed and explain why such actions were not finished. The Permittee shall also present its analysis/interpretation of how the sampling data meet the RFI objective and how the sampling data fits or modifies the contaminant conceptual model. For all analytical data, the Permittee shall discuss the results of data quality/data review.

E. Data Quality Assurance/Data Quality Data Review

The Permittee shall perform a Quality Assurance/Quality Control data review on all data present in the RFI. The Quality Assurance/Quality Control data review shall be in accordance with the USEPA Contract Laboratory Program National Functional Guidelines for Inorganic Data Review (EPA-540/R94-013) and the USEPA Contract Laboratory Program National Functional Guidelines for Organic Data Review (EPA-540/R94-012), unless the Permittee has a Department-approved Quality Assurance Project Plan. The data review shall address the following, at minimum:

1. Holding times;
2. Blanks;
3. Laboratory Control Samples;
4. Field Duplicates;
5. Surrogate Recoveries;
6. Matrix Spike/Matrix Spike Duplicates; and
7. Data Assessment - Data Usability.

F. Conclusions

The Permittee shall summarize the major conclusions reached after analysis of the environmental setting, source characterization, sampling and analysis results and data quality. Any data gaps needed to complete characterization of the scope and extent of the releases from SWMUs and/or AOCs or to refine further the contaminant conceptual model shall be identified and recommendations made in the Recommendations Section of the report.

G. Recommendations

The Permittee shall provide its recommendations on what, if any, further action is needed to complete the characterization of release(s) from SWMUs and/or AOCs.

H. Work Plan for Additional Investigations

If further investigations are determined to be needed to complete the objective of the RFI then the Permittee shall provide a work plan to complete characterization of the release(s).

Appendix C

Corrective Measures Study (CMS) Outline

The purpose of the CMS portion of the RCRA corrective action process is to identify and evaluate potential remedial alternatives for the releases of hazardous constituents that have been identified at the facility through the RFI or other investigations to need further evaluation. The scope and requirements of the CMS are balanced with the expeditious initiation of remedies and rapid restoration of contaminated media. The scope and requirements of the CMS should be focused to fit the complexity of the site-specific situation. It is anticipated that Permittees with sites with complex environmental problems may need to evaluate a number of technologies and corrective measure alternatives. For other facilities, however, the evaluation of a single corrective measure alternative may be adequate. Therefore, a streamlined or focused approach to the CMS may be initiated. Information gathered during any stabilizations or interim measures will be used to augment the CMS and, in cases where corrective action goals are met, may be a substitute for the final CMS.

Regardless of whether a streamlined/focused or a detailed CMS is required, a CMS Work Plan and CMS Report are generally required elements. The requirements for a full, detailed CMS are listed below. The Department has the flexibility not to require sections of the plan and/or report, where site-specific situations indicate that all requirements are not necessary. Additionally, the Department may require additional studies besides these discussed in order to support the CMS.

I. CMS WORK PLAN

A. Elements of the CMS Work Plan

The CMS Work Plan shall include at a minimum the following elements:

1. A brief site-specific description of the overall purpose of the CMS;

2. A brief description of the corrective measure objectives, including proposed target media cleanup standards (*e.g.*, promulgated Federal and State standards) and preliminary points of compliance or a description of how a risk assessment will be performed (*e.g.*, guidance documents);

3. A brief description of the specific corrective measure technologies and/or corrective measure alternatives which will be studied;

4. A brief description of the general approach to investigating and evaluating potential corrective measures;

5. A detailed description of any proposed pilot, laboratory and/or bench scale studies;

6. A proposed outline for the CMS Report including a description of how information will be presented;

7. A brief description of overall project management including overall approach, levels of authority (include organization chart), lines of communication, project schedules, budget

and personnel. Include a description of qualifications for personnel directing or performing the work;

8. A project schedule that specifies all significant steps in the process and when key documents (*e.g.*, CMS Progress Reports, draft CMS Report) are to be submitted to the Department; and

9. A detailed Public Involvement Plan.

II. CMS REPORT

The detail of a CMS may vary based upon the complexity of the site, on-going IM, *etc.* However, the CMS Report may include the following elements:

A. Introduction/Purpose

The Permittee shall describe the purpose of the CMS Report and provide a summary description of the project.

B. Description of Current Situation

The Permittee shall submit a summary and an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RCRA Facility Investigation (RFI) Report. This discussion should concentrate on those issues that could significantly affect the evaluation and selection of the corrective measures alternative(s). The Permittee shall provide an update to information presented in the RFI regarding previous response activities and interim measures that have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

C. Establishment of Proposed Media Specific Cleanup Standards

The Permittee shall describe the proposed media cleanup standards and point of compliance. The cleanup criteria must be either background, promulgated Federal and State standards, State cleanup criteria, or alternate risk-derived target cleanup levels. If media clean-up standards are not proposed, then the Department will unilaterally propose setting media clean-up standards to either background, promulgated Federal and State standards or the most conservative risk-derived standards.

D. Identification, Screening and Development of Corrective Measure Technologies

1. Identification: List and briefly describe potentially applicable technologies for each affected media that may be used to achieve the corrective action objectives. Include a table that summarizes the available technologies.

   The Permittee should consider innovative treatment technologies, especially in situations where there are a limited number of applicable corrective measure technologies.

2. Screening: The Permittee shall screen the corrective measure technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies that have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

   Site, waste, and technology characteristics used to screen inapplicable technologies are described in more detail below:

   a. Site Characteristics: Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration.

   b. Waste Characteristics: Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of *in-situ* methods, direct treatment methods, and land disposal (on/off-site).

   c. Technology Limitations: During the screening process, the level of technology development, performance record, and inherent construction, operation, and maintenance problems should be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

3. Corrective Measure Development: The Permittee shall assemble the technologies that pass the screening step into specific alternatives that have the potential to meet the corrective action objectives for each media. Options for addressing less complex sites could be relatively straightforward and may only require evaluation of a single or limited number of alternatives. Each alternative may consist of an individual technology or a combination used in sequence *(i.e.,* treatment train). Different alternatives may be considered for separate areas of the facility, as appropriate. List and briefly describe each corrective measure alternative.

E. Evaluation of a Final Corrective Measure Alternative

For each remedy that warrants a more detailed evaluation (*i.e.*, those that passed through the screening step), including those situations when only one remedy is being proposed, the Permittee shall provide detailed documentation of how the potential remedy will comply with each of the standards listed below. These standards reflect the major technical components of remedies including cleanup of releases, source control and management of wastes that are generated by remedial activities. The specific standards are as follows:

1. Protect human health and the environment.

2. Attain media cleanup standards set by the Department.

3. Control the source of releases to reduce or eliminate, to the extent practicable, further releases that may pose a threat to human health and the environment.

4. Comply with applicable standards for management of wastes. and

5. Other factors.

In evaluating the selected alternative or alternatives, the Permittee shall prepare and submit information that documents that the specific remedy will meet the standards listed above. The following guidance should be used in completing this evaluation.

1. Protect Human Health and the Environment

   Corrective action remedies must be protective of human health and the environment. Remedies may include those measures that are needed to be protective, but are not directly related to media cleanup, source control or management of wastes. An example would be a requirement to provide alternative drinking water supplies in order to prevent exposures to releases from an aquifer used for drinking water purposes. Therefore, the Permittee shall provide a discussion of any short term remedies necessary to meet this standard, as well as discuss how the corrective measures alternative(s) meet this standard.

2. Attain Media Cleanup Standards

   Remedies will be required to attain media cleanup standards. As part of the necessary information for satisfying this requirement, the Permittee shall address whether the potential remedy will achieve the remediation objectives. An estimate of the time frame necessary to achieve the goals shall be included. Contingent remedies may be proposed if there is doubt if the initial remedy will be successful (*e.g.*, contingent remedies to innovative technologies).

3. Control of Sources of Releases

   The Permittee shall address the issue of whether source control measures are necessary, and if so, the type of actions that would be appropriate. Any source control measure proposed should include a discussion on how well the method is anticipated to work given the particular situation at the facility and the known track record of the specific technology.

4. Comply With any Applicable Standards for Management of Wastes

   The Permittee shall include a discussion of how the specific waste management activities will be conducted in compliance with all applicable State and Federal regulations (*e.g.*, closure requirements, LDRs)

5. Other Factors

There are five general factors that will be considered as appropriate by the Department in selecting/approving a remedy that meets the four standards listed above. These five decision factors include:

a. Long-term reliability and effectiveness;

b. Reduction in the toxicity, mobility or volume of wastes;

c. Short-term effectiveness;

d. Implementability; and

e. Cost.

Examples of the type of information to include are provided below:

(1). Long-term reliability and effectiveness: The Permittee may consider whether the technology, or combination of technologies, have been used effectively under analogous site conditions, whether failure of any one technology in the alternative would have any immediate impact on receptors, and whether the alternative would have the flexibility to deal with uncontrollable changes at the site. Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. In addition, each corrective measure alternative should be evaluated in terms of the projected useful life of the overall alternative and of its component technologies. Useful life is defined as the length of time the level of effectiveness can be maintained.

(2). Reduction in the toxicity, mobility or volume of wastes: As a general goal, remedies will be preferred that employ techniques that are capable of eliminating or substantially reducing the potential for the wastes in SWMUs and/or contaminated media at the facility to cause future environmental releases. Estimates of how the corrective measure alternative will reduce toxicity, mobility and or volume of the waste is required and may be accomplished through a comparison of initial site conditions to expected post-corrective measures conditions.

(3). Short-term effectiveness: The Permittee shall evaluate each corrective measure alternative for short-term effectiveness. Possible factors to consider are fire, explosion, exposure to hazardous constituents, and potential threats associated with the treatment, excavation, transportation and re-disposal or containment of the waste material.

(4). Implementability: Information to consider when assessing implementability include:

(a). The administrative activities needed to implement the corrective measure alternative (*e.g.*, permits, rights of way, *etc.*) and the length of time these activities will take;

(b). The constructibility, time for implementation, and time for beneficial results;

(c). The availability of adequate off-site treatment, storage capacity, disposal services, needed technical services and materials; and

(d). The availability of prospective technologies for each corrective measure alternative.

(5). Cost: The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include both capital and operation and maintenance costs. The capital costs shall include, but are not limited to, costs for: engineering, site preparation, construction, materials, labor, sampling/analysis, waste management/disposal, permitting, health and safety measures, *etc.* The operation and maintenance costs shall include labor, training, sampling and analysis, maintenance materials, utilities, waste disposal and/or treatment, *etc.* Costs shall be calculated as the net present value of the capital and operation and maintenance costs.

F. Justification and Recommendation of the Corrective Measure or Measures

The Permittee shall justify and recommend in the CMS Report a corrective measure alternative for consideration by the Department. Such a recommendation should include a description and supporting rationale for the preferred alternative that is consistent with the corrective action standards and remedy selection decision factors discussed above. In addition, this recommendation shall include summary tables that allow the alternative or alternatives to be understood easily. Trade-offs among health risks, environmental effects, and other pertinent factors shall be highlighted. The Department will select the corrective measure alternative or alternatives to be implemented based on the results presented in the CMS Report.

Appendix D

Schedule of Compliance

Schedule of Compliance	Due Date
Notification of Newly Identified SWMUs and AOCs *Specific Conditions HSWA I.2 and HSWA I.3.*	Within fifteen (15) calendar days of discovery
SWMU Assessment Report *Specific Condition HSWA I.4.*	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs *Specific Condition HSWA I.6.*	Within fifteen (15) calendar days of discovery
CS Work Plan for SWMUs or AOCs identified in **Appendix A.3** *Specific Condition HSWA II.2*	Within forty-five (45) calendar days after effective date of permit
CS Work Plan for SWMUs identified under Condition *HSWA I.5.*, or AOCs identified under Specific Condition *HSWA I.2.* *Specific Condition HSWA II.2.*	Within forty-five (45) calendar days of notification by the Department
CS Report *Specific Condition HSWA II.5.*	In accordance with the approved CS Work Plan
RFI Work Plan for SWMU(s) and AOC(s) identified under Specific Condition **HSWA I.1.a.** *Specific Condition HSWA III.1.*	Within ninety (90) calendar days from effective date of permit
RFI Work Plan for SWMU(s) and AOC(s) Identified under Specific Conditions **HSWA I.5, HSWA I.7, or HSWA II.6.** *Specific Condition HSWA III.2.*	Within ninety (90) calendar days after receipt of notification by the Department which SWMUs or AOCs require an RFI

Schedule of Compliance	Due Date
Draft RFI Report *Specific Condition HSWA III.6.*	In accordance with the approved RFI Work Plan
Final RFI Report *Specific Condition HSWA III.8.*	Within thirty (30) calendar days after receipt of Department's final comments on Draft RFI Report
RFI Progress Reports *Specific Condition HSWA III.9.*	Quarterly, beginning ninety (90) calendar days from the start date specified by the Department*
IM Work Plan *Specific Condition HSWA IV.1.*	Within thirty (30) calendar days of notification by the Department
IM Progress Reports *Specific Condition HSWA IV.8.*	In accordance with the approved IM Work Plan ** or semi-annually for Permittee-initiated IM
IM Report *Specific Condition HSWA IV.9.*	Within ninety (90) calendar days of completion
CMS Work Plan *Specific Condition HSWA V.1.*	Within ninety (90) calendar days of notification by the Department that a CMS is required
Implementation of CMS Work Plan *Specific Condition HSWA V.4.*	Within fifteen (15) calendar days after receipt of the Department approval of Plan
Draft CMS Report *Specific Condition HSWA V.5.*	In accordance with the schedule in the approved CMS Work Plan
Final CMS Report ***Specific Condition HSWA V.5.***	Within thirty (30) calendar days of the Department's final comments on Draft CMS Report
Demonstration of Financial Assurance *Specific Condition HSWA VI.3.*	Within one hundred twenty (120) calendar days after permit modification for remedy

Schedule of Compliance	Due Date
Noncompliance/Imminent Hazard Report ***General Condition 8.***	Oral within 24 hours and written within fifteen (15) calendar days of becoming aware of the hazardous circumstances
Written report of noncompliance of tanks, surface impoundments or containers with 40 CFR 264.1082(c)(1) or (c)(2) (Subpart CC).	Within fifteen (15) calendar days of becoming aware of noncompliance

The above reports must be signed and certified in accordance with 40 CFR 270.11 and Rule 62-730.220(6), (7) and (8), F.A.C.

* This applies to Work Plan execution that requires more than one hundred-eighty (180) calendar days

** This applies to Work Plan execution that requires more than one year.

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

EPA I.D. Numb[redacted]LD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Issued FEBRUARY 9, 2005

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

DOTTY DILTZ, ASSISTANT DIRECTOR
DIVISION OF WASTE MANAGEMENT

Filing and Acknowledgment

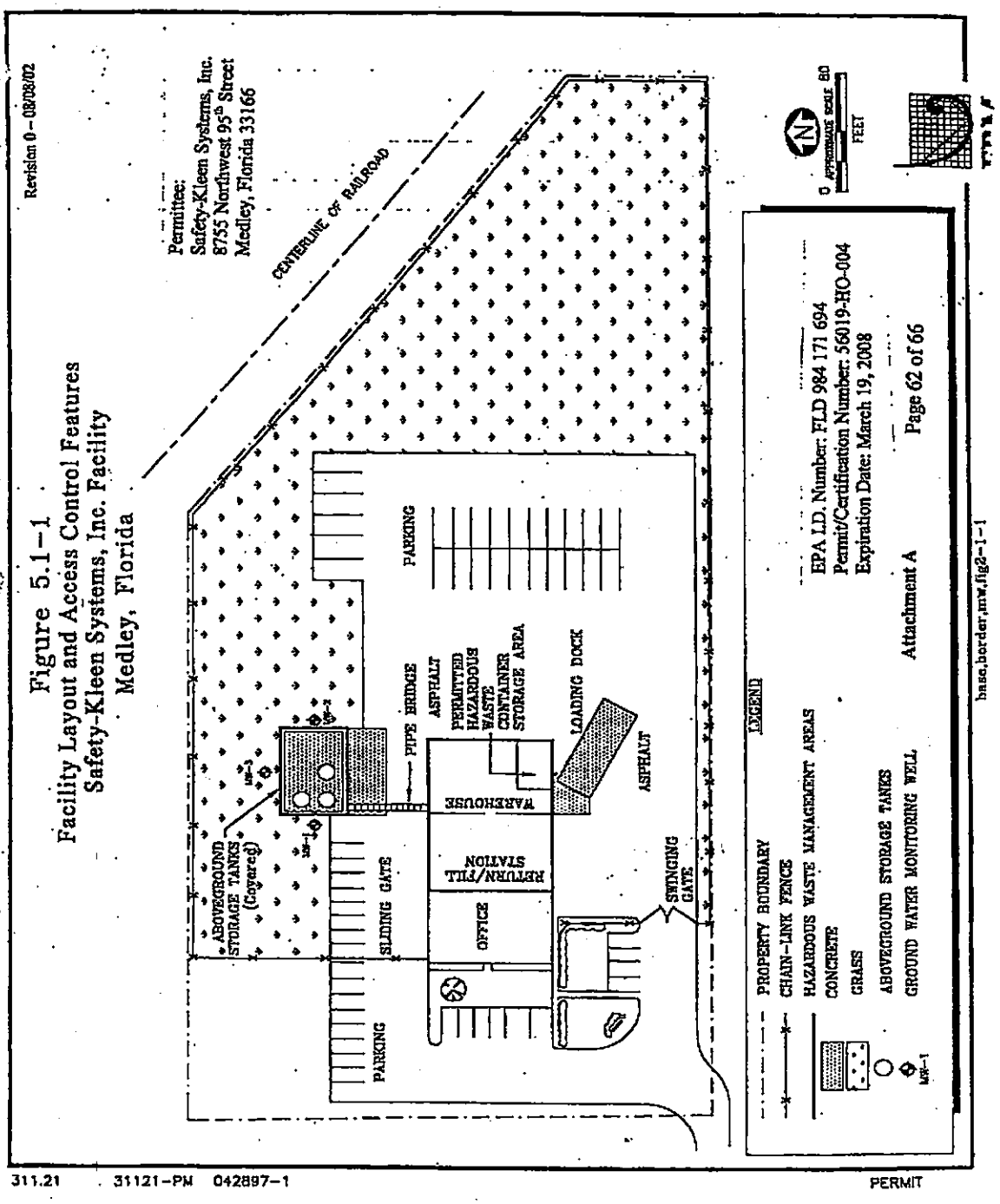
Filed on this date, pursuant to
Section 120.52, Florida Statutes,
with the designated Clerk, receipt
of which is acknowledged.

Kim Thursby
CLERK

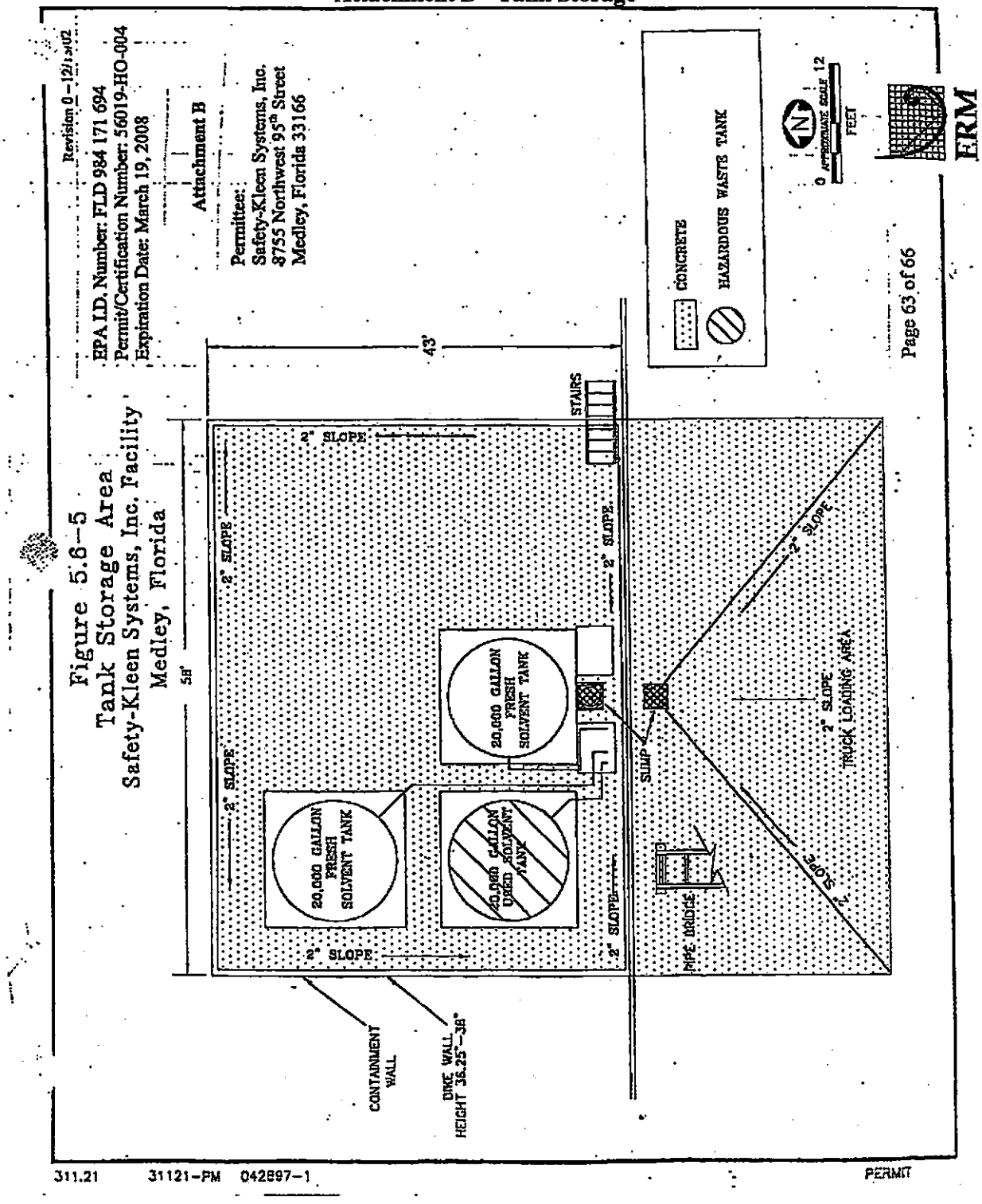
2-10-05
DATE

This is to certify that this Notice of Permit was mailed before
close of business on February 10, 2005.

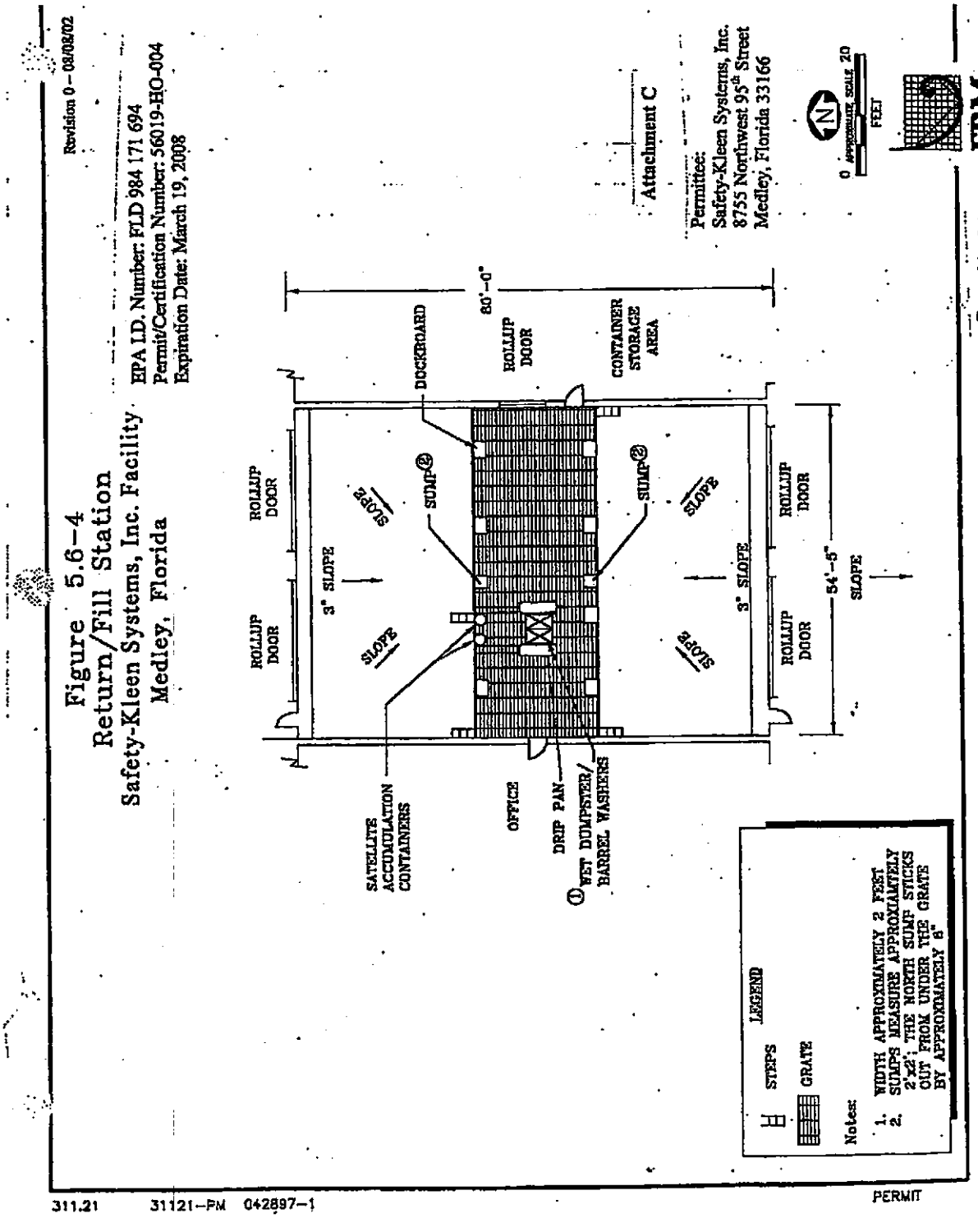
Attachment A - Facility Layout



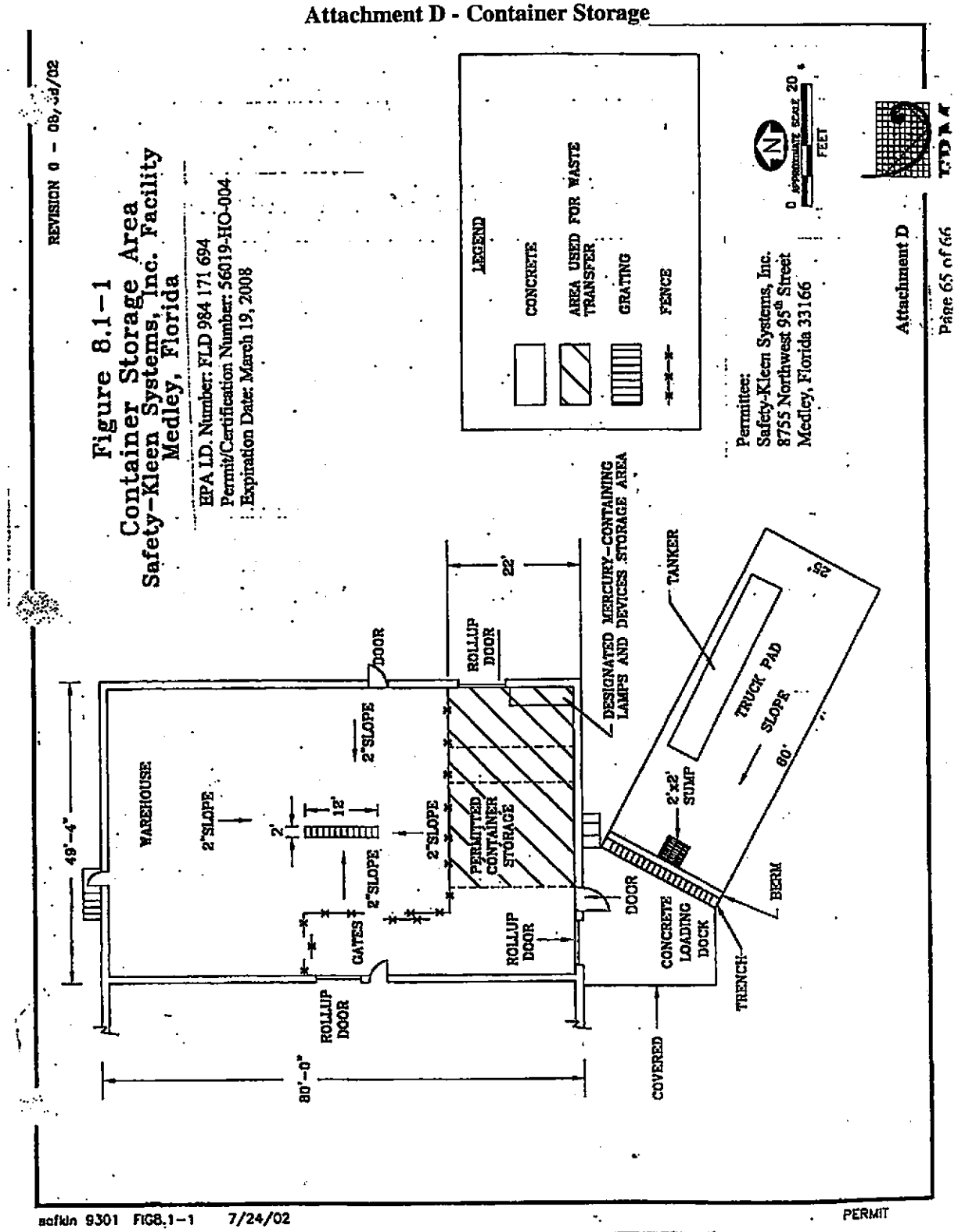
Attachment B - Tank Storage



Attachment C - Solvent Return/ Fill Station



Attachment D - Container Storage



Attachment E - Permitted and Transfer Wastes

TABLE 5.1-1
PERMITTED AND TRANSFER WASTES

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	D009

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

*** This waste will be held for transfer in containers in the transfer area.

Department of Environmental Protection

Lawton Chiles
Governor

MAR 19 1998

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123

DEP File No. FLD 984 171 694
Permit File: HO 13-307336
Dade County

Dear Mr. Scott E. Fore:

Enclosed is Permit Number HO 13-307336 to Operate a hazardous waste storage facility previously operated under State Permit Number HO 13 216311.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, 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. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

If you have any questions, please contact John Jones of this office, telephone number (561) 681-6674.

Executed in West Palm Beach, Florida on this 18 day of MARCH, 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Carlos Rivero-deAguilar
Director of District Management
Southeast District

CRA/VK/JJ/vp

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on MAR 19 1998 to the listed persons.

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

Andrell Mapie
Clerk

March 19, 1998
Date

Copies furnished to:
Kent Williams, USEPA - Atlanta
Doug Outlaw, FDEP - Tallahassee
Palm Beach County ERM
South Florida Water Management District
File, West Palm Beach

Department of Environmental Protection

Lawton Chiles
Governor

MAR 19 1998

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

PERMITTEE:

Safety-Kleen Corporation
Medley Branch Service Center
One Brinckman Way
Elgin, IL 60123

Attn.: Della Ridley,
Southeast Region Env. Manager

I.D. Number: FLD 984 171 694
Permit/Cert Number: HO 13-~~216311~~
Date of Issue: MAR 19 1998
Expiration Date: MAR 19, 2003
County: Dade
Lat/Long: 25°51'90" N/80°20'25" W
Section/Township/Range: 4/53S/40E
Project: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, (F.S.) and Rule(s) 62-4 and 62-730, 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 and 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 Hazardous Waste Storage Facility, consisting of a container storage area, aboveground tank storage area, and a return/fill area. (Hereinafter referred to as "Facility")

The container storage area will be equipped with the following features: impervious floors with slopes toward spill containment areas, fire suppression system and controlled access (inside fenced area with locked gate). The capacity of the container storage area will be 6,912 gallons total of permitted and transfer hazardous waste (432 16-gallon containers, or the equivalent) with a maximum volume of 29,400 gallons for product and waste combined.

The capacity of the above-ground hazardous waste storage tank is 20,000 gallons. The waste to be stored in the tank is spent parts washer solvent/waste mineral spirits. The tank will have a secondary containment/leak detection system.

A summary of wastes handled at the Facility with corresponding RCRA Waste Codes is included in the permit application as Table 7.1-1, a copy of which is included with this permit. The Facility is also operating a transfer Facility in accordance with Rule 62-730.171, F.A.C. The Facility is surrounded by a chain link fence. Gates are locked after normal working hours. Operation of the Facility will be in accordance with the permit application. This permit replaces the expired Permit No. HO 13-216311.

IN ACCORDANCE WITH: Application DEP Form 62-730.900(2) dated June 2, 1997 and with additional information submitted September 5, 1997 and Newspaper Public Notice dated January 26, 1998 and Radio Public Notice dated February 25, 1998.

LOCATED AT: Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166.

SUBJECT TO: General Conditions (1-16) and Specific Conditions, PART I (1-3), PART II (1-17), PART III (1-7), PART IV (1-15), PART V (1-2), and PART VI (1-4).

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the Permittee, its agents, employees, servants or representatives.

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 Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute 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 the 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, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the Facility and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit, as 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
   a. Having access to and copying any records that must be kept under the conditions of the permit;
   b. Inspecting the Facility, equipment, practices, or operations regulated or required under this permit; and
   c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

GENERAL CONDITIONS (Continued):

8. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the Permittee shall immediately notify and provide the Department with the following information:
   a. a description of and cause of non-compliance; and
   b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S.

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.

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, 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.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:
   ( ) Determination of Best Available Control Technology (BACT)
   ( ) Determination of Prevention of Significant Deterioration (PSD)
   ( ) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
   ( ) Compliance with New Source Performance Standards

14. The Permittee shall comply with the following monitoring and record keeping requirements:
   a. Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
   b. The Permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
      - the date, exact place, and time of sampling or measurements;
      - the person responsible for performing the sampling or measurements
      - the date(s) analyses were performed;
      - the person responsible for performing the analyses;
      - analytical techniques or methods used; and
      - results of such analyses.

GENERAL CONDITIONS (Continued):

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware that 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 submitted or corrected promptly.

16. The following conditions shall also apply to the hazardous waste facility permit:
    a. The following reports shall be submitted to the Department:
        (1) Manifest Discrepancy Report. If a significant discrepancy in a manifest is discovered, the permittee shall attempt to rectify the discrepancy. If not resolved within fifteen (15) days after the waste is received, the permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
        (2) Unmanifested Waste Report. The permittee shall submit an unmanifested waste report to the Department within fifteen (15) days of receipt of unmanifested waste.
        (3) Biennial Report. A biennial report covering Facility activities during the previous calendar year shall be submitted to the Department pursuant to Rule 62-730, F.A.C.
    b. Notification of any noncompliance which may endanger human 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 twenty-four (24) hours, and a written report shall be provided within five (5) days. The verbal report within twenty-four (24) hours shall contain the name, address, I.D. number, and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        (1) A description of cause of the noncompliance.
        (2) If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    c. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than fourteen (14) days after each schedule date.
    d. All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS:

PART I - STANDARD REQUIREMENTS:

1. Submittals in response to these conditions shall be submitted as follows:

   (a) Two (2) copies shall be submitted to:

   Hazardous Waste Program Manager
   Department of Environmental Protection
   Southeast District
   400 North Congress Avenue
   P.O. Box 15425
   West Palm Beach, Florida 33416-5425

   (b) One (1) copy shall be submitted to:

   Environmental Administrator
   Hazardous Waste Regulation Section
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   (c) One (1) copy shall be submitted to:

   Chief, RCRA Branch
   Waste Management Division
   United States Environmental Protection Agency
   Region IV
   100 Alabama Street, SW
   Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Management Section, MS-4560
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399 2400

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All submittals modifying the approved Closure Plan shall be certified by the owner and operator and signed, sealed, and certified by an independent Professional Engineer registered in the State of Florida, in accordance with Rule 62-730.220(7), F.A.C.

SPECIFIC CONDITIONS: (Continued)

PART II - FACILITY OPERATION

1. The Permittee shall comply with the following conditions concerning required notices:

   a. The Permittee shall notify the Department in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, in accordance with 40 CFR 264.12(a). Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

   b. When the Permittee is to receive hazardous waste from an off-site source (except when the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record [40 CFR 264.12(b)]

   c. Before transferring ownership or operation of this Facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR 264 and Rule 62-730.900(2), F.A.C. [40 CFR Part 264.12(c)]. The Permittee shall also submit an application for transfer of the permit on DER Form 62-1.201(1), in accordance with Rule 62-730.300, F.A.C.

2. Prior to acceptance of hazardous wastes other than those specified in Tables 5.1-1 and 7.1-1 of the permit, the Permittee shall submit to the Department a request for permit modification. This request shall include a complete waste analysis of the proposed new waste stream. This analysis must be incorporated in the general waste analysis plan and retained on site. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. [40 CFR 264.13]

3. The permit shall follow the procedures described in the "Waste Analysis Plan," Section 7 of the permit application. [40 CFR 264.13(b)]

4. The Permittee shall comply with the security provisions of 40 CFR 264.14(b)(2) and (c).

5. The Permittee shall inspect the Facility operating, emergency and safety equipment, including equipment listed in Tables 5.6-1 and 5.8-1 and located as described in Table 5.6-1, in accordance with the procedures described in Table 5.2-1 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record of the Facility. [40 CFR 264.15]

SPECIFIC CONDITIONS: (Continued)

6. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within 6 months of employment or assignment to a Facility or to a new position at the Facility. Verification of this training must be kept with the personnel training records and maintained on-site. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by Facility personnel at least annually. Facility shall maintain an updated list of personnel handling hazardous waste and their respective job titles, matching requirements specified in Tables 6.1-1 through 6.1-9, at the site.

7. The Permittee shall comply with the general requirements of 40 CFR 264.17(a) and (b), and the location requirements of 40 CFR 264.176 and 40 CFR 264.198.

8. The Permittee shall comply with the following conditions concerning preparedness and prevention:
   a. 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 constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 264.31.
   b. At a minimum, the Permittee shall equip the Facility with the equipment required by 40 CFR 264.32.
   c. The Permittee shall test and maintain the equipment as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.
   d. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34
   e. At a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35.
   f. The Permittee shall maintain arrangements with state and local authorities as required by 40 CFR 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.

9. The Permittee shall comply with the following conditions concerning the Contingency Plan:
   a. The Permittee shall immediately carry out the provisions of the "Preparedness, Prevention, Contingency Plan, and Emergency Procedures for Daily Business Operations," Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 15 days must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).
   b. The Permittee shall comply with the requirements of 40 CFR 264.53.
   c. Within seven days of meeting any criteria listed in 40 CFR 264.54, the Permittee shall amend the plan and submit the amended plan for the Department approval. All amended plans must be distributed to the appropriate agencies.
   d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.
   e. The Department of Environmental Protection's 24-hour emergency telephone number is (904) 413-9911. During normal business hours, the Department's Southeast District office may be contacted at (561) 681-6600.

SPECIFIC CONDITIONS: (Continued)

10. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72, 264.76, and 264.77 including the following:
    a. The manifest system prescribed in 40 CFR 264.71 must be followed for all hazardous wastes received at the Facility.
    b. Within three working days of receipt of a shipment subject to 40 CFR Part 262, Subpart H, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the FDEP, the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, and to competent authorities of other concerned countries.
    c. 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 manifest discrepancy report, including a copy of the manifest, to the Department.
    d. The Permittee shall submit an unmanifested waste report to the Department with 15 days of receipt of unmanifested waste.
    e. The Permittee must submit all additional reports required in 40 CFR 264.77. This includes notification of any noncompliance 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. A verbal report shall be made to the Department within 24 hours, and a written report shall be provided within 15 days. The verbal report shall contain the name, address, ID number and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        1. A description of cause of the noncompliance.
        2. If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    f. Reports of compliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than 14 days after each schedule date.
    g. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS: (Continued)

11. The Permittee shall maintain a written operating record at the Facility, as required in 40 CFR 264.73, which includes:
    - the description and quantity of each hazardous waste received
    - the location of each hazardous waste within the Facility, and the quantity at each location
    - the results of the waste analyses
    - a summary report and details of incidents that require implementation of the Contingency Plan
    - the results of inspections (for 3 years)
    - Monitoring, testing or analytical data, and corrective action incidents, as required in 40 CFR 264.73(b)(6)
    - manifest numbers
    - notices to generators as specified in 40 CFR 264.12(b)
    - the Closure Plan and cost estimates
    - annual certification of waste minimization
    - biennial reports

    These records must be maintained at the Facility until completion and Certification of Closure, pursuant to 40 CFR 264.73.

12. The Permittee must meet the requirements in 40 CFR 264.74 regarding the availability, retention, and disposition of records.

13. A Biennial report covering Facility activities during the previous calendar year shall be submitted to the Department by March 1, of each even numbered year pursuant to 40 CFR 264.75 and Rule 62-730, F.A.C.

14. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances 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 CFR Part 268. When the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

17. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

PART III - CONTAINER STORAGE AREA

1. The Permittee is allowed to store the hazardous waste(s) listed in Tables 5.1-1 and 7.1-1 of the permit application in the approved storage area only. Containers must conform to DOT specification or UN performance criteria and be managed in accordance with the approved operation plan. Containers shall be kept closed, except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak, per 40 CFR 264.173. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in that is in good condition, per 40 CFR 264.171.

SPECIFIC CONDITIONS: (Continued)

2. The Permittee shall use only those containers made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored in them and managed as indicated in Section 8 of the permit application. [40 CFR 264.172]

3. The Permittee shall conduct daily visual inspections, in accordance with Section 8 and Figure 8.4-1 of the permit application (the inspection schedule), to detect leakage in the hazardous waste areas or their associated loading/unloading zones, per 40 CFR 264.174. If, in spite of the daily inspections, a significant deterioration of the concrete pad or joint sealant material (due to occasional spills) is noted, the need for a protective coating/more resistant seal material will be re-evaluated.

4. Spilled or leaked waste and accumulated precipitation must be removed from the collection area within 24 hours, then analyzed and disposed of in accordance with the requirements of 40 CFR 264.175.

5. The Permittee shall comply with the waste compatibility requirements of 40 CFR 264.177.

6. The Permittee shall comply with the following conditions concerning operation of the container storage area:
   a. The Permittee shall maintain and operate the Facility as required by 40 CFR 264.175 and in accordance with Section 8 of the permit application.
   b. The Permittee shall store a maximum of 6,912 gallons total of permitted and transfer wastes combined. (432 16-gallon containers, or the equivalent).
   c. The Permittee shall notify the Department if the volume of waste in the container storage area exceeds the permitted capacity.
   d. The Permittee shall not stack containers more than two high or six feet, whichever is higher in the container storage area.
   e. The Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire equipment, spill control equipment, and decontamination equipment to any area of the Facility operation in an emergency.

7. The Permittee shall manage all hazardous waste placed in a container or tank in accordance with the applicable requirements of 40 CFR 264 Subparts AA, BB and CC. [40 CFR 264.179]

SPECIFIC CONDITIONS: (Continued)

PART IV - TANK STORAGE AREA

1. The Permittee is allowed to store hazardous waste in the 20,000 gallon above-ground storage tank, as shown in Figure 9.2-1 of the permit application, a copy of which is included with this permit.

2. The Permittee shall notify the Department of any leak, spill, or release to the environment as required in 40 CFR 264.196(d).

3. The Permittee shall pump the liquid in the spill collection trench into a compatible container or tank within 24 hours of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations. [40 CFR 264.193(c)(4)]

4. The Permittee must keep on file at the Facility the written statements certifying the design of the tank system in accordance with 40 CFR 264.193(b) and (f) which attest that the tank system has been designed, installed and maintained as per 40 CFR 264.193(b) and (d).

5. The Permittee shall prevent the release of hazardous waste or hazardous constituents to the environment. The secondary containment system should be maintained according to Section 9.3 of the permit application and shall comply with the requirements of 40 CFR 264.193. Ancillary equipment shall be provided with secondary containment, except as provided for in 40 CFR 264.193(f).

6. The Permittee shall, as part of the general operating requirements of 40 CFR 264.194:
   (a) Not place hazardous wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail.
   (b) Use appropriate controls and practices to prevent spills and overflows.
   (c) Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.

7. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank storage units in accordance with 40 CFR 264.194.

8. The Permittee must inspect daily the tank and ancillary equipment documenting the daily inspections in the operating record of the Facility in accordance with Section 9.4 and Figure 9.4-1 of the permit application. [40 CFR 264.195(b) and (d)]

9. The Permittee shall satisfy the requirements of 40 CFR 264.196 when a tank system or secondary containment system produces a leak or spill, or is determined to be unfit for use. These requirements include, as they are made applicable by 40 CFR 264.196:
   a. Cessation of use; prevent flow or addition of waste.
   b. Removal of waste from tank system or secondary containment system.
   c. Containment of visible releases to the environment.
   d. Notifications, reports.
   e. Provision of secondary containment, repair or closure.
   f. Certification of major repairs.

SPECIFIC CONDITIONS: (Continued)

10. For new tank components which may be required by the repair options of 40 CFR 264.196(f) the Permittee must submit a written assessment, reviewed and certified by an independent registered professional engineer, which attests to the component's structural integrity. This assessment shall include the requirements of 40 CFR 264.192. As required in 40 CFR 264.192(b), an independent qualified inspector or independent registered professional engineer must inspect the installation.

11. The Permittee shall not place ignitable or reactive waste in the tank system unless the waste is stored in such a way that it is protected from any material or conditions that may cause the waste to ignite or react. [40 CFR 264.198(a)]

12. The Permittee shall comply with the protective distance requirements for the tank placement as set forth in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981). [40 CFR 264.198(b)]

13. The Permittee shall handle incompatible wastes in accordance with the requirements of 40 CFR 264.199, by not introducing hazardous waste into unwashed tank systems which previously held incompatible waste or material.

14. The Permittee is authorized to operate the drum washers, located in the Return and Fill areas, as part of the tank systems and follow the operation procedures specified in Section 9 of the permit application.

15. The Permittee shall comply with the following conditions for the operation of the drum washers:
    a. Remove the liquids and the sludge from the sump in the bottom of drum washers, upon completion of each working day, and
    b. Process drums in the drum washers upon receiving and shall not accumulate drums in Return and Fill area for more than 24 hours.

PART V - CLOSURE

1. The Permittee shall comply with the following conditions concerning closure:
    a. The Permittee shall close the Facility as required by 40 CFR 264.111, and in accordance with the Closure Plan, Section 10 of the permit application.
    b. The Permittee shall amend the Closure Plan in accordance with 40 CFR 264.112(b) whenever necessary.
    c. In accordance with 40 CFR 264.112(d)(1), the Permittee shall notify the Department at least forty-five (45) days prior to the date he expects to begin closure of any units.
    d. The Permittee shall notify the Department at least one hundred thirty-five (135) days prior to the date he expects to begin closure and submit a complete Closure Permit Application. [Rule 62-730.260, F.A.C.]
    e. Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plan, Section 10 of the permit application, and in accordance with 40 CFR 264.113(a).
    f. The Permittee shall decontaminate and/or dispose of all Facility equipment as required by 40 CFR 264.114, 264.178, 264.197, and the Closure Plan, Section 10 of the permit application.

SPECIFIC CONDITIONS: (Continued)

g. The Permittee shall certify that the Facility has been closed in accordance with the specifications in the Closure Plan, as required by 40 CFR 264.115.

2. Within ninety (90) days of determining that all contaminated soils can not be practically removed or decontaminated from the tank systems as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the tank system(s) as a landfill and perform post closure care as required by 40 CFR 264.310. [40 CFR 264.197(b)]

PART VI - GENERAL

1. All submittals modifying engineering features of the hazardous waste storage areas shall be worded, signed and certified by a qualified, professional engineer (P.E.) registered in the State of Florida in accordance with Rule 62-730.220(7), F.A.C.

2. This permit may be reopened if additional information becomes available indicating that the provisions of Section 3004(u) of the Hazardous and Solid Waste Amendments (HSWA) of 1984 apply to this Facility. At that time, this permit may be modified to address the requirements of Section 3004(u) of HSWA if the State has been authorized for the provisions, or alternately, the Environmental Protection Agency (EPA) would issue a separate federal permit to address Section 3004(u) requirements.

3. The Department may modify, revoke and reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-730.290, F.A.C. The filing of a request for a permit modification, revocation and 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 revisions to the Department for approval. Should these revisions constitute a major modification to the permit, the Permittee shall meet the requirements of Rule 62-730.290, F.A.C.

4. Prior to one hundred thirty-five (135) days before the expiration of this permit, the Permittee shall submit a complete application for renewal of the permit on forms and in a manner prescribed by the Department, unless the Facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-730.300(1), F.A.C.

Issued this 18 day of MARCH, 1998

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Carl R. deAguilar

Carlos Rivero-deAguilar
Director of District Management
Southeast District

RCRA/VK/JJ/vp

TABLE 7.1-1

PERMITTED AND TRANSFER WASTES
SAFETY-KLEEN CORP.
MEDLEY, FLORIDA

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent*	S01** S02***	813	D001 and D-Codes Listed in Note Below
Dumpster Sediment	S01**	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01**	Included Above	D001 and D-Codes Listed in Note Below
Spent Immersion Cleaner (New Formula) IC699	S01**	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01**	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01****	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Waste	S01**	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ****	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A****	Less than 2.2	Not applicable - handled as nonhazardous transfer wastes.

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* Spent parts washer solvents are transported from the customer to the Branch in accordance with the generator's hazardous waste determination.

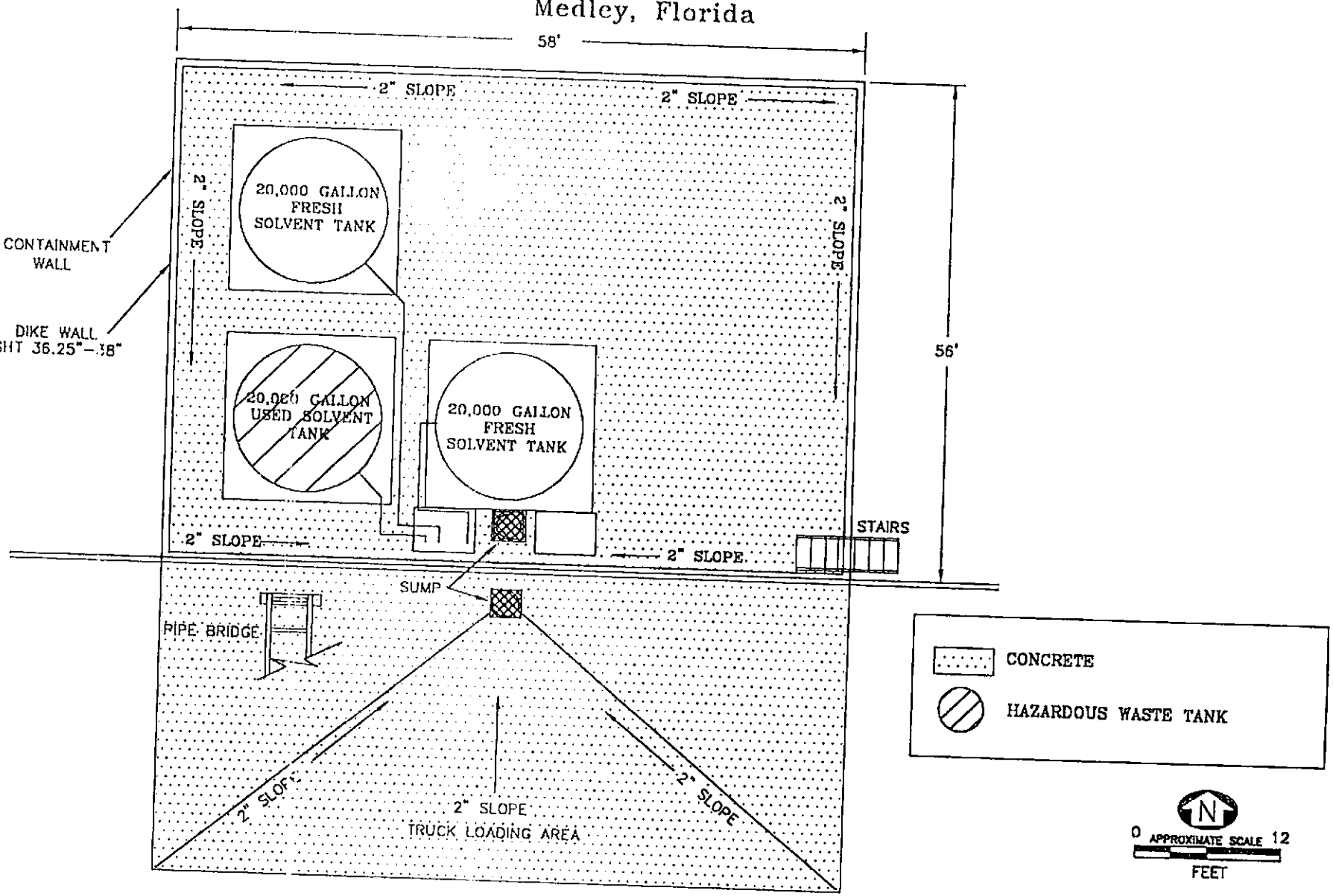
** This waste will be stored in containers in the container storage area. The maximum drum capacity in the container storage area for hazardous waste and product is 29,400 gallons with 6,912 gallons being waste.

*** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

**** This waste will be held for transfer in containers in the transfer area.

N/A Process code not applicable.

Figure 9.2-1
Tank Storage Area
Safety-Kleen Corp. Facility
Medley, Florida



ERM

3:12:1-PM 042897-1
PERMIT

Department of Environmental Protection

FILE

7000/0600/0024/1600/2048

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

DEC 19 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Scott Schneider
Environment, Health and Safety Manager
Safety-Kleen Systems, Inc.
8755 NW 95th Street
Medley, Florida 33178

HW-Safety-Kleen/Medley
Miami-Dade County

RE: Request for Minor Modification (DEP File 56019-HO-003) to Permit #HO13-307336 for Safety-Kleen Facility (EPA ID #FLD984171694) in Medley, Florida; Request to incorporate the Continued-Use Program into existing storage permit.

Dear Mr. Schneider:

The Department has reviewed your modification request, as referenced. The information which you have furnished enables the Department to grant the following Class I, minor modification:

On October 4, 2000, the Department received an application to modify a hazardous waste operation permit, #HO13-307336. The modification will allow Safety-Kleen Systems, Inc. to reuse the solvent returned from customers. The solvent will be considered a cleaning solution for containers that are used during transportation of Safety-Kleen Systems, Inc. product and wastes. This process is termed the Continued-Use Program. This application has been inserted into the original permit renewal application (dated June 4, 1997) currently in effect for this facility as pages 2-9 through 2-71. A designated area is established to perform the closed loop cleaning operation when the Continued-Use Program is being conducted. The modification is considered to be a class I modification, as per 40 CFR Part 270.42, Appendix I, A(1). The permit has been modified to add the following specific conditions:

Part IV – TANK STORAGE AREA

Continued-Use Program

16. The permittee is authorized to operate a separate wet dumpster, and it's associated ancillary equipment located in the Return and Fill area, as part of the Continued-Use Program. The permittee will perform all Continued-Use Program actions in accordance with the Standard Operating Procedures dated October 2, 2000 inserted as pages 2-15 through 2-71 of the original renewal permit application dated June 4, 1997.

    a. The Continued-Use Program is limited in type and quantities of solvents that are used as proper wash agents for containers requiring cleaning at the facility. There shall be no speculative accumulation at the operating facility or any customer's facilities.
    b. The permittee will pursue effective implementation of Continued-Use Program customer adherence to best management practices and environmental safeguards and controls. This shall include necessary training of customers utilizing the Continued-Use Program.

c. The permittee shall document each occurrence of a Continued-Use Program customer cross contaminating the Continued-Use Program solvent with toxic chemicals, thereby rendering the mixture hazardous. These records shall be maintained for three (3) years at the facility.
d. The permittee will maintain all manifests for waste and the DOT shipping papers for Continued-Use Program materials. The manifests shall be available to Department inspectors for review during compliance inspections of the facility.
e. The permittee shall conduct a hazardous waste determination on all shipments which contain reclaimed solvent, solvent burned for energy recovery, or solvent defined as solid or hazardous waste.

This letter must be attached to the original permit and becomes a part of the permit.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. Persons who have filed such a petition may seek to mediate the dispute, and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (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 the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions by the applicant or any of the parties listed below must be filed within 14/21 days of receipt of this written notice. Petitions filed by other persons must be filed within 14/21 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The 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 the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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 the Department'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 Department File Number and the county in which the project is proposed;
(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
(c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or 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 the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department'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 the Department'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 Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing). The agreement must contain all the information required by Rule 28-106.404, F.A.C. The agreement must be received by the clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within ten days after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement.

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for holding an administrative hearing and issuing a final order. Unless otherwise agreed by the parties, the mediation must be concluded within 60 days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons seeking to protect their substantial interests that would be affected by such a modified final decision must file their petitions within 14/21 days of receipt of this notice, or they shall be deemed to have waived their right to a proceeding under Sections 120.569 and 120.57, F.S. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., are resumed.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department.

Should you have any questions, please contact Mr. Jim Ayers of this office, telephone number (561)-681-6673.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Vivek Kamath 12/19/00

Vivek Kamath, P.E. Date
Waste Programs Administrator
Southeast District

VK/LH/JA/rj

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT MODIFICATION and all copies were mailed before the close of business on DEC 19 2000 to the listed persons.

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

DEC 19 2000

Clerk Date

Copies furnished to:

File, West Palm Beach
Doug Outlaw, FDEP/Tallahassee
Kent Williams, RCRA Permitting, USEPA/Atlanta
Bob Johns, Dade County DERM

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RJ/JA

• Sender: Please print your name, address, and ZIP+4 in this box •

12/19/00

RECEIVED
JAN - 2 2001
DEPT OF ENV PROTECTION
WEST PALM BEACH

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
P. O. BOX 15425
WEST PALM BEACH, FL 33416

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits. HW

1. Article Addressed to:

Mr. Scott Schneider
Environmental Health and
Safety Manager
Safety-Kleen Systems, Inc.
8755 NW 95th Street
Medley, Florida 33178

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* | B. Date of Delivery 12/15

C. Signature
X Rebeca Carrion ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
7000 0600 6024 1600 2046

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

DOCUMENT APPROVAL SLIP
(Attach to Document File Copy)

PROJECT: Permit Minor Modification

LOCATION: Safety-Kleen - Medley, FL

PERMIT OR CASE NO: 56019-HO-005

SUBJECT: Continued - UGA Program

DATE: 12/18/00

DOCUMENT ORIGINATOR'S SIGNATURE: James R. Ayers

APPROVED BY: LH - for

APPROVED BY: VK -

APPROVED BY:

APPROVED BY:

For Signature by District Manager/Asst. District Manager

CHECKLIST FOR PERMIT

Case Name/ No.: SAFETY-KLEEN / 49625-HO-003

Case Manager: Please check off all items that apply to this order.

			ENFORCEMENT TRACKING	
			INITIAL	DATE
STEP # 1:	____	Cover Letter (**PA/DDM or Designee Signs**)		
Contents	✓	Permit (PA/DDM or Designee Signs)	JA	12/8/00
Checklist	____	No.of Exhibits	JA	12/14/00
	____	PG Certification		
	____	PE Certification		
	____	Other/Comments:____		
	____	____		
	____	Record in PA/Director Log		

STEP # 2:	____	Cover Letter (PA/DDM or Designee **Signs**)
Mailing &	____	Permit **(Signed by PA/DDM or Designee & Date Stamp)**
Copying	File Only	**Copy of Permit & Exhibits**
Procedure	____	Permit Binder
	____	cc:Copies of Pmt & Exhibits
	____	Archboard Copies of Letter/ Permit & Exhibits
	____	Special Instructions: ____
	____	Record Date Mailed in PA Log

STEP # 3:		**CASE FILE:**
File	File Only	**Copy of Permit (Signed by PA/DDM or Designee)**
Procedure	File Only	Copy of Exhibits
		ARCHBOARD:
	____	Copies of Letter/Permit & Exhibits
	____	**SPECIAL INSTRUCTIONS:** ____

C: Form/CkListPMT.xls

Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

AUG 31 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Scott A. Schneider
Environmental Health & Safety Manager
Safety-Kleen Systems, Inc.
8755 NW 95th Street
Medley, FL 33178

DEP File No. FLD 984 171 694
Permit File: HO 13-307336
Dade County

RE: Facility Name Change Request from Safety-Kleen Corp. to Safety-Kleen Systems, Inc.

Dear Mr. Schneider:

This office has reviewed your name change request for the hazardous waste storage facility, permit file number HO 13-307336.

Your request is approved and the permit shall now read:

PERMITTEE:

Safety-Kleen Systems, Inc.
Medley Branch Service Center
1301 Gervais Street, Suite 300
Columbia, SC 29211

Attn.: Tim Sholl,
Branch Manager

I.D. Number: FLD 984 171 694
Permit/Cert Number: HO 13-307336
Date of Issue: March 19, 1998
Expiration Date: March 19, 2003
County: Dade
Lat/Long: 25°51'90" N/80°20'25" W
Section/Township/Range:4/53S/40E
Project: Hazardous Waste Storage Facility

This modification becomes effective immediately. All other permit conditions remain as issued. This letter must be attached to your permit and shall become a part of that permit.

Should you have any questions regarding this letter, please contact Vincent Peluso at (561)681-6673.

Sincerely,

John M. Jones, P.E.
Hazardous Waste Section Supervisor

CRA/VK/JJ/vp

Copies furnished to:
Kent Williams, USEPA - Atlanta
Doug Outlaw, FDEP - Tallahassee
Dade County DERM
File, West Palm Beach

safety-kleen ®

14 August 1998

Mr. Vincent Peluso
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Minor Modification Fees for Name Change of Safety-Kleen Facilities
Boynton Beach Service Center - FLD984167791
Medley Service Center - FLD984171694

Dear Mr. Peluso:

Per your request, I am submitting payment for the fees associated with the minor modifications (name change from Safety-Kleen Corp. to Safety-Kleen Systems, Inc.) of the Boynton Beach and Medley permits. The minor permit modification fees of $50.00 for each facility have been combined under the enclosed check for $100.00.

If you have any questions or need additional information, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider

Scott A. Schneider
Environmental, Health & Safety Manager

RECEIVED
AUG 17 1998
DEPT OF ENV PROTECTION
WEST PALM BEACH

enclosure

cc: Phil Retallick, Safety-Kleen
Boynton Beach File 1020
Medley File 1020

Department of Environmental Protection

8/17 Vince

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

PERMIT DATA FORM

PROJECT SOURCE NAME SAFETY-KLEEN SYSTEMS, INC. - MEDLEY

Type Code HO Subcode TO Check If: ___GP ___Exempt

Correct Fee $50.00
Amount Received 100.00
Amount Refund

Permit Processor's Initial VP Data Entry Operator's Initial MCY

Comments for PERMIT # ~~0049625 001 HO~~
0056019 -002-HO
Name change from Safety-Kleen Corp to name above.

No. 729028

Check No.

Pay

Safety-Kleen

1000 North Randall Road
Elgin, Illinois 60123-7857

70-2382
719

228825

DATE 08/13/98 $100.00

SAFETY-KLEEN $100 AND 00

To The Order Of
FL DEP Southeast Dist
Attn: V. Peluso
400 N Congress Ave
West Palm Beach, FL 33416

SAFETY - KLEEN CORP.
AUTHORIZED SIGNATURE
T. A. Campbell
NOT VALID OVER $20,000.00

The Northern Trust Company
Payable Through Northern Trust Bank Du Page

c/o Scott Schneider
5610 Alpha Dr.
BB 33426

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AREA: SED_____        Cash Receiving Application                    CRAF006A
                  Collection Point Log Remittance      Tot: _____$14,524.35
+-------------------------------------------------------------------------+
| SYS$REMT: 281246__ Type: CP___    Recved Date: 17-AUG-1998  Status: RECEIVED |
| SYS$RCPT: 228825__ PNR: _______ Check #: 729028____  Amount: _______100.00 |
| SSN/FEI#: _________                Name: SAFETY-KLEEN_____________________ |
|   First: _____________________ Middle: _____ Title:_______ Suf: _____     |
| Address1: C/O_MR._SCOTT_SCHNEIDER_____________ Short Comments:            |
| Address2: 5610_ALPHA_DR._____________________ SAFETY_KLEEN_SYS-BB/MEDLE   |
|    City: BOYNTON_BEACH_____ ST: FL  Zip: 33426-____ Country: _________    |
+-------------------------------------------------------------------------+
+-------------------------> P A Y M E N T (S) <-----------------------------+
|          Distr                                                          S |
|          CL     Object                    Payment                Applic/  T |
| SYS$PAYT Area.. Code/Description.....: Amount..... Reference#      Fund  A |
| 292306__ SED___ 002234 HAZAR/WASTE-OPE _______$50.00 49625-002- PA_ PFTF__ CO |
| 292307__ SED___ 002234 HAZAR/WASTE-OPE _______$50.00 56019-002- PA_ PFTF__ CO |
| _______ _______ ______ _____________ _________ _____ ___ _____ __ |
| _______ _______ ______ _____________ _________ _____ ___ _____ __ |
| _______ _______ ______ _____________ _________ _____ ___ _____ __ |
+-------------------------------------------------------------------------+
 COMMIT FREQUENTLY                      _______$100.00  Payment total
Press_<TAB>_to_accept_Collection_Point_or_enter_F&A._____________________
Count: *15          ^ v                                        <Replace>
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DOCUMENT APPROVAL SLIP

(Attach to Document File Copy)

PROJECT: Safety-Kleen - Medley Facility

LOCATION: Medley - Dade County

PERMIT or CASE NO: HO-13-307336

SUBJECT: Hazardous Waste Storage Facility

DATE: 3/13/98

DOCUMENT ORIGINATOR SIGNATURE: Vincent Peluso

APPROVED BY: JM Jones 3/16/98

APPROVED BY: V. Kamath 3/17

APPROVED BY: _____

FOR SIGNATURE BY DISTRICT MANAGER/ASST. DISTRICT MANAGER

Department of Environmental Protection

Lawton Chiles
Governor

MAR 19 1998

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123

DEP File No. FLD 984 171 694
Permit File: HO 13-307336
Dade County

Dear Mr. Scott E. Fore:

Enclosed is Permit Number HO 13-307336 to Operate a hazardous waste storage facility previously operated under State Permit Number HO 13 216311.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, 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. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

If you have any questions, please contact John Jones of this office, telephone number (561) 681-6674.

Executed in West Palm Beach, Florida on this 18 day of MARCH, 1998 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Carlos Rivero-deAguilar
Director of District Management
Southeast District

CRA/VK/JJ/vp

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on MAR 19 1998 to the listed persons.

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

Andrell Mayne
Clerk

March 19, 1998
Date

Copies furnished to:
Kent Williams, USEPA - Atlanta
Doug Outlaw, FDEP - Tallahassee
Palm Beach County ERM
South Florida Water Management District
File, West Palm Beach

Department of Environmental Protection

Lawton Chiles
Governor

MAR 19 1998

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

PERMITTEE:

Safety-Kleen Corporation
Medley Branch Service Center
One Brinckman Way
Elgin, IL 60123

Attn.: Della Ridley,
Southeast Region Env. Manager

I.D. Number: FLD 984 171 694
Permit/Cert Number: HO 13-~~216311~~
Date of Issue: MAR 19 1998
Expiration Date: MAR 19, 2003
County: Dade
Lat/Long: 25°51'90" N/80°20'25" W
Section/Township/Range: 4/53S/40E
Project: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, (F.S.) and Rule(s) 62-4 and 62-730, 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 and 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 Hazardous Waste Storage Facility, consisting of a container storage area, aboveground tank storage area, and a return/fill area. (Hereinafter referred to as "Facility")

The container storage area will be equipped with the following features: impervious floors with slopes toward spill containment areas, fire suppression system and controlled access (inside fenced area with locked gate). The capacity of the container storage area will be 6,912 gallons total of permitted and transfer hazardous waste (432 16-gallon containers, or the equivalent) with a maximum volume of 29,400 gallons for product and waste combined.

The capacity of the above-ground hazardous waste storage tank is 20,000 gallons. The waste to be stored in the tank is spent parts washer solvent/waste mineral spirits. The tank will have a secondary containment/leak detection system.

A summary of wastes handled at the Facility with corresponding RCRA Waste Codes is included in the permit application as Table 7.1-1, a copy of which is included with this permit. The Facility is also operating a transfer Facility in accordance with Rule 62-730.171, F.A.C. The Facility is surrounded by a chain link fence. Gates are locked after normal working hours. Operation of the Facility will be in accordance with the permit application. This permit replaces the expired Permit No. HO 13-216311.

IN ACCORDANCE WITH: Application DEP Form 62-730.900(2) dated June 2, 1997 and with additional information submitted September 5, 1997 and Newspaper Public Notice dated January 26, 1998 and Radio Public Notice dated February 25, 1998.

LOCATED AT: Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166.

SUBJECT TO: General Conditions (1-16) and Specific Conditions, PART I (1-3), PART II (1-17), PART III (1-7), PART IV (1-15), PART V (1-2), and PART VI (1-4).

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the Permittee, its agents, employees, servants or representatives.

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 Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute 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 the 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, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the Facility and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit, as 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
   a. Having access to and copying any records that must be kept under the conditions of the permit;
   b. Inspecting the Facility, equipment, practices, or operations regulated or required under this permit; and
   c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

GENERAL CONDITIONS (Continued):

8. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the Permittee shall immediately notify and provide the Department with the following information:
   a. a description of and cause of non-compliance; and
   b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S.

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.

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, 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.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:
   ( ) Determination of Best Available Control Technology (BACT)
   ( ) Determination of Prevention of Significant Deterioration (PSD)
   ( ) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
   ( ) Compliance with New Source Performance Standards

14. The Permittee shall comply with the following monitoring and record keeping requirements:
   a. Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
   b. The Permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
      - the date, exact place, and time of sampling or measurements;
      - the person responsible for performing the sampling or measurements
      - the date(s) analyses were performed;
      - the person responsible for performing the analyses;
      - analytical techniques or methods used; and
      - results of such analyses.

GENERAL CONDITIONS (Continued):

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware that 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 submitted or corrected promptly.

16. The following conditions shall also apply to the hazardous waste facility permit:
    a. The following reports shall be submitted to the Department:
        (1) Manifest Discrepancy Report. If a significant discrepancy in a manifest is discovered, the permittee shall attempt to rectify the discrepancy. If not resolved within fifteen (15) days after the waste is received, the permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
        (2) Unmanifested Waste Report. The permittee shall submit an unmanifested waste report to the Department within fifteen (15) days of receipt of unmanifested waste.
        (3) Biennial Report. A biennial report covering Facility activities during the previous calendar year shall be submitted to the Department pursuant to Rule 62-730, F.A.C.
    b. Notification of any noncompliance which may endanger human 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 twenty-four (24) hours, and a written report shall be provided within five (5) days. The verbal report within twenty-four (24) hours shall contain the name, address, I.D. number, and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        (1) A description of cause of the noncompliance.
        (2) If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    c. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than fourteen (14) days after each schedule date.
    d. All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS:

PART I - STANDARD REQUIREMENTS:

1. Submittals in response to these conditions shall be submitted as follows:

   (a) Two (2) copies shall be submitted to:

   Hazardous Waste Program Manager
   Department of Environmental Protection
   Southeast District
   400 North Congress Avenue
   P.O. Box 15425
   West Palm Beach, Florida 33416-5425

   (b) One (1) copy shall be submitted to:

   Environmental Administrator
   Hazardous Waste Regulation Section
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   (c) One (1) copy shall be submitted to:

   Chief, RCRA Branch
   Waste Management Division
   United States Environmental Protection Agency
   Region IV
   100 Alabama Street, SW
   Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Management Section, MS-4560
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399 2400

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All submittals modifying the approved Closure Plan shall be certified by the owner and operator and signed, sealed, and certified by an independent Professional Engineer registered in the State of Florida, in accordance with Rule 62-730.220(7), F.A.C.

SPECIFIC CONDITIONS: (Continued)

PART II - FACILITY OPERATION

1. The Permittee shall comply with the following conditions concerning required notices:

   a. The Permittee shall notify the Department in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, in accordance with 40 CFR 264.12(a). Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

   b. When the Permittee is to receive hazardous waste from an off-site source (except when the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record [40 CFR 264.12(b)]

   c. Before transferring ownership or operation of this Facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR 264 and Rule 62-730.900(2), F.A.C. [40 CFR Part 264.12(c)]. The Permittee shall also submit an application for transfer of the permit on DER Form 62-1.201(1), in accordance with Rule 62-730.300, F.A.C.

2. Prior to acceptance of hazardous wastes other than those specified in Tables 5.1-1 and 7.1-1 of the permit, the Permittee shall submit to the Department a request for permit modification. This request shall include a complete waste analysis of the proposed new waste stream. This analysis must be incorporated in the general waste analysis plan and retained on site. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. [40 CFR 264.13]

3. The permit shall follow the procedures described in the "Waste Analysis Plan," Section 7 of the permit application. [40 CFR 264.13(b)]

4. The Permittee shall comply with the security provisions of 40 CFR 264.14(b)(2) and (c).

5. The Permittee shall inspect the Facility operating, emergency and safety equipment, including equipment listed in Tables 5.6-1 and 5.8-1 and located as described in Table 5.6-1, in accordance with the procedures described in Table 5.2-1 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record of the Facility. [40 CFR 264.15]

SPECIFIC CONDITIONS: (Continued)

6. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within 6 months of employment or assignment to a Facility or to a new position at the Facility. Verification of this training must be kept with the personnel training records and maintained on-site. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by Facility personnel at least annually. Facility shall maintain an updated list of personnel handling hazardous waste and their respective job titles, matching requirements specified in Tables 6.1-1 through 6.1-9, at the site.

7. The Permittee shall comply with the general requirements of 40 CFR 264.17(a) and (b), and the location requirements of 40 CFR 264.176 and 40 CFR 264.198.

8. The Permittee shall comply with the following conditions concerning preparedness and prevention:
   a. 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 constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 264.31.
   b. At a minimum, the Permittee shall equip the Facility with the equipment required by 40 CFR 264.32.
   c. The Permittee shall test and maintain the equipment as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.
   d. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34
   e. At a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35.
   f. The Permittee shall maintain arrangements with state and local authorities as required by 40 CFR 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.

9. The Permittee shall comply with the following conditions concerning the Contingency Plan:
   a. The Permittee shall immediately carry out the provisions of the "Preparedness, Prevention, Contingency Plan, and Emergency Procedures for Daily Business Operations," Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 15 days must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).
   b. The Permittee shall comply with the requirements of 40 CFR 264.53.
   c. Within seven days of meeting any criteria listed in 40 CFR 264.54, the Permittee shall amend the plan and submit the amended plan for the Department approval. All amended plans must be distributed to the appropriate agencies.
   d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.
   e. The Department of Environmental Protection's 24-hour emergency telephone number is (904) 413-9911. During normal business hours, the Department's Southeast District office may be contacted at (561) 681-6600.

SPECIFIC CONDITIONS: (Continued)

10. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72, 264.76, and 264.77 including the following:
    a. The manifest system prescribed in 40 CFR 264.71 must be followed for all hazardous wastes received at the Facility.
    b. Within three working days of receipt of a shipment subject to 40 CFR Part 262, Subpart H, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the FDEP, the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, and to competent authorities of other concerned countries.
    c. 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 manifest discrepancy report, including a copy of the manifest, to the Department.
    d. The Permittee shall submit an unmanifested waste report to the Department with 15 days of receipt of unmanifested waste.
    e. The Permittee must submit all additional reports required in 40 CFR 264.77. This includes notification of any noncompliance 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. A verbal report shall be made to the Department within 24 hours, and a written report shall be provided within 15 days. The verbal report shall contain the name, address, ID number and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        1. A description of cause of the noncompliance.
        2. If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    f. Reports of compliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than 14 days after each schedule date.
    g. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS: (Continued)

11. The Permittee shall maintain a written operating record at the Facility, as required in 40 CFR 264.73, which includes:
    - the description and quantity of each hazardous waste received
    - the location of each hazardous waste within the Facility, and the quantity at each location
    - the results of the waste analyses
    - a summary report and details of incidents that require implementation of the Contingency Plan
    - the results of inspections (for 3 years)
    - Monitoring, testing or analytical data, and corrective action incidents, as required in 40 CFR 264.73(b)(6)
    - manifest numbers
    - notices to generators as specified in 40 CFR 264.12(b)
    - the Closure Plan and cost estimates
    - annual certification of waste minimization
    - biennial reports

    These records must be maintained at the Facility until completion and Certification of Closure, pursuant to 40 CFR 264.73.

12. The Permittee must meet the requirements in 40 CFR 264.74 regarding the availability, retention, and disposition of records.

13. A Biennial report covering Facility activities during the previous calendar year shall be submitted to the Department by March 1, of each even numbered year pursuant to 40 CFR 264.75 and Rule 62-730, F.A.C.

14. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances 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 CFR Part 268. When the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

17. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

PART III - CONTAINER STORAGE AREA

1. The Permittee is allowed to store the hazardous waste(s) listed in Tables 5.1-1 and 7.1-1 of the permit application in the approved storage area only. Containers must conform to DOT specification or UN performance criteria and be managed in accordance with the approved operation plan. Containers shall be kept closed, except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak, per 40 CFR 264.173. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in that is in good condition, per 40 CFR 264.171.

SPECIFIC CONDITIONS: (Continued)

2. The Permittee shall use only those containers made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored in them and managed as indicated in Section 8 of the permit application. [40 CFR 264.172]

3. The Permittee shall conduct daily visual inspections, in accordance with Section 8 and Figure 8.4-1 of the permit application (the inspection schedule), to detect leakage in the hazardous waste areas or their associated loading/unloading zones, per 40 CFR 264.174. If, in spite of the daily inspections, a significant deterioration of the concrete pad or joint sealant material (due to occasional spills) is noted, the need for a protective coating/more resistant seal material will be re-evaluated.

4. Spilled or leaked waste and accumulated precipitation must be removed from the collection area within 24 hours, then analyzed and disposed of in accordance with the requirements of 40 CFR 264.175.

5. The Permittee shall comply with the waste compatibility requirements of 40 CFR 264.177.

6. The Permittee shall comply with the following conditions concerning operation of the container storage area:
   a. The Permittee shall maintain and operate the Facility as required by 40 CFR 264.175 and in accordance with Section 8 of the permit application.
   b. The Permittee shall store a maximum of 6,912 gallons total of permitted and transfer wastes combined. (432 16-gallon containers, or the equivalent).
   c. The Permittee shall notify the Department if the volume of waste in the container storage area exceeds the permitted capacity.
   d. The Permittee shall not stack containers more than two high or six feet, whichever is higher in the container storage area.
   e. The Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire equipment, spill control equipment, and decontamination equipment to any area of the Facility operation in an emergency.

7. The Permittee shall manage all hazardous waste placed in a container or tank in accordance with the applicable requirements of 40 CFR 264 Subparts AA, BB and CC. [40 CFR 264.179]

SPECIFIC CONDITIONS: (Continued)

PART IV - TANK STORAGE AREA

1. The Permittee is allowed to store hazardous waste in the 20,000 gallon above-ground storage tank, as shown in Figure 9.2-1 of the permit application, a copy of which is included with this permit.

2. The Permittee shall notify the Department of any leak, spill, or release to the environment as required in 40 CFR 264.196(d).

3. The Permittee shall pump the liquid in the spill collection trench into a compatible container or tank within 24 hours of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations. [40 CFR 264.193(c)(4)]

4. The Permittee must keep on file at the Facility the written statements certifying the design of the tank system in accordance with 40 CFR 264.193(b) and (f) which attest that the tank system has been designed, installed and maintained as per 40 CFR 264.193(b) and (d).

5. The Permittee shall prevent the release of hazardous waste or hazardous constituents to the environment. The secondary containment system should be maintained according to Section 9.3 of the permit application and shall comply with the requirements of 40 CFR 264.193. Ancillary equipment shall be provided with secondary containment, except as provided for in 40 CFR 264.193(f).

6. The Permittee shall, as part of the general operating requirements of 40 CFR 264.194:
   (a) Not place hazardous wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail.
   (b) Use appropriate controls and practices to prevent spills and overflows.
   (c) Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.

7. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank storage units in accordance with 40 CFR 264.194.

8. The Permittee must inspect daily the tank and ancillary equipment documenting the daily inspections in the operating record of the Facility in accordance with Section 9.4 and Figure 9.4-1 of the permit application. [40 CFR 264.195(b) and (d)]

9. The Permittee shall satisfy the requirements of 40 CFR 264.196 when a tank system or secondary containment system produces a leak or spill, or is determined to be unfit for use. These requirements include, as they are made applicable by 40 CFR 264.196:
   a. Cessation of use; prevent flow or addition of waste.
   b. Removal of waste from tank system or secondary containment system.
   c. Containment of visible releases to the environment.
   d. Notifications, reports.
   e. Provision of secondary containment, repair or closure.
   f. Certification of major repairs.

SPECIFIC CONDITIONS: (Continued)

10. For new tank components which may be required by the repair options of 40 CFR 264.196(f) the Permittee must submit a written assessment, reviewed and certified by an independent registered professional engineer, which attests to the component's structural integrity. This assessment shall include the requirements of 40 CFR 264.192. As required in 40 CFR 264.192(b), an independent qualified inspector or independent registered professional engineer must inspect the installation.

11. The Permittee shall not place ignitable or reactive waste in the tank system unless the waste is stored in such a way that it is protected from any material or conditions that may cause the waste to ignite or react. [40 CFR 264.198(a)]

12. The Permittee shall comply with the protective distance requirements for the tank placement as set forth in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981). [40 CFR 264.198(b)]

13. The Permittee shall handle incompatible wastes in accordance with the requirements of 40 CFR 264.199, by not introducing hazardous waste into unwashed tank systems which previously held incompatible waste or material.

14. The Permittee is authorized to operate the drum washers, located in the Return and Fill areas, as part of the tank systems and follow the operation procedures specified in Section 9 of the permit application.

15. The Permittee shall comply with the following conditions for the operation of the drum washers:
    a. Remove the liquids and the sludge from the sump in the bottom of drum washers, upon completion of each working day, and
    b. Process drums in the drum washers upon receiving and shall not accumulate drums in Return and Fill area for more than 24 hours.

PART V - CLOSURE

1. The Permittee shall comply with the following conditions concerning closure:
    a. The Permittee shall close the Facility as required by 40 CFR 264.111, and in accordance with the Closure Plan, Section 10 of the permit application.
    b. The Permittee shall amend the Closure Plan in accordance with 40 CFR 264.112(b) whenever necessary.
    c. In accordance with 40 CFR 264.112(d)(1), the Permittee shall notify the Department at least forty-five (45) days prior to the date he expects to begin closure of any units.
    d. The Permittee shall notify the Department at least one hundred thirty-five (135) days prior to the date he expects to begin closure and submit a complete Closure Permit Application. [Rule 62-730.260, F.A.C.]
    e. Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plan, Section 10 of the permit application, and in accordance with 40 CFR 264.113(a).
    f. The Permittee shall decontaminate and/or dispose of all Facility equipment as required by 40 CFR 264.114, 264.178, 264.197, and the Closure Plan, Section 10 of the permit application.

SPECIFIC CONDITIONS: (Continued)

g. The Permittee shall certify that the Facility has been closed in accordance with the specifications in the Closure Plan, as required by 40 CFR 264.115.

2. Within ninety (90) days of determining that all contaminated soils can not be practically removed or decontaminated from the tank systems as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the tank system(s) as a landfill and perform post closure care as required by 40 CFR 264.310. [40 CFR 264.197(b)]

PART VI - GENERAL

1. All submittals modifying engineering features of the hazardous waste storage areas shall be worded, signed and certified by a qualified, professional engineer (P.E.) registered in the State of Florida in accordance with Rule 62-730.220(7), F.A.C.

2. This permit may be reopened if additional information becomes available indicating that the provisions of Section 3004(u) of the Hazardous and Solid Waste Amendments (HSWA) of 1984 apply to this Facility. At that time, this permit may be modified to address the requirements of Section 3004(u) of HSWA if the State has been authorized for the provisions, or alternately, the Environmental Protection Agency (EPA) would issue a separate federal permit to address Section 3004(u) requirements.

3. The Department may modify, revoke and reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-730.290, F.A.C. The filing of a request for a permit modification, revocation and 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 revisions to the Department for approval. Should these revisions constitute a major modification to the permit, the Permittee shall meet the requirements of Rule 62-730.290, F.A.C.

4. Prior to one hundred thirty-five (135) days before the expiration of this permit, the Permittee shall submit a complete application for renewal of the permit on forms and in a manner prescribed by the Department, unless the Facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-730.300(1), F.A.C.

Issued this 18 day of MARCH, 1998

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Carl R. deAguilar

Carlos Rivero-deAguilar
Director of District Management
Southeast District

RCRA/VK/JJ/vp

TABLE 7.1-1

PERMITTED AND TRANSFER WASTES
SAFETY-KLEEN CORP.
MEDLEY, FLORIDA

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent*	S01** S02***	813	D001 and D-Codes Listed in Note Below
Dumpster Sediment	S01**	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01**	Included Above	D001 and D-Codes Listed in Note Below
Spent Immersion Cleaner (New Formula) IC699	S01**	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01**	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01****	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Waste	S01**	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ****	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A****	Less than 2.2	Not applicable - handled as nonhazardous transfer wastes.

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* Spent parts washer solvents are transported from the customer to the Branch in accordance with the generator's hazardous waste determination.

** This waste will be stored in containers in the container storage area. The maximum drum capacity in the container storage area for hazardous waste and product is 29,400 gallons with 6,912 gallons being waste.

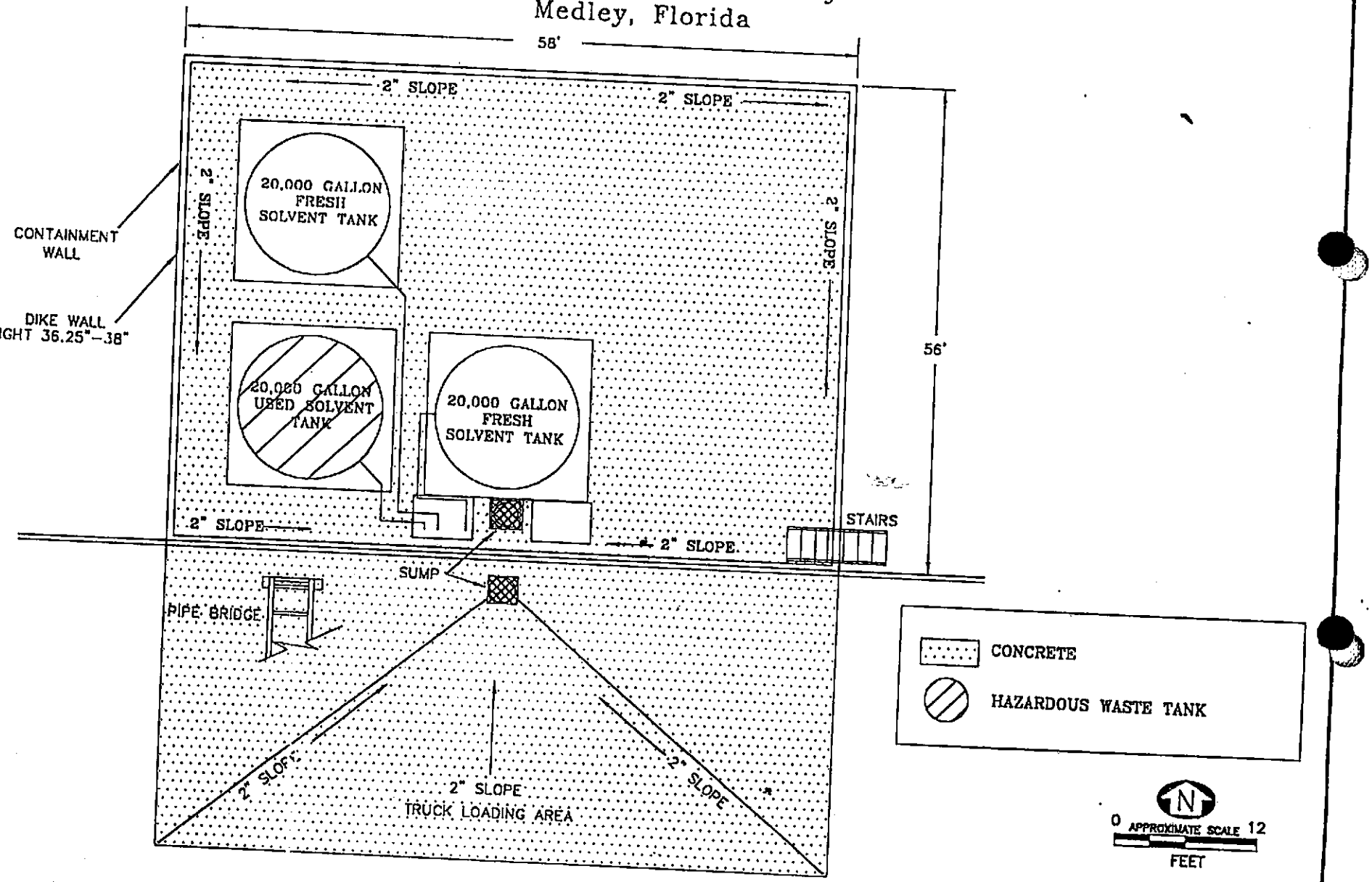
*** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

**** This waste will be held for transfer in containers in the transfer area.

N/A Process code not applicable.

Figure 9.2-1
Tank Storage Area
Safety-Kleen Corp. Facility
Medley, Florida

REVISION 0 – 6/2/97



EPM

PERMIT 31121-PM 042897-1

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

January 27, 2003

CERTIFIED - RETURN RECEIPT
7000 0520 0021 3377 1831

RECEIVED
JAN 31
DEPT OF ENV PROTECTION
WEST PALM BEACH

Mr. Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

SUBJECT: Safety-Kleen Systems, Inc., Medley Facility
EPA I.D. Number FLD 984 171 694
Operating Permit 56109-HO-004
Dade County

Dear Mr. Hedrick:

Pursuant to Section 403.815, Florida Statutes (F.S.), and Rule 62-730.220(9), Florida Administrative Code (F.A.C.), the Department requires you to publish and broadcast, at your own expense, the enclosed Notice of Proposed Agency Action. Also enclosed is the language for the newspaper and radio announcements.

Pursuant to Rule 62-730.220(9), F.A.C., the notice must be published one time only in the legal ad section of a major local newspaper of general circulation in Dade County and broadcast one time only over a local radio station within thirty (30) days of receipt of this letter. Proof of publication and broadcast must be provided to the Department within fourteen (14) days of publication of the notice.

Failure to publish this notice and provide proof of publication and broadcast within the allotted time may result in denial of the permit without any further notice or opportunity for hearing.

Sincerely,

John M. Ruddell, Director
Division of Waste Management

JMR/wpp

Enclosures

cc w/enc.:

Doug McCurry, EPA/Region 4
Vivek Kamath, DEP/Southeast District
Edward Genovese, Safety-Kleen/Columbia
Warren Snyder, P.E., Environmental Resource Management/ Jacksonville
Mayor, City of Medley
Chair, Dade County Board of County Commissioners
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

Safety-Kleen Systems, Inc
8755 Northwest 95th Street
Medley, Florida 33166

DEP File No.: 56109-HO-004
Dade County

/

INTENT TO ISSUE

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

The applicant, Safety-Kleen Systems, Inc., applied on September 3, 2002 and provided supplemental information on December 18, 2002, to the Department for renewal of a permit to operate a hazardous waste container storage facility and treatment unit and to implement corrective action pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) at Safety-Kleen Systems, Inc., 8755 Northwest 95th Street, Medley, Florida. The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-730. The project is not exempt from permitting procedures. The Department has determined that an operating permit is required for the proposed work. The Department intends to issue the permit with the conditions included in the enclosed draft permit. The applicant is currently subject to a HSWA permit issued by the United States Environmental Protection Agency (EPA) on February 12, 1993. At such time as the enclosed draft state permit with HSWA conditions becomes final and effective, the EPA will either terminate the Federal HSWA permit or allow it to expire. All HSWA corrective action requirements will be implemented through the final State permit, which will be equivalent to the Federal permit.

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 thirty (30) days in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. 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 fourteen (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 thirty (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 fourteen (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 with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (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 the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions by the permit applicant or any of the parties listed below must be filed within forty-five (45) days of receipt of this Intent. Petitions filed by other persons must be filed within forty-five (45) days of publication of the public notice or within forty-five (45) days of their receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within forty-five (45) days of receipt of such notice, regardless of the date of publication. 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 the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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 the Department'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 Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or 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 the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of the specific rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

A petition that does not dispute the material facts on which the Department'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 the Department'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 Department 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 within forty-five (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.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

John M. Ruddell

John M. Ruddell, Director
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 245-8705

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on 1-29-03.

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kim Thursby
Clerk

January 29, 2003
Date

cc:

Doug McCurry, EPA/Region 4
Vivek Kamath, DEP/Southeast District
Edward Genovese, Safety-Kleen/Columbia
Warren Snyder, P.E., Environmental Resource Management / Jacksonville
Mayor, City of Medley
Chair, Dade County Board of County Commissioners
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission

Newspaper Notice:

STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT RENEWAL UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT, AS AMENDED BY THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984, SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO OPERATE A HAZARDOUS WASTE CONTAINER STORAGE FACILITY AND TREATMENT UNIT AND TO IMPLEMENT CORRECTIVE ACTION PURSUANT TO THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984 (HSWA) AT SAFETY-KLEEN SYSTEMS, INC., 8755 NORTHWEST 95th STREET, MEDLEY, FLORIDA 33166. THE FACILITY HAS BEEN ASSIGNED FACILITY I.D. NUMBER FLD 984 171 694.

The draft RCRA permit renewal, prepared in accordance with the provisions of Chapter 62-730 of the Florida Administrative Code (F.A.C.), contains the conditions for operation of the existing hazardous waste container and tank storage facility, Permit Number HO13-307336.

The State of Florida has been granted authorization for those portions of the RCRA Hazardous Waste Program that were in effect prior to the passage of the Hazardous and Solid Waste Amendments of 1984 (HSWA). On November 17, 2000, the State of Florida was granted authorization to administer the HSWA program.

Copies of the application and the draft permit renewal 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 Florida Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600, and at Twin Towers Office Building, Division of Waste Management, Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8706.

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 within forty-five (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.

A person whose substantial interests are affected by the above proposed agency action 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 the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within forty-five (45) days of receipt of this Intent. Petitions filed by

any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within forty-five (45) days of publication of this notice of intent or receipt of the written notice, 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 an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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 the Department'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 Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or 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 the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

A petition that does not dispute the material facts on which the Department'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 the Department'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 Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Radio Announcement:

STATE OF FLORIDA

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PUBLIC NOTICE OF PROPOSED AGENCY ACTION

NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice of its intent to issue a permit renewal under Section 403.722, Florida Statutes, and Chapters 62-4 and 62-730 of the Florida Administrative Code to Safety-Kleen Systems, Inc., 8755 Northwest 95th Street, Medley, Florida 33166, EPA I.D. Number FLD 984 171 694. The permit renewal contains conditions for operation of a hazardous waste container storage facility and treatment unit and for implementation of corrective action pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA).

A person who is substantially affected by the Department's proposed permitting decision may file a petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. If a petition for a hearing is filed, the administrative hearing process is designed to formulate agency action. Any other person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. A petition for an administrative hearing or a request for a public meeting must be filed in the Office of General Counsel within forty-five days of broadcast of this radio announcement. The Department's final agency action may be different from the position taken in this preliminary statement, so persons who support the proposed agency action may also wish to intervene.

Mediation is not available in this proceeding.

For more information concerning the hearing process and the necessary time frames for filing, please contact the Office of General Counsel at (850) 245-2242. 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 the Department's Hazardous Waste Regulation Section, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, (850) 245-8706; and at the Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600.

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Jeb Bush
Governor

David B. Struhs
Secretary

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

I.D. NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56109-HO-004
DATE OF ISSUE: **DRAFT**
EXPIRATION DATE: MARCH 19, 2008

ATTENTION:
Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

COUNTY: DADE
LATITUDE / LONGITUDE: 25°51'38"N/80°20'25"W
SECTION/TOWNSHIP/RANGE: 4/53S/40E
PROJECT: Operation of a Hazardous Waste Container Storage Facility, Treatment Unit and HSWA Corrective Action Requirements

Pursuant to the Solid Waste Disposal Act and 40 CFR 264.101 (as adopted in Rule 62-730.180, of the Florida Administrative Code [F.A.C.]), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-160, 62-522, 62-532, 62-550, and 62-730. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application, and 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 drum and tank storage units within a service accumulation center (See Attachment A – Facility Layout).

Tank Storage:

Utilization of one above ground 20,000 gallon storage tank for managing waste solvent under this permit. Two 20,000 gallon tanks are used for fresh solvent and shall not be used for hazardous waste. All tanks are underlain by a 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B).

Solvent Return / Fill Station:

Spent solvents enter the waste storage tank through the two wet dumpsters located in the Solvent Return / Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

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:

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.

Three solid waste management units have been identified at the facility in the United States Environmental Protection Agency (EPA) Hazardous and Solid Waste Amendments (HSWA) permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units: No further Action

- SWMU-1 Container Storage/Transfer Waste Area
- SWMU-2 Aboveground Storage Tank Area
- SWMU-3 Return/Fill Area

The State of Florida received authorization from EPA for implementing HSWA Corrective Action Program on November 17, 2000. This permit incorporates corrective action, including HSWA Corrective Action requirements and constitutes a full permit for Safety-Kleen Systems, Inc. Medley facility under the Resource Conservation and Recovery Act (RCRA). The applicant is currently subject to a HSWA permit issued by the EPA on February 12, 1993. At such time as the enclosed state permit with HSWA conditions becomes final and effective, the EPA will either terminate the Federal HSWA permit or allow it to expire. All HSWA corrective action requirements will be implemented through the final State permit, which will be equivalent to the Federal permit.

The Permittee, pursuant to this permit, 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.

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. The Permittee must inform the Department of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

Pursuant to 40 CFR 264.10, the 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). 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 33166.

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

1. Operating permit renewal application filed on DEP Form 62-730.900(2) and received on September 3, 2002.

2. Additional information submitted on December 18, 2002.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

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, 403.727, or 403.859 through 403.861, 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 subsections 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 location reasonable necessary to assure compliance with this permit or Department rules.

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

8. 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:

   a. A description of and cause of noncompliance; and

   b. 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.

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 proscribed 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, 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 Department approval in accordance with Rule 62-4.120 and 62-730.300 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
    a. Determination of Best Available Control Technology (BACT);

    b. Determination of Prevention of Significant Deterioration (PSD);

    c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

    d. Compliance with New Source Performance Standards.

14. The Permittee shall comply with the following:

    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, and records of all data used to complete the application for this permit. 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:

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

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

(3). the dates analyses were performed;

(4). the person responsible for performing the analyses;

(5). the analytical techniques or methods used;

(6). the results of such analyses.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. 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. In the case of an underground injection control permit, the following permit conditions also shall apply:

a. All reports or information required by the Department shall be certified as being true, accurate and complete.

b. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

c. Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

(1). The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

(2). The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.

d. The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

a. The following reports shall be submitted to the Department:

(1). 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.

(2). Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

(3). Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

b. Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

(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. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

d. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

e. Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS

PART I - STANDARD REQUIREMENTS

1. All submittals in response to these conditions (except Specific Condition 2 of this Part) shall be as follows:

   a. Two (2) copies shall be sent to:

      Environmental Administrator
      Hazardous Waste Regulation Section
      M.S. 4560
      Bureau of Solid and Hazardous Waste
      Department of Environmental Protection
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

   b. One (1) copy shall be sent to:

      Hazardous Waste Supervisor
      Department of Environmental Protection
      400 North Congress Avenue
      West Palm Beach, Florida 33401

   c. One (1) copy shall be sent to:

      Chief, RCRA Programs Branch
      United States Environmental Protection Agency
      Region 4
      Sam Nunn Atlanta Federal Center
      61 Forsyth Street, S.W.
      Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(7), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Regulation Section
   M.S. 4560
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   In the event a cost estimate for closure, postclosure, or corrective action increases, the financial instrument must be updated accordingly. Pursuant to 40 CFR Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount covered by the instrument within

60 days of the estimate increase. Those facilities using a financial test must cover the estimate increase in the next scheduled submittal. If the estimate increase causes the inability of facility to provide financial assurance through their currently selected mechanism, alternate financial assurance must be provided within 30 days. The Permittee shall provide assurances of financial responsibility for completion of off-site corrective action, if required, in accordance with Rule 62-730.180(7), F.A.C.

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All documents modifying the approved permit must be submitted to the Department for review shall be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(7), F.A.C.

4. 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(8), F.A.C.

5. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapter 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 revisions to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the revisions to the addresses in Specific Condition 1 of this Part.

6. Prior to 180 calendar days before the expiration of this permit (Rule 62-730.260(2), F.A.C.), the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless closure 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 closure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with Rule 62-730.900(2), F.A.C.

   The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the renewal to the addresses in Specific Condition 1 of this Part.

7. The Department of Environmental Protection's 24-hour emergency telephone number is (850)413-9911 or (800)320-0519. During normal business hours, the DEP District Office may be contacted at (561)681-6600.

8. The facility shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.184, F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from closure care requirements and all site-wide corrective action requirements.

9. The Permittee shall revise "Part I - General" of the **Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] within thirty (30) days of any changes in the Part I information. The revised "Part I - General" must be submitted to the Department within thirty (30) days of such changes.

10. Before transferring ownership or operation of this facility during the operating, closure or postclosure period, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)]. The Permittee shall comply with Rule 62-730.300, F.A.C.

11. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the site security provisions of the permit application. This site is a suspected or confirmed contaminated site where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.181(3), F.A.C.

    a. Warning signs at all entrances and other access points shall be at least 2 feet by 2 feet, made of a durable weather resistant material, with a white background and red lettering of a size indicated as follows:

2" Letters	WARNING! NO TRESPASSING
1" Letters	CONTAMINATED AREA AVOID CONTACT WITH SOIL AND WATER
1" Letters	FOR INFORMATION (561)681-6600

    b. Warning signs shall be unobstructed and mounted in such a manner that the center of the sign is approximately 56 inches above ground surface and is capable of being seen from at least 75 feet away.

    c. The Permittee is responsible for supplying, installing and maintaining the warning signs.

12. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5 of the permit application during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 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.

13. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained on-site. 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 and their respective job titles at the site [40 CFR 264.16].

14. 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 are described in the **Contingency Plan,** Section 5 of the permit application, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 12 and 14.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 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 as required by 40 CFR 264.35.

15. The contingency plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

16. The Permittee shall comply with the following conditions concerning the contingency plan:

    a. The Permittee shall immediately carry out the provisions of the emergency plan, Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 fifteen (15) calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

    b. The Permittee shall comply with the requirements of 40 CFR 264.53.

    c. Within seven (7) calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (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 (7) days of the change. All amended plans must be distributed to the appropriate agencies.

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

17. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72 and 264.76.

    a. At least four weeks prior to accepting hazardous waste from a foreign source, the Permittee shall notify the Department in writing as required by 40 CFR 264.12(a). Subsequent shipments of the same waste from the same source in the same calendar year do not require this notice.

    b. Within three working days of receipt of a shipment subject to 40 CFR 262.80 through 40 CFR 262.89, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the Department, the EPA Office of Enforcement and Compliance Assurance, and to competent authorities of other concerned countries.

    c. Prior to accepting a hazardous waste other than the permitted and transfer wastes shown in Table 7.1-1 of the permit application, the Permittee shall submit a request for permit modification which includes a waste analysis of the proposed new waste stream. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. (40 CFR 264.13)

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

    a. the results of the waste analysis;

    b. a summary report and details of incidents that require implementation of the contingency plan;

    c. manifests;

    d. the results of inspections;

    e. the closure plan and closure cost estimate

    f. biennial reports;

    g. monitoring, testing, or analytical data where required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228;

    h. inspections of emergency and safety equipment (Specific Condition 12 of this Part);

    i. personnel training records (Specific Condition 13 of this Part);

    j. the Waste Minimization Program Plan (Specific Conditions 19 and 20 of this Part).

    k. the description and quantity of each hazardous waste received or generated;

    l. the location of each hazardous waste within the facility and the quantity at location;

    m. biennial certification of waste minimization; and

    n. notices to generators as specified in 40 CFR 264.12(b)

    These records must be maintained at the facility until the completion of closure (40 CFR 264.73)

19. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). 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 record as required by 40 CFR 264.73(b)(9).

20. The Waste Minimization Program Plan, required in Specific Condition 19 of this Part, should include the following elements:

    a. Top Management Support

    (1). Dated and signed policy describing management support for waste minimization and for implementation of a waste minimization plan.

    (2). Description of employee awareness and training programs designed to involve employees in waste minimization planning and implementation to maximize the extent feasible.

    (3). Description of how a waste minimization plan has been incorporated into management practices so as to ensure ongoing efforts with respect to produce design, capital planning, production operations, and maintenance.

    b. Characterization of Waste Generation

    (1). Identification of types, amounts, and hazardous constituents of waste streams, with the source and date of generation.

    c. Periodic Waste Minimization Assessments

    (1). Identification of all points in a process where materials can be prevented from becoming a waste, or can be recycled.

    (2). Identification of potential waste reduction and recycling techniques applicable to each waste, with a cost estimate for capital investment and implementation.

    (3). Description of technically and economically practical waste reduction/recycling options to be implemented, and a planned schedule for implementation.

    (4). Specific performance goals, preferably quantitative, for the source reduction of waste by stream. Whenever possible, goals should be stated as weight of waste generated per standard unit of production, as defined by the generator.

d. Cost Allocation System

(1). Identification of waste management costs for each waste, factoring in liability, transportation, record keeping, personnel, pollution control, treatment, disposal, compliance, and oversight costs to the extent feasible.

(2). Description of how departments are held accountable for the wastes they generate.

(3). Comparison of waste management costs with costs of potential reduction and recycling techniques applicable to each waste.

e. Technology Transfer

(1). Description of efforts to seek and exchange technical information on waste minimization from other parts of the company, other firms, trade associations, technical assistance programs, and professional consultants.

f. Program Evaluation

(1). Description of types and amounts of hazardous waste reduced or recycled.

(2). Analysis and quantification of progress made relative to each performance goal established and each reduction technique to be implemented.

(3). Amendments to waste minimization plan and explanation.

(4). Explanation and documentation of reduction efforts completed or in progress before development of the waste minimization plan.

(5). Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

21. Facilities submitting a Waste Minimization Plan pursuant to Specific Conditions 19.b and 20 of this Part shall, no less often than annually, submit a Waste Minimization Evaluation Report, that includes, at a minimum, the following:

a. Description of types and amounts of hazardous waste generated in the past six months.

b. Description of types and amounts of hazardous waste eliminated or recycled.

c. Analysis and quantification of progress made relative to each performance goal established in accordance to Specific Condition 20 c. of this Part, and each reduction technique to be implemented.

d. Amendments to waste minimization plan and identification and description of waste streams and processes that develop during the previous six months, and was not included in the Waste Minimization Plan.

e. Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

22. If, at any time, the Permittee or the Department determines that contamination has migrated, or is suspected to have migrated, into any media beyond the facility [40 CFR 260.10] (other than for immediate and short-term emergency response actions), or to other areas within the facility controlled by different operators, the Permittee shall notify the Department within seven calendar days of the initial discovery [Section 403.704(16) F.S., and 40 CFR 270.32(b)(2)]. This notification shall include a proposed notification letter to and a list of known and potentially affected property owners and operators, for Department approval, before the Permittee sends the notification letter to the parties listed below. Within 30 days of Department approval of the notification letter, the Permittee shall notify, by certified or registered mail, at a minimum the following list of people and agencies:

    a. all property owners onto which the contamination is known or suspected by the Permittee to have migrated;

    b. all onsite operators within the facility;

    c. Water Management District(s) with jurisdiction over the geographical area containing the contaminated properties;

    d. City, county or other local environmental agencies jurisdiction over the geographical area containing the contaminated properties; and

    e. EPA Region 4.

    In addition, if groundwater contamination has migrated into any media beyond the facility or to other areas within the facility with different operators, the Permittee shall immediately notify the local County Health Department and the Department of Health Bureau of Water Programs in Tallahassee at (850) 245-4240. Copies of the notification letters and proof of receipt must be submitted to the Department within 45 days of the Department's approval of the letter.

23. The Maximum Contaminant Levels, Groundwater Protection Standards, Residential Soil Cleanup Goals, Leachability Soil Cleanup Goals and Groundwater Target Cleanup Levels contained in this permit are to be used over the life of this permit, unless otherwise modified by the Department in writing.

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

25. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal, or until corrective action 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.

26. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated Interim Measures (IM) under Condition **HSWA IV.2**, which impact known or suspected contamination at or from SWMUs or AOCs referenced in Specific Conditions **HSWA I.1, and HSWA I.6 and HSWA I.7.** The notice

shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

27. Written notification of compliance or noncompliance with any item identified in the compliance schedule in Appendix D shall be submitted according to each schedule date. If the Permittee does not notify the Department within fourteen (14) calendar days of its compliance or noncompliance with the schedule, the Permittee shall be subject to an enforcement action. Submittal of a required item according to the schedule constitutes notification of compliance.

28. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.310, F.A.C.

PART II – CONTAINER STORAGE AREA:

1. Container storage shall be conducted within the areas of the facility as depicted in Figure 8.1-1 of the application. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per Section 8.1 of the permit application received on September 3, 2002.

   a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.

   b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.

   c. Hazardous waste with a 10-day storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.

2. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 40 CFR 264.173]

3. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas in accordance with the schedule and procedures identified in Section 8.4 of the permit application and 40 CFR 264.174.

6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device in accordance with 40 CFR 264.177(c) requirements.

7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.

8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system [40 CFR 264.175(b)(5)].

9. The secondary containment provided at the container loading/unloading areas shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in a timely a manner as possible.

10. The Permittee shall comply with the 15 meters (50 foot) setback rule concerning the storage of ignitable and reactive wastes in containers as per 40 CFR Part 264.176 and shall comply with the requirements of 40 CFR 264.17.

11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.

12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.26.

13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.

14. The container storage area shall be closed in accordance with Section 10 of the application as required by 40 CFR Part 264 Subpart G and 40 CFR 264.178.

15. The Permittee may store non-regulated materials in the regulated storage area provided:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in the regulated storage area.

    b. The Permittee shall maintain the required aisle spacing in the storage area for both the regulated and non-regulated materials in accordance with 40 CFR 264.35.

    c. The Permittee assures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    d. The Permittee provides a written record of non-regulated material in the facility operating record of any non-regulated materials in the regulated storage area. The notice shall include:

        i. the type and the quantity of the materials;
        ii. verify adequate secondary containment;

iii. confirm that appropriate aisle spacing is available;
iv. document compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

17. The Permittee shall ensure that those containers being managed under the transporter/transfer station requirements of 40 CFR Part 263 are clearly identified.

18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

PART III – TANK SYSTEM:

Tank system, for Part III of this permit, is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures.

1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Figure 9.2-1 of the permit application.

2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank (40 CFR 264.192(a)) or the residue of any material previously in the tank (40 CFR 264.199) or if there are any conditions that may cause the waste to ignite or react (40CFR264.198).

3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

4. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank system in accordance with 40 CFR 264.194.

5. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department (40 CFR 264.196(d)). The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. (40 CFR 264.196(b)(2)).

6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.

7. The Permittee shall report any changes, component replacement or extensive repairs to the tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report as required by 40 CFR 264.196(f) has been submitted to the Department and approved.

8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the application and 40 CFR 264.195.

9. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

   a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release in compliance with 40 CFR 264.196(a).

   b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time in accordance with 40 CFR 264.196(b).

   c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues in compliance with 40 CFR 264.196(c).

   d. Comply with the notification and report requirements of 40 CFR 264.196(d).

   e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

   f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

10. The Permittee shall notify the Department if the results of the tank thickness testing (conducted every ten years) show any portion of the tank having a thickness less than the minimum limits per ***UL 142 "Steel Aboveground Tanks for Flammable and Combustible Liquids".*** Records of all shell thickness determinations shall be kept for the life of each tank.

11. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).

12. The two wet dumpsters in the Solvent Return/Fill Station contain drum washers and solvent. At least once in each 24-hour period, all liquids and sludge shall be removed from each Dumpster and all drums shall be removed from the Return/Fill Station.

PART IV – CLOSURE:

1. The Permittee shall have a written closure plan as required by 40 CFR 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 CFR 264.115, and accepted by the Department.

2. The Permittee shall submit a written request for a permit modification to authorize a change in the closure plans in accordance with the procedures in Chapter 62-730, F.A.C. The written request must include a copy of the amended closure plan for Department approval as per 40 CFR 264.112.

3. The Permittee shall manage all hazardous waste, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the units in accordance with the applicable provisions of 40 CFR Parts 260 through 268 and DEP Form 62-730.900(2), including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with closure certification.

4. The Permittee shall close the hazardous waste units in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere as per 40 CFR 264.111.

5. Closure or partial closure of the container storage area, tank system, and wet dumpsters shall be conducted in accordance with plans specified in Section 10 of the application and 40 CFR Part 264 Subpart G.

6. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s) as per 40 CFR 264.112.

7. The Permittee shall complete closure activities within 180 days after Department approval of the closure plan. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval as per 40 CFR 264.113.

8. The Permittee shall decontaminate or dispose of as hazardous waste all facility equipment, structures, and residues resulting from the closure activities as required by 40 CFR 264.114.

9. Within 60 days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a letter signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the facility has been closed in compliance with the closure plan as required by 40 CFR 264.115.

10. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the facility and perform post closure care as required by 40 CFR 264.310.

PART V - ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section 11 of the application.

2. The Permittee shall keep complete and current the Equipment Inventory Log [40 CFR 264.1064(b)(1)].

3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR Part 264 Subpart CC in accordance with Section 11 of the permit application.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years [40 CFR 264.1064].

5. Prior to constructing, installing or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB or CC, the Permittee shall supply the specific information required pursuant to 40 CFR Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit (container, tank, surface impoundment or miscellaneous unit) such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.

6. On December 6, 1994, EPA published the final rule for Phase II Organic Air Emissions Standards (40 CFR Part 264 and 265, Subpart CC) for hazardous waste treatment, storage and disposal facilities, including certain hazardous waste generators accumulating waste on-site in RCRA permit-exempt (90-day) tanks and containers. Major clarifications to the rule were published on February 9, 1996, November 25, 1996, and December 8, 1997. In general, under these standards air emissions controls must be used for tanks, surface impoundments, containers and miscellaneous units which contact hazardous waste containing an average organic concentration greater than 500 ppmw at the point of origination determined by the procedures outlined in 40 CFR Part 264.1083(a), except as specifically exempted under 40 CFR Parts 264.1080 .1082.

PART VI – MISCELLANEOUS:

1. The permittee shall comply with the storage limits of 2,000 kilograms or less of mercury containing lamps and 100 kilograms or less of mercury-containing devices not to exceed a storage period of one (1) year in accordance with Rules 62-737.400(2) and 62-737.400(7), F.A.C.

2. The permittee must be able to demonstrate the length of time mercury containing lamps and devices are stored as specified in 40 CFR 273.15(c).

HSWA CONDITIONS

HSWA PART I – CORRECTIVE ACTION

1. The Conditions of this Part apply to:

   a. The solid waste management units (SWMUs) and areas of concern (AOCs) identified in **Appendix A.1**, which require a RCRA Facility Investigation (RFI);

   b. The SWMUs and AOCs identified in **Appendix A.2**, which require no further action under this permit at this time;

   c. The SWMUs and AOCs identified in **Appendix A.3**, which require confirmatory sampling;

   d. The SWMUs and AOCs identified in **Appendix A.4**, which require corrective action;

   e. 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 hazardous constituents to the environment; or,

      (3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment.

f. Contamination that has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary 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 (5) 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 damages, costs, or expenses, including expert and attorneys' fees, 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-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC discovered under Specific Condition 1.e of this Part. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (*e.g.*, media affected, hazardous constituents released, magnitude of release, *etc.*). The Department may conduct, or require that the Permittee conduct, further assessment (*i.e.*, Confirmatory Sampling) in order to determine the status of the suspected AOC. The Department will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Department determines that further investigation of an AOC is required, the permit will be modified in accordance with Rule 62-730.290, F.A.C.

3. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any additional SWMU discovered under Specific Condition 1.e of this Part.

4. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Specific Condition 3 of this Part. At a minimum, the SAR shall provide the following information:

   a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19).

   b. Designation of type and function of unit(s).

   c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).

   d. Dates that the unit(s) was operated.

   e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

5. Based on the results of the SAR, the Department shall determine the need for further investigations at the SWMUs covered in the SAR. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Conditions **HSWA III.2** or **HSWA II.2.**

6. The Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Specific Condition 1.e of this Part or SWMUs or AOCs identified in Specific Condition 1.e of this Part for which further investigation under Specific Condition 5 of this Part was not required

7. If the Department determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.**

HSWA PART II – CONFIRMATORY SAMPLING (CS)

1. The Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for each unit identified under Specific Condition **HSWA I.1.c.** The CS Work Plan shall be submitted within forty-five (45) calendar days from the effective date of this permit. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not a release has occurred. It shall also address applicable requirements and 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.

2. Upon notification by the Department, the Permittee shall prepare and submit a CS Work Plan for suspected AOCs per Specific Condition **HSWA I.2** or for newly identified SWMUs per Specific Condition **HSWA I.5.** The work plan shall be submitted within forty-five (45) calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall meet the basic requirements listed in Specific Condition 1 of this Part.

3. The CS Work Plan must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the CS Work Plan schedule in the letter approving the CS Work Plan. If the Department disapproves the CS Work Plan, the Department shall either

   a. notify the Permittee in writing of the CS Work Plan's deficiencies and specify a due date for submission of a revised CS Work Plan;

   b. revise the CS Work Plan and notify the Permittee of the revisions; and

   c. conditionally approve the CS Work Plan and notify the Permittee of the conditions.

4. The Permittee shall implement the confirmatory sampling in accordance with the approved CS Work Plan.

5. The Permittee shall prepare and submit to the Department in accordance with the schedule in the approved CS Work Plan, a CS Report identifying all SWMUs or AOCs that have released hazardous waste or hazardous constituents into the environment. The CS Report shall include all data, including raw data, and a summary and analysis of the data, that supports the above determination. If submittal of the CS Report coincides with submittal of the RFI Report, then the CS Report and the RFI Report may be combined into one submittal.

6. Based on the results of the CS Report, the Department shall determine the need for further investigations at the SWMUs or AOCs covered in the CS Report. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2**. The Department will notify the Permittee of any no further action decision.

HSWA PART III - RCRA FACILITY INVESTIGATION (RFI)

1. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of the effective date of this permit, a RCRA Facility Investigation (RFI) Work Plan(s) for those units identified in Specific Condition **HSWA I.1.a**. This Work Plan shall be developed to meet the requirements of Specific Condition 3 of this Part.

2. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification by the Department, an RFI Work Plan for those units identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6**. The RFI Work Plan(s) shall be developed to meet the requirements of Specific Condition 3 of this Part.

3. The RFI Work Plan(s) shall meet the requirements of Appendix B. The RFI Work Plan(s) shall include schedules for implementation and completion of specific actions necessary to determine the nature and extent of contamination and the potential pathways of contaminant releases to the air, soil, surface water, and groundwater. The Permittee must provide sufficient justification and associated documentation that a release is not probable or has already been characterized if a unit or a media/pathway associated with a unit (groundwater, surface water, soil, subsurface gas, or air) is not included in the RFI Work Plan(s). Such deletions of a unit, media or pathway from the RFI(s) are subject to the approval of the Department. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix B. Such omissions or deviations are subject to the approval of the Department. In addition, the scope of the RFI Work Plan(s) shall include all investigations necessary to ensure compliance with 40 CFR 264.101(c).

4. The RFI Work Plan(s) must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the RFI Work Plan schedule in the letter approving the RFI Work Plan(s). If the Department disapproves the RFI Work Plan(s), the Department shall either

   a. notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submission of a revised RFI Work Plan;

   b. revise the RFI Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved RFI Work Plan; or,

   c. conditionally approve the RFI Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the RFI(s) in accordance with the approved RFI Work Plan(s) and Appendix B. The Permittee shall notify the Department at least twenty (20) days prior to any sampling activity within the scope of the RFI Work Plan.

6. The Permittee shall prepare and submit to the Department Draft and Final RCRA Facility Investigation Report(s) for the investigations conducted pursuant to the RFI Work Plan(s) submitted under Specific Conditions 1 through 4 of this Part. The Draft RFI Report(s) shall be submitted to the Department for review in accordance with the schedule in the approved RFI Work Plan(s). The Final RFI Report(s) shall be submitted to the Department within thirty (30) calendar days of receipt of the Department's final comments on the Draft RFI Report. The RFI Report(s) shall include an analysis and summary of all required investigations of SWMUs and AOCs and their results. The summary shall describe the type and extent of contamination at the facility, including sources and migration pathways, identify all hazardous constituents present in all media, and describe actual or potential receptors. The RFI Report(s) shall also describe the extent of contamination (qualitative/quantitative) in relation to background levels indicative of the area. If the Draft RFI Report is a summary of the initial phase investigatory work, the report shall include a work plan for the final phase investigatory actions required based on the initial findings. Approval of the final phase work plan shall be carried out in accordance with Specific Condition 4 of this Part. The objective of this task shall be to ensure that the investigation data are sufficient in quality (*e.g.*, quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support a CMS, if necessary.

7. The Permittee shall prepare and submit to the Department, along with the Draft and Final RFI Report(s), Screening Levels for each of the hazardous constituents reported in Specific Condition 6 of this Part. Screening Levels shall be calculated as specified in Appendix E of this permit.

8. The Department will review the RFI Report(s), including the Screening Levels described in Specific Condition 7 of this Part. The Department shall notify the Permittee of the need for further investigative action if necessary and, if appropriate at this moment of the investigation, inform the Permittee, if not already notified, of the need for a CMS to meet the requirements of HSWA Part V and 40 CFR 264.101. The Department will notify the Permittee of any no further action decision. Any further investigative action required by the Department shall be prepared and submitted in accordance with a schedule specified by the Department and approved in accordance with Specific Condition 4 of this Part.

9. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee shall provide the Department with quarterly RFI Progress Reports (90 day intervals) beginning ninety (90) calendar days from the start date specified by the Department in the RFI Work Plan approval letter. The Progress Reports shall contain the following information at a minimum:

   a. A description of the portion of the RFI completed;

   b. Summaries of findings;

   c. Summaries of any deviations from the approved RFI Work Plan during the reporting period;

   d. Summaries of any significant contacts with local community public interest groups or State government;

e. Summaries of any problems or potential problems encountered during the reporting period;

f. Actions taken to rectify problems;

g. Changes in relevant personnel;

h. Projected work for the next reporting period; and

i. Copies of daily reports, inspection reports, data, *etc.*

HSWA PART IV – INTERIM MEASURES (IM)

1. Upon notification by the Department, the Permittee shall prepare and submit an Interim Measures Work Plan for any SWMU or AOC that the Department determines is necessary. IM are necessary in order to minimize or prevent the further migration of contaminants and to limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in Specific Condition 2 of this Part. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

2. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Specific Condition I.26. The Department will process Permittee-initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Specific Condition 1 of this Part. Permittee-initiated IM shall be considered conditionally approved unless the Department specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee-initiated IM. The scope and success of Permittee-initiated IM conditionally approved per Specific Condition 2 of this Part (in other words, this Specific Condition) shall be subject to subsequent in-depth review; the Department will either comment on or approve the Permittee-initiated IM. Permittee-initiated IM must follow the progress and final reporting requirements in Specific Conditions 8 and 9 of this Part.

3. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and are consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

4. The IM Work Plan imposed under Specific Condition 1 of this Part must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Department disapproves the IM Work Plan, the Department shall either:

   a. notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan;

   b. revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan; or,

c. conditionally approve the IM Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the interim measures imposed under Specific Condition 1 of this Part in accordance with the approved IM Work Plan.

6. The Permittee shall give notice to the Department as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Specific Condition 1 of this Part or initiated by the Permittee under Specific Condition 2 of this Part.

7. Final approval of corrective action required under 40 CFR 264.101 which is achieved through IM shall be in accordance with Rule 62-730.290, F.A.C. and **HSWA Part VI** as a permit modification.

8 If the time required for completion of interim measures imposed under Specific Condition 1 of this Part or implemented under Specific Condition 2 of this Part is greater than one year, the Permittee shall provide the Department with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee-initiated IM. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the IM completed;

b. Summaries of findings;

c. Summaries of any deviations from the IM Work Plan during the reporting period;

d. Summaries of any problems or potential problems encountered during the reporting period; and

e. Projected work for the next reporting period.

9. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of completion of IM conducted under this Part, an IM Report. The IM Report shall contain the following information at a minimum:

a. A description of IM implemented;

b. Summaries of results;

c. Summaries of all problems encountered;

d. Summaries of accomplishments and/or effectiveness of IM; and

e. Copies of all relevant laboratory/monitoring data, *etc.*

HSWA PART V – CORRECTIVE MEASURES STUDY (CMS)

1. The Permittee shall prepare and submit a CMS Work Plan for those units requiring a CMS within ninety (90) calendar days of notification by the Department that a CMS is required. This CMS Work Plan shall be developed to meet the requirements of Specific Condition 2 of this Part. The Permittee may seek approval from the Department for concurrent RFI/CMS. The CMS may be performed concurrent with the RFI process if the Department determines that sufficient investigative details are available to allow concurrent action.

2. The CMS Work Plan shall meet the requirements of Appendix C at a minimum. The CMS Work Plan shall include schedules for implementation and completion of specific actions necessary to complete a CMS. The Permittee must provide sufficient justification and/or documentation for any unit deleted from the CMS Work Plan. Such deletion of a unit is subject to the approval of the Department. The CMS shall be conducted in accordance with the approved CMS Work Plan. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix C. Such omissions or deviations are subject to the approval of the Department. The scope of the CMS Work Plan shall include all investigations necessary to ensure compliance with Chapter 62-730, F.A.C., 40 CFR 264.101, 40 CFR 264.552, and 40 CFR 270.32(b)(2). The Permittee shall implement corrective actions beyond the facility boundary, as set forth in Specific Condition **HSWA I.1.f.**

3. The Department shall either approve or disapprove, in writing, the CMS Work Plan. If the Department disapproves the CMS Work Plan, the Department shall either

   a notify the Permittee in writing of the CMS Work Plan's deficiencies and specify a due date for submittal of a revised CMS Work Plan;

   b. revise the CMS Work Plan and notify the Permittee of the revisions; or

   c. conditionally approve the CMS Work Plan and notify the Permittee of the conditions.

   This revised CMS Work Plan becomes the approved CMS Work Plan. Any disapproval and subsequent revision of a CMS Work Plan or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

4. The Permittee shall begin to implement the CMS according to the schedules specified in the CMS Work Plan, no later than fifteen (15) calendar days after the Permittee has received written approval from the Department for the CMS Work Plan. Pursuant to Specific Condition 2 of this Part, the CMS shall be conducted in accordance with the approved CMS Work Plan.

5. The Permittee shall prepare and submit to the Department a draft and final CMS Report for the study conducted pursuant to the approved CMS Work Plan and in accordance with Appendix C. The draft CMS Report shall be submitted to the Department in accordance with the schedule in the approved CMS Work Plan. The final CMS Report shall be submitted to the Department within thirty (30) days of receipt of the Department's final comments on the draft CMS Report. The CMS Report shall summarize any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. If a remedial alternative requires the use of a Corrective Action Management Unit (CAMU), the CMS report shall include all information necessary to establish and implement the CAMU. The CMS Report shall present all information gathered under the approved CMS Work Plan. The CMS Final Report must contain adequate information to support the Department's decision on the recommended remedy, described under HSWA Part VI.

6. If the Department determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition 5 of this Part, the Department may disapprove the CMS Final Report. If the Department disapproves the CMS Final Report, the Department shall notify the Permittee in writing of deficiencies in the CMS Final Report and specify a due date for submittal of a revised CMS Final Report. The Department will notify the Permittee of any no

further action decision. Any disapproval and subsequent revision of a CMS Report or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

7. As specified under Specific Condition 6 of this Part, based on preliminary results and the CMS Final Report, the Department may require that the Permittee evaluate additional remedies or particular elements of one or more proposed remedies.

HSWA PART VI – REMEDY APPROVAL AND PERMIT MODIFICATION

1. A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any IM implemented to date.

2. Upon Department approval of the Remedy (Specific Condition 1 of this Part), the Permittee shall public notice the Statement of Basis in accordance with Rule 62-730.220(9)(c), F.A.C. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

3. Within one hundred-twenty (120) calendar days after permit modification for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy in accordance with Rule 62-730.180(7), F.A.C.

HSWA PART VII – MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

1. If at any time the Department or the Permittee determines that modification of the Corrective Action Schedule of Compliance is necessary, the permit may be modified to reflect the change(s) to the Schedule of Compliance (Appendix D), with Department approval.

2. Modifications that are initiated and finalized by the Department will be in accordance with the applicable provisions of Chapter 62-730, F.A.C. The Permittee may also request a permit modification in accordance with Rule 62-730.290(3), F.A.C., to change the Schedule of Compliance.

3. If the Department determines that steps or dates in Appendix D may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

HSWA PART VIII – WORK PLAN AND REPORT REQUIREMENTS

1. All work plans and schedules shall be subject to approval by the Department prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Department. Upon approval the Permittee shall implement all work plans and schedules as written.

2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Department based on the Permittee's demonstration that sufficient justification for the extension exists.

3. If the Department or the Permittee at any time determines that the SAR information required under HSWA Part I, the CS Work Plan under HSWA Part II, or RFI Work Plan(s) required under HSWA Part III no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Department within ninety (90) calendar days of such determination.

HSWA PART IX – APPROVAL/DISAPPROVAL OF SUBMITTALS

1. The Department will review the work plans, reports, schedules, and other documents ("submittals") which require the Department's approval in accordance with the conditions of this permit. The Department will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore.

HSWA PART X – DISPUTE RESOLUTION

1. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. **(Administrative Procedures Act)** and the Department's existing Rules and Procedures.

HSWA PART XI – LAND DISPOSAL RESTRICTIONS

1. 40 CFR 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 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

3. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

HSWA PART XII – DEFINITIONS

1. For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270, unless this permit specifically provides otherwise. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

   a. "Screening Levels" for the purposes of this permit are the Department's risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health and/or the environment.

   b. The term "area of concern" (AOC) for purposes of this permit includes any area having a probable release of a hazardous waste or hazardous constituent which is not from a solid waste management unit and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under RCRA Section 3005(c)(3) and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

   c. "Corrective Action Management Unit" (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility (40 CFR Part 264 Subpart S).

   d. "Corrective measures" for purposes of this permit, include all corrective action necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.101. Corrective measures may address releases to air, soils, surface water or groundwater.

   e. "Extent of contamination" for the purposes of this permit is defined as the horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above detection limits or background concentrations indicative of the region, whichever is appropriate as determined by the Department.

   f. A "hazardous constituent" for purposes of this permit is any substance listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX.

   g. "Interim Measures" (IM) for purposes of this permit are actions necessary to minimize or prevent the further migration of contaminants and limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented.

   h. "Land Disposal" for purposes of this permit and 40 CFR Part 268 means placement in or on the land except for a CAMU or staging pile and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, underground mine or cave, or concrete vault or bunker intended for disposal purposes.

i. A "release" for purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.

j. A "solid waste management unit" (SWMU) for the purposes of this permit includes any unit which has been used for the treatment, storage, or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. RCRA regulated hazardous waste management units are also solid waste management units. SWMUs include areas that have been contaminated by routine and systematic releases of hazardous waste or hazardous constituents, excluding one-time accidental spills that are immediately remediated and cannot be linked to solid waste management activities (*e.g.*, product or process spills).

k. A "Temporary Unit" (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment or storage of hazardous remediation wastes during specific remediation activities. Designated by the Department, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.

l. A "unit" for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, septic tank, drain field, wastewater treatment unit, elementary neutralization unit, transfer station, or recycling unit.

Appendix A

Solid Waste Management Unit Summary

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring a RCRA Facility Investigation (RFI):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a RCRA Facility Investigation.				

A.2. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU-1	Container Storage/ Transfer Waste Area	Regulated Unit	1992 to Present
SWMU-2	Aboveground Storage Tank Area	Regulated Unit	1992 to Present
SWMU-3	Return/Fill Area	Regulated Unit	1992 to Present

A.3. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Confirmatory Sampling (CS).				

A.4. List of solid waste management units (SWMUs) and areas of concern (AOCs) undergoing Corrective Action (CA):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for CA	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Corrective Action (CA).				

Appendix B

RCRA Facility Investigation (RFI) Outline

The purpose of the RFI portion of the RCRA corrective action process is to evaluate the nature and extent of releases of hazardous wastes and/or hazardous constituents and to gather necessary data to support the CMS and/or IM. Planning for the investigation is best accomplished through a logical progression of tasks:

1. gather information on the source of the release(s) to the environment (Source Characterization),

2. gather information on the physical aspects of the environment which will affect the migration and fate of the release and identification of exposure pathways for both humans and non-human members of the environment (Environmental Setting),

3. use Source Characterization and Environmental Setting to develop a conceptual model of the release which will be used to plan and conduct a program to define the nature, rate and extent of the release (Sampling and Analysis Plan).

An RFI Work Plan and RFI Report are generally required elements of the RCRA corrective action process. The requirements for a full, detailed RFI are listed in this Appendix. The Department recognizes that each facility is unique. Therefore, the scope and requirements of the RFI shall be focused to fit the complexity of the site-specific situation. The work plan requirements listed in this Appendix in no way limit the site-specific opportunities for a Permittee. For example, the RFI may be implemented in phases. Relevant information contained in previously developed documents, such as a RCRA Part B permit application, may be referenced as appropriate, but must be summarized in either the RFI Work Plan or the RFI Report. In addition, the Department understands that Risk Assessments are becoming more widely utilized to place characterization information into context and to aid in determining remedial solutions. If a Risk Assessment is expected to be performed in the future, the Permittee and the contractor should meet with the Department to discuss the general format and process the Department expects a Risk Assessment to follow.

In some cases, it may be possible to implement the RFI concurrent with the CMS (also see Appendix C). This approach can save time and money because the earlier in the corrective action process potential remedies can be identified, the more effectively information gathering can be focused. The Department anticipates that a concurrent RFI/CMS approach may be appropriate in the following types of situations, among others: facilities where removal remedies have been proposed by the owner/operator, facilities with straightforward remedial solutions or where presumptive remedies can be applied, facilities where few remedial options are available, and facilities where the remedy is phased. The Department will determine on a case-by-case basis if a concurrent RFI/CMS is appropriate. Because of the unique data collection requirements necessary for a remedial solution which includes natural attenuation of contaminants in groundwater, if natural attenuation is expected to be part of the remedial solution, then the Sampling and Analysis Plan should be crafted to include monitoring of specific water quality parameters unique to natural attenuation (*e.g.*, nitrites/nitrates, ferrous iron, sulfides, dissolved oxygen, methane, hydrogen, *etc.*).

I. RFI WORK PLAN REQUIREMENTS - ELEMENTS OF THE RFI WORK PLAN

The RFI Work Plan shall include, at a minimum, the following elements:

A. Introduction - Summary of any relevant existing assessment data

The Permittee shall describe the purpose or objective of the RFI Work Plan and provide a summary of any existing environmental data, which is relevant to the investigation. The summary should provide the following items, at a minimum:

1. land ownership history;
2. facility operating dates;
3. facility's product(s);
4. raw materials used in facility operations, wastes generated;
5. nature and extent of any known contamination;
6. summary of an ongoing IM and past assessments; and,
7. summary of permit objective and how this objective will be satisfied.

B. Environmental Setting

The Permittee shall provide information on the environmental setting at the facility. The Permittee shall characterize the Environmental Setting as it relates to identified sources, pathways and areas of releases of hazardous constituents from Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs). Data gaps pertinent to characterization of releases shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The Environmental Setting shall cover the following items, at a minimum:

1. Hydrogeology

   The Permittee shall provide a summary of the hydrogeologic conditions at the facility. This discussion shall include, but not be limited to, the following information:

   a. A description of the regional and facility specific geologic and hydrogeologic characteristics affecting groundwater flow beneath the facility, including:

      (1). Regional and facility specific stratigraphy: description of strata including strike and dip, identification of stratigraphic contacts;

      (2). Structural geology: description of local and regional structural features (*e.g.*, folding, faulting, tilting, jointing, metamorphic foliation, *etc.*);

      (3). Depositional history;

(4). Regional and facility specific groundwater flow patterns (porous media, fracture media, karst media); and,

(5). Identification and characterization of areas and amounts of recharge and discharge (springs in karst terrain, base level streams and rivers).

b. An analysis of any topographic features that might influence the groundwater flow system (*e.g.*, sinkholes and sinking streams in karst terrains).

c. Based on any existing field data, tests (*e.g.*, pump tests, tracer tests), and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (*i.e.*, the aquifers and any intervening saturated and unsaturated units), including:

(1). Hydraulic conductivity and porosity (total and effective), groundwater flow velocity, groundwater basin discharge;

(2). Lithology, grain size, sorting, degree of cementation;

(3). An interpretation of hydraulic interconnections between saturated zones (*i.e.*, aquifers) and surface waters; and

(4). The attenuation capacity and mechanisms of the natural earth materials (*e.g.*, ion exchange capacity, organic carbon content, mineral content, *etc.*).

d. Based on data obtained from groundwater monitoring wells and piezometers installed upgradient, water wells and/or springs downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring including:

(1). Water-level contour and/or potentiometric maps, including seasonal variations;

(2). Hydrologic cross sections showing vertical gradients;

(3). The flow system, including the vertical and horizontal components of flow; and,

(4). Any temporal changes in hydraulic gradients, for example, due to tidal or seasonal influences and for karst terrain, stormflow.

e. A description of man-made influences that may affect the hydrology of the site, identifying:

(1). Local water supply and production wells with an approximate schedule of pumping; and;

(2). Man-made hydraulic structures (pipelines, french drains, ditches, roofs, runways, parking lots, *etc.*).

2. Soils

The Permittee shall provide an explanation of the soil and rock units above the water table in the vicinity of contaminant release(s). This summary may include, but not be limited to, the following types of information as appropriate:

a. Surface soil distribution;

b. Soil profile, including ASTM classification of soils;

c. Transects of soil stratigraphy;

d. Hydraulic conductivity (saturated and unsaturated);

e. Relative permeability;

f. Bulk density;

g. Porosity;

h. Soil sorption capacity;

i. Cation exchange capacity (CEC);

j. Soil organic content;

k. Soil pH;

l. Particle size distribution;

m. Depth of water table;

n. Moisture content;

o. Effect of stratification on unsaturated flow;

p. Infiltration;

q. Evapotranspiration;

r. Storage capacity;

s. Vertical flow rate; and,

t. Mineral content.

3. Surface Water and Sediment

The Permittee shall provide a description of the surface water bodies in the vicinity of the facility. This summary may include, but not be limited to, the following activities and information:

a. Description of the temporal and permanent surface water bodies including:

(1). For lakes and estuaries: location, elevation, surface area, inflow, outflow, depth, temperature stratification, and volume;

(2). For impoundments: location, elevation, surface area, depth, volume, freeboard, and construction and purpose;

(3). For streams, ditches, and channels: location, elevation, flow, velocity, depth, width, seasonal fluctuations, flooding tendencies (*i.e.*,, 100 year event), discharge point(s), and general contents;

(4). Drainage patterns; and;

(5). Evapotranspiration.

b. Description of the chemistry of the natural surface water and sediments. This includes determining the pH, total dissolved solids, total suspended solids, biological oxygen demand, alkalinity, conductivity, dissolved oxygen profiles, nutrients, chemical oxygen demand, total organic carbon, specific contaminant concentrations, *etc.*

c. Description of sediment characteristics including:

(1). Deposition area;

(2). Thickness profile; and,

(3). Physical and chemical parameters (*e.g.*, grain size, density, organic carbon content, ion exchange capacity, pH, *etc.*).

4. Air

The Permittee shall provide information characterizing the climate in the vicinity of the facility. Such information may include, but not be limited to:

a. A description of the following parameters:

(1). Annual and monthly rainfall averages;

(2). Monthly temperature averages and extremes;

(3). Wind speed and direction;

(4). Relative humidity/dew point;

(5). Atmospheric pressure;

(6). Evaporation data;

(7). Development of inversions; and,

(8). Climate extremes that have been known to occur in the vicinity of the facility, including frequency of occurrence (*i.e.*, Hurricanes)

b. A description of topographic and man-made features which affect air flow and emission patterns, including:

(1). Ridges, hills or mountain areas;

(2). Canyons or valleys;

(3). Surface water bodies (*e.g.*, rivers, lakes, bays, *etc.*); and,

(4). Buildings.

C. Source Characterization

For those sources from which releases of hazardous constituents have been detected, the Permittee shall provide analytical data to completely characterize the wastes and the areas where wastes have been placed, to the degree that is possible without undue safety risks, including: type, quantity; physical form; disposition (containment or nature of deposits); and facility characteristics affecting release (*e.g.*, facility security, and engineering barriers). Data gaps on source characterization shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. This summary shall include quantification of the following specific characteristics, at each source area:

1. Unit/Disposal Area Characteristics:

a. Location of unit/disposal area;

b. Type of unit/disposal area;

c. Design features;

d. Operating practices (past and present)

e. Period of operation;

f. Age of unit/disposal area;

g. General physical conditions; and,

h. Method used to close the unit/disposal area.

2. Waste Characteristics:

a. Type of wastes placed in the unit;

(1). Hazardous classification (*e. g.*, flammable, reactive, corrosive, oxidizing or reducing agent);

(2). Quantity; and,

(3). Chemical composition.

b. Physical and chemical characteristics such as:

(1). Physical form (solid, liquid, gas);

(2). Physical description (*e.g.*, powder, oily sludge);

(3). Temperature;

(4). pH;

(5). General chemical class (*e.g.*, acid, base, solvent);

(6). Molecular weight;

(7). Density;

(8). Boiling point;

(9). Viscosity;

(10). Solubility in water;

(11). Cohesiveness of the waste; and,

(12). Vapor pressure.

c. Migration and dispersal characteristics of the waste such as:

(1). Sorption capability;

(2). Biodegradability, bioconcentration, and biotransformation;

(3). Photodegradation rates;

(4). Hydrolysis rates; and,

(5). Chemical transformations.

D. Potential Receptors

The Permittee shall provide data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Data gaps pertinent to receptor analysis shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The following characteristics shall be identified at a minimum:

1. Current local uses and planned future uses of groundwater:

   a. Type of use (*e.g.*, drinking water source: municipal or residential, agricultural, domestic/non-potable, and industrial);

   b. Location of groundwater users, to include withdrawal and discharge wells and springs, within one mile of the impacted area.

   The above information should also indicate the aquifer or hydrogeologic unit used and/or impacted for each item.

2. Current local uses and planned future uses of surface waters directly impacted by the facility:

   a. Domestic and municipal (*e.g.*, potable and lawn/gardening watering);

   b. Recreational (*e.g.*, swimming, fishing);

   c. Agricultural;

   d. Industrial; and,

   e. Environmental (*e.g.*, fish and wildlife propagation).

3. Human use of or access to the facility and adjacent lands, including but not limited to:

   a. Recreation;

   b. Hunting;

   c. Residential;

   d. Commercial; and,

   e. Relationship between population locations and prevailing wind direction.

4. A general description of the biota in surface water bodies on, adjacent to, or affected by the facility.

5. A general description of the ecology within the area adjacent to the facility.

6. A general demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age; sex; and sensitive subgroups.

7. A description of any known or documented endangered or threatened species near the facility.

E. Sampling and Analysis Plan(s) for Characterization of Releases of Hazardous Waste/Hazardous Constituents

The Permittee shall prepare a plan to document all monitoring procedures necessary to characterize the extent, fate and transport of releases (*i.e.*, identify sample locations, sample procedures and sample analysis to be performed during the investigation to characterize the environmental setting, source, and releases of hazardous constituents, so as to ensure that all information and data are valid and properly documented). The sampling strategy and procedures shall be in accordance with EPA Region 4 Environmental Compliance Branch's **Standard Operating Procedure and Quality Assurance Manual** (SOP) (most recent version) or a Department-approved Quality Assurance Project Plan pursuant to Chapter 62-160, F.A.C. Any deviations from this reference must be requested by the applicant and approved by the Department. If a Risk Assessment is expected to be performed once release characterization is complete or nearly complete, Data Quality Objectives (DQO) for a Human Health Risk Assessment requires a Data Quality Objective of Level 3 or greater.

The Sampling and Analysis Plan must specifically discuss the following unless the SOP procedures are specifically referenced.

1. Sampling Strategy

   a. Selecting appropriate sampling locations, depths, *etc.*;

   b. Obtaining all necessary ancillary data;

   c. Determining conditions under which sampling should be conducted;

   d. Determining which media are to be sampled (*e.g.*, groundwater, air, soil, sediment, subsurface gas);

   e. Determining which parameters are to be measured and where;

   f. Selecting the frequency of sampling and length of sampling period;

   g. Selecting the types of samples (*e.g.*, composite *vs.* grab) and number of samples to be collected.

2. Sampling Procedures

   a. Documenting field sampling operations and procedures, including;

      (1). Documentation of procedures for preparation of reagents or supplies which become an integral part of the sample (*e.g.*, filters, preservatives, and absorbing reagents);

(2). Procedures and forms for recording the exact location and specific considerations associated with sample acquisition;

(3). Documentation of specific sample preservation method;

(4). Calibration of field instruments;

(5). Submission of appropriate blanks (*e.g.*, field, equipment, trip, *etc.*);

(6). Potential interferences present at the facility;

(7). Construction materials and techniques, associated with monitoring wells and piezometers;

(8). Field equipment listing and sampling containers;

(9). Sampling order; and,

(10). Decontamination procedures.

b. Selecting appropriate sample containers;

c. Sampling preservation; and,

d. Chain-of-custody, including:

(1). Standardized field tracking reporting forms to establish sample custody in the field prior to shipment; and,
(2). Pre-prepared sample labels containing all information necessary for effective sample tracking.

(3). Chain-of-custody seals for sample containers and shipping coolers.

3. Sample Analysis

Sample analysis shall be conducted in accordance with **SW-846: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods** (most recent version) or an alternate approved method. The sample analysis section of the Sampling and Analysis Plan shall specify the following:

a. Chain-of-custody procedures, including:

(1). Identification of a responsible party to act as sampling custodian at the laboratory facility authorized to sign for incoming field samples, obtain documents of shipment, and verify the data entered onto the sample custody records;

(2). Provision for a laboratory sample custody log consisting of serially numbered standard lab-tracking report sheets; and

(3). Specification of laboratory sample custody procedures for sample handling, storage, and dispersement for analysis.

b. Sample storage (*e.g.*, maximum holding times for constituents);

c. Sample preparation methods;

d. Analytical Procedures, including:

(1). Scope and application of the procedure;

(2). Sample matrix;

(3). Potential interferences;

(4). Precision and accuracy of the methodology; and

(5). Method Detection Limits; and,

(6). Practical Quantitative Limits

e. Calibration procedures and frequency;

f. Data reduction, validation and reporting;

g. Internal quality control checks, laboratory performance and systems audits and frequency, including:

(1). Method blank(s);

(2). Laboratory control sample(s);

(3). Calibration check sample(s);

(4). Replicate sample(s);

(5). Matrix-spiked sample(s);

(6). "Blind" quality control sample(s);

(7). Control charts;

(8). Surrogate samples;

(9). Zero and span gases; and,

(10). Reagent quality control checks.

h. External quality control checks by the Department, including:

(1). Spikes and blanks at sampling events for which the Department or its technical representative provides oversight; and,

(2). The equivalent of a CLP data package for samples split with the Department or for which the Department specifically requests the package.

i. Preventive maintenance procedures and schedules;

j. Corrective action (for laboratory problems); and

k. Turnaround time.

F. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation.

1. Data Record

The data record shall include the following:

a. Unique sample or field measurement code;

b. Sampling or field measurement location and sample or measurement type;

c. Sampling or field measurement raw data;

d. Laboratory analysis ID number;

e. Property or component measures; and

f. Result of analysis (*e.g.*,. concentration, data qualifiers).

2. Tabular Displays

The following data shall be presented in tabular displays:

a. Unsorted (raw) data;

b. Results for each medium, or for each constituent monitored;

c. Data reduction for statistical analysis, as appropriate;

d. Sorting of data by potential stratification factors (*e.g.*, location, soil layer, topography); and,

e. Summary data

3. Graphical Displays

The following data shall be presented in graphical formats (*e.g.*, bar graphs, line graphs, area or plan maps, isopleth plots, cross-sectional plots or transects, three dimensional graphs, *etc.*):

a. Display sampling location and sampling grid;

b. Indicate boundaries of sampling area, and area where more data are required;

c. Display geographical extent of contamination, both horizontally and vertically;

d. Illustrate changes in concentration in relation to distances from the source, time, depth or other parameters; and,

e. Indicate features affecting inter-media transport and show potential receptors.

G. Project Management Plan - Schedule of Implementation

The Permittee shall prepare a Project Management Plan that will cover qualifications of personnel categories and the management control structure for the project. The Permittee shall also provide a schedule for completing the planned RFI activities. The schedule shall be as specific as possible (*i.e.*, it should indicate the number of days/weeks/months required for each major work plan task).

II. RFI REPORT REQUIREMENTS - ELEMENTS OF THE RFI REPORT

The RFI Report shall include, at a minimum, the following elements:

A. Introduction

The Permittee shall describe the purpose of the RFI Work Plan and provide a summary description of the project.

B. Environmental Setting

The Permittee shall describe the Environmental Setting in and around the facility. The RFI Work Plan should contain some, if not all, of the information on the Environmental Setting. Any information collected during work plan implementation that clarifies or improves understanding of the Environmental Setting should be provided in this section.

C. Source Characterization

The Permittee shall summarize the sources of contamination and nature of releases identified at the facility. The RCRA Facility Assessment and the RFI Work Plan should contain some, if not all, of the information on Source Characterization. Any information collected during work plan implementation or obtained from the sources (*e.g.*, voluntarily or from other Environmental Programs) that directly addresses Source Characterization shall be provided in this section.

D. Sampling and Analysis Results

The Permittee shall present data results obtained pursuant to the RFI Work Plan. The Permittee shall identify any work plan proposals that were not completed and explain why such actions were not finished. The Permittee shall also present its analysis/interpretation of how the sampling data meet the RFI objective and how the sampling data fits or modifies the contaminant conceptual model. For all analytical data, the Permittee shall discuss the results of data quality/data review.

E. Data Quality Assurance/Data Quality Data Review

The Permittee shall perform a Quality Assurance/Quality Control data review on all data present in the RFI. The Quality Assurance/Quality Control data review shall be in accordance with the USEPA Contract Laboratory Program National Functional Guidelines for Inorganic Data Review (EPA-540/R94-013) and the USEPA Contract Laboratory Program National Functional Guidelines for Organic Data Review (EPA-540/R94-012), unless the Permittee has a Department-approved Quality Assurance Project Plan. The data review shall address the following, at minimum:

1. Holding times;
2. Blanks;
3. Laboratory Control Samples;
4. Field Duplicates;
5. Surrogate Recoveries;
6. Matrix Spike/Matrix Spike Duplicates; and,
7. Data Assessment - Data Usability.

F. Conclusions

The Permittee shall summarize the major conclusions reached after analysis of the environmental setting, source characterization, sampling and analysis results and data quality. Any data gaps needed to complete characterization of the scope and extent of the releases from SWMUs and/or AOCs or to refine further the contaminant conceptual model shall be identified and recommendations made in the Recommendations Section of the report.

G. Recommendations

The Permittee shall provide its recommendations on what, if any, further action is needed to complete the characterization of release(s) from SWMUs and/or AOCs.

H. Work Plan for Additional Investigations

If further investigations are determined to be needed to complete the objective of the RFI then the Permittee shall provide a work plan to complete characterization of the release(s).

Appendix C

Corrective Measures Study (CMS) Outline

The purpose of the CMS portion of the RCRA corrective action process is to identify and evaluate potential remedial alternatives for the releases of hazardous constituents that have been identified at the facility through the RFI or other investigations to need further evaluation. The scope and requirements of the CMS are balanced with the expeditious initiation of remedies and rapid restoration of contaminated media. The scope and requirements of the CMS should be focused to fit the complexity of the site-specific situation. It is anticipated that Permittees with sites with complex environmental problems may need to evaluate a number of technologies and corrective measure alternatives. For other facilities, however, the evaluation of a single corrective measure alternative may be adequate. Therefore, a streamlined or focused approach to the CMS may be initiated. Information gathered during any stabilizations or interim measures will be used to augment the CMS and, in cases where corrective action goals are met, may be a substitute for the final CMS.

Regardless of whether a streamlined/focused or a detailed CMS is required, a CMS Work Plan and CMS Report are generally required elements. The requirements for a full, detailed CMS are listed below. The Department has the flexibility not to require sections of the plan and/or report, where site-specific situations indicate that all requirements are not necessary. Additionally, the Department may require additional studies besides these discussed in order to support the CMS.

I. CMS WORK PLAN

A. Elements of the CMS Work Plan

The CMS Work Plan shall include at a minimum the following elements:

1. A brief site-specific description of the overall purpose of the CMS;

2. A brief description of the corrective measure objectives, including proposed target media cleanup standards (*e.g.*, promulgated Federal and State standards) and preliminary points of compliance or a description of how a risk assessment will be performed (*e.g.*, guidance documents);

3. A brief description of the specific corrective measure technologies and/or corrective measure alternatives which will be studied;

4. A brief description of the general approach to investigating and evaluating potential corrective measures;

5. A detailed description of any proposed pilot, laboratory and/or bench scale studies;

6. A proposed outline for the CMS Report including a description of how information will be presented;

7. A brief description of overall project management including overall approach, levels of authority (include organization chart), lines of communication, project schedules, budget

and personnel. Include a description of qualifications for personnel directing or performing the work;

8. A project schedule that specifies all significant steps in the process and when key documents (*e.g.*, CMS Progress Reports, draft CMS Report) are to be submitted to the Department;

9. A detailed Public Involvement Plan.

II. CMS REPORT

The detail of a CMS may vary based upon the complexity of the site, on-going IM, *etc.* However, the CMS Report may include the following elements:

A. Introduction/Purpose

The Permittee shall describe the purpose of the CMS Report and provide a summary description of the project.

B. Description of Current Situation

The Permittee shall submit a summary and an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RCRA Facility Investigation (RFI) Report. This discussion should concentrate on those issues that could significantly affect the evaluation and selection of the corrective measures alternative(s). The Permittee shall provide an update to information presented in the RFI regarding previous response activities and interim measures that have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

C. Establishment of Proposed Media Specific Cleanup Standards

The Permittee shall describe the proposed media cleanup standards and point of compliance. The cleanup criteria must be either background, promulgated Federal and State standards, State cleanup criteria, or alternate risk-derived target cleanup levels. If media clean-up standards are not proposed, then the Department will unilaterally propose setting media clean-up standards to either background, promulgated Federal and State standards or the most conservative risk-derived standards.

D. Identification, Screening and Development of Corrective Measure Technologies

1. Identification: List and briefly describe potentially applicable technologies for each affected media that may be used to achieve the corrective action objectives. Include a table that summarizes the available technologies.

   The Permittee should consider innovative treatment technologies, especially in situations where there are a limited number of applicable corrective measure technologies.

2. Screening: The Permittee shall screen the corrective measure technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies that have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

   Site, waste, and technology characteristics used to screen inapplicable technologies are described in more detail below:

   a. Site Characteristics: Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration.

   b. Waste Characteristics: Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of *in-situ* methods, direct treatment methods, and land disposal (on/off-site).

   c. Technology Limitations: During the screening process, the level of technology development, performance record, and inherent construction, operation, and maintenance problems should be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

3. Corrective Measure Development: The Permittee shall assemble the technologies that pass the screening step into specific alternatives that have the potential to meet the corrective action objectives for each media. Options for addressing less complex sites could be relatively straightforward and may only require evaluation of a single or limited number of alternatives. Each alternative may consist of an individual technology or a combination used in sequence *(i.e.,* treatment train). Different alternatives may be considered for separate areas of the facility, as appropriate. List and briefly describe each corrective measure alternative.

E. Evaluation of a Final Corrective Measure Alternative

For each remedy that warrants a more detailed evaluation (*i.e.*, those that passed through the screening step), including those situations when only one remedy is being proposed, the Permittee shall provide detailed documentation of how the potential remedy will comply with each of the standards listed below. These standards reflect the major technical components of remedies including cleanup of releases, source control and management of wastes that are generated by remedial activities. The specific standards are as follows:

1. Protect human health and the environment.

2. Attain media cleanup standards set by the Department.

3. Control the source of releases to reduce or eliminate, to the extent practicable, further releases that may pose a threat to human health and the environment.

4. Comply with applicable standards for management of wastes.

5. Other factors.

In evaluating the selected alternative or alternatives, the Permittee shall prepare and submit information that documents that the specific remedy will meet the standards listed above. The following guidance should be used in completing this evaluation.

1. Protect Human Health and the Environment

   Corrective action remedies must be protective of human health and the environment. Remedies may include those measures that are needed to be protective, but are not directly related to media cleanup, source control or management of wastes. An example would be a requirement to provide alternative drinking water supplies in order to prevent exposures to releases from an aquifer used for drinking water purposes. Therefore, the Permittee shall provide a discussion of any short term remedies necessary to meet this standard, as well as discuss how the corrective measures alternative(s) meet this standard.

2. Attain Media Cleanup Standards

   Remedies will be required to attain media cleanup standards. As part of the necessary information for satisfying this requirement, the Permittee shall address whether the potential remedy will achieve the remediation objectives. An estimate of the time frame necessary to achieve the goals shall be included. Contingent remedies may be proposed if there is doubt if the initial remedy will be successful (*e.g.*, contingent remedies to innovative technologies).

3. Control of Sources of Releases

   The Permittee shall address the issue of whether source control measures are necessary, and if so, the type of actions that would be appropriate. Any source control measure proposed should include a discussion on how well the method is anticipated to work given the particular situation at the facility and the known track record of the specific technology.

4. Comply With any Applicable Standards for Management of Wastes

   The Permittee shall include a discussion of how the specific waste management activities will be conducted in compliance with all applicable State and Federal regulations (*e.g.*, closure requirements, LDRs)

5. Other Factors

There are five general factors that will be considered as appropriate by the Department in selecting/approving a remedy that meets the four standards listed above. These five decision factors include:

a. Long-term reliability and effectiveness;

b. Reduction in the toxicity, mobility or volume of wastes;

c. Short-term effectiveness;

d. Implementability; and,

e. Cost.

Examples of the type of information to include are provided below:

(1). Long-term reliability and effectiveness: The Permittee may consider whether the technology, or combination of technologies, have been used effectively under analogous site conditions, whether failure of any one technology in the alternative would have any immediate impact on receptors, and whether the alternative would have the flexibility to deal with uncontrollable changes at the site. Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. In addition, each corrective measure alternative should be evaluated in terms of the projected useful life of the overall alternative and of its component technologies. Useful life is defined as the length of time the level of effectiveness can be maintained.

(2). Reduction in the toxicity, mobility or volume of wastes: As a general goal, remedies will be preferred that employ techniques that are capable of eliminating or substantially reducing the potential for the wastes in SWMUs and/or contaminated media at the facility to cause future environmental releases. Estimates of how the corrective measure alternative will reduce toxicity, mobility and or volume of the waste is required and may be accomplished through a comparison of initial site conditions to expected post-corrective measures conditions.

(3). Short-term effectiveness: The Permittee shall evaluate each corrective measure alternative for short-term effectiveness. Possible factors to consider are fire, explosion, exposure to hazardous constituents, and potential threats associated with the treatment, excavation, transportation and re-disposal or containment of the waste material.

(4). Implementability: Information to consider when assessing implementability include:

(a). The administrative activities needed to implement the corrective measure alternative (*e.g.*, permits, rights of way, *etc.*) and the length of time these activities will take;

(b). The constructibility, time for implementation, and time for beneficial results;

(c). The availability of adequate off-site treatment, storage capacity, disposal services, needed technical services and materials; and,

(d). The availability of prospective technologies for each corrective measure alternative.

(5). Cost: The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include both capital and operation and maintenance costs. The capital costs shall include, but are not limited to, costs for: engineering, site preparation, construction, materials, labor, sampling/analysis, waste management/disposal, permitting, health and safety measures, *etc.* The operation and maintenance costs shall include labor, training, sampling and analysis, maintenance materials, utilities, waste disposal and/or treatment, *etc.* Costs shall be calculated as the net present value of the capital and operation and maintenance costs.

F. Justification and Recommendation of the Corrective Measure or Measures

The Permittee shall justify and recommend in the CMS Report a corrective measure alternative for consideration by the Department. Such a recommendation should include a description and supporting rationale for the preferred alternative that is consistent with the corrective action standards and remedy selection decision factors discussed above. In addition, this recommendation shall include summary tables that allow the alternative or alternatives to be understood easily. Trade-offs among health risks, environmental effects, and other pertinent factors shall be highlighted. The Department will select the corrective measure alternative or alternatives to be implemented based on the results presented in the CMS Report.

Appendix D

Schedule of Compliance

Schedule of Compliance	Due Date
Notification of Newly Identified SWMUs and AOCs *Specific Conditions HSWA I.2 and HSWA I.3.*	Within fifteen (15) calendar days of discovery
SWMU Assessment Report *Specific Condition HSWA I.4.*	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs *Specific Condition HSWA I.6.*	Within fifteen (15) calendar days of discovery
CS Work Plan for SWMUs or AOCs identified in **Appendix A.3** *Specific Condition HSWA II.2*	Within forty-five (45) calendar days after effective date of permit
CS Work Plan for SWMUs identified under Condition *HSWA I.5.*, or AOCs identified under Specific Condition *HSWA I.2.* *Specific Condition HSWA II.2.*	Within forty-five (45) calendar days of notification by the Department
CS Report *Specific Condition HSWA II.5.*	In accordance with the approved CS Work Plan
RFI Work Plan for SWMU(s) and AOC(s) identified under Specific Condition **HSWA I.1.a.** *Specific Condition HSWA III.1.*	Within ninety (90) calendar days from effective date of permit
RFI Work Plan for SWMU(s) and AOC(s) Identified under Specific Conditions **HSWA I.5, HSWA I.7, or HSWA II.6.** *Specific Condition HSWA III.2.*	Within ninety (90) calendar days after receipt of notification by the Department which SWMUs or AOCs require an RFI

Schedule of Compliance	Due Date
Draft RFI Report *Specific Condition **HSWA III.6.***	In accordance with the approved RFI Work Plan
Final RFI Report *Specific Condition **HSWA III.8.***	Within thirty (30) calendar days after receipt of Department's final comments on Draft RFI Report
RFI Progress Reports *Specific Condition **HSWA III.9.***	Quarterly, beginning ninety (90) calendar days from the start date specified by the Department*
IM Work Plan *Specific Condition **HSWA IV.1.***	Within thirty (30) calendar days of notification by the Department
IM Progress Reports *Specific Condition **HSWA IV.8.***	In accordance with the approved IM Work Plan ** or semi-annually for Permittee-initiated IM
IM Report *Specific Condition **HSWA IV.9.***	Within ninety (90) calendar days of completion
CMS Work Plan *Specific Condition **HSWA V.1.***	Within ninety (90) calendar days of notification by the Department that a CMS is required
Implementation of CMS Work Plan *Specific Condition **HSWA V.4.***	Within fifteen (15) calendar days after receipt of the Department approval of Plan
Draft CMS Report *Specific Condition **HSWA V.5.***	In accordance with the schedule in the approved CMS Work Plan
Final CMS Report ***Specific Condition HSWA V.5.***	Within thirty (30) calendar days of the Department's final comments on Draft CMS Report
Demonstration of Financial Assurance *Specific Condition **HSWA VI.3.***	Within one hundred twenty (120) calendar days after permit modification for remedy

Schedule of Compliance	Due Date
Noncompliance/Imminent Hazard Report ***General Condition 8.***	Oral within 24 hours and written within fifteen (15) calendar days of becoming aware of the hazardous circumstances
Written report of noncompliance of tanks, surface impoundments or containers with 40 CFR 264.1082(c)(1) or (c)(2) (Subpart CC).	Within fifteen (15) calendar days of becoming aware of noncompliance

The above reports must be signed and certified in accordance with 40 CFR 270.11 and Rule 62-730.220(6), (7) and (8), F.A.C.

* This applies to Work Plan execution that requires more than one hundred-eighty (180) calendar days

** This applies to Work Plan execution that requires more than one year.

Appendix E

Screening Levels

I. Definition

Screening Levels are the Department's conservative risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health or the environment. Screening Levels shall be set for all hazardous constituents, a subset of hazardous wastes, identified in the RFI Report(s) or for those hazardous constituents that the Department has reason to believe may have been released from a solid waste management unit (SWMU) or Area of Concern (AOC) at the facility. Should the concentration of a hazardous constituent(s) in an aquifer, surface water, soils, or air exceed its Screening Level for any environmental medium, the Department may require that the Permittee conduct a Corrective Measure Study (CMS) to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101. If the Department determines that a constituent(s) released from a SWMU or AOC in quantities below its respective Screening Level(s) may pose a threat to human health or the environment, given site-specific exposure conditions, cumulative effects, ecological concerns, *etc.*, then the Department has the authority to require a CMS to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101.

Screening Levels shall be concentration levels, which satisfy the following criteria:

A. 1. Is derived in a manner consistent with Department guidelines for assessing human and environmental health risks from hazardous constituents; and

2. Is based on scientifically valid studies conducted in accordance with the Toxic Substances Control Act (TSCA) Good Laboratory Practice Standards, or equivalent; and

3. For human health Screening Levels to address carcinogens, represents a concentration associated with an excess upper bound lifetime cancer risk of 1×10^{-6} for carcinogens due to continuous constant lifetime exposure; and

4. For human health Screening Levels to address systemic toxicants, represents a concentration to which the human population (including sensitive subgroups) could be exposed on a daily basis that is likely to be without appreciable risk of deleterious effects during a lifetime in accordance with Department procedures.

B. For constituent(s) detected in groundwater, air, surface water, or soils, for which a concentration level that meets the criteria specified in section I.A.1 through I.A.4 of this appendix is not available or possible, the Screening Level for the constituent(s) shall be the background concentration of the constituent(s).

II. Groundwater

A. Screening Levels for constituents in groundwater shall be concentrations specified as:

1. MCLs; or

2. For constituents for which MCLs have not been promulgated, a concentration, which satisfies the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents for which MCLs have not been promulgated, the recommended equations/assumptions shall be developed using the Department's Groundwater Cleanup Target Levels. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves the right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

III. Surface Water

A. Screening Levels for constituents in surface water shall be concentrations specified as:

1. Water Quality Standards established pursuant to the Clean Water Act by the Department, where such standards are expressed as numeric values; or

2. Numeric interpretations of Department narrative water quality standards where water quality standards expressed as numeric values have not been established by the Department; or

3. MCLs for constituents in surface water designated by the Department for drinking water supply, where numeric values, or numeric interpretations described in paragraphs 1 and 2 immediately above, are not available; or

4. For constituents in surface waters designated by the Department for drinking water supply for which numeric values, numeric interpretations, or MCLs are not available, a concentration which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated assuming exposure through consumption of the water contaminated with the constituent; or

5. For constituents in surface waters designated for use or uses other than drinking water supply and for which numeric values or numeric interpretations have not been established, a concentration established by the Department which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents in surface water, the recommended equations/assumptions shall be developed using Department guidance.

IV. Air

A. Air emissions shall not exceed the Department's conservative risk-based concentrations.

V. Soils

A. Screening Levels for constituents in soils shall be concentrations which meet the criteria specified in section I.A.1 through I.A.4 of this appendix.

B. The calculation of human health Screening Levels for soil includes several specific exposure routes which must be evaluated individually: 1) ingestion, 2) inhalation and 3) leachability to groundwater. In deriving Screening Levels to address ingestion, inhalation and leaching, the methodology/assumptions shall be those in Department guidance. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

VI. Sediment

A. Screening Levels for constituents in sediment shall be based on whether human health or ecological health is the major concern. If ecological concerns are deemed to predominate, then Screening Levels for constituents in sediment shall be concentrations based on the latest sediment screening values as calculated by the Department. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

If an ecological sediment screening value for a constituent of concern has not been generated by the Department and cannot be generated using the criteria in sections I.A.1 and I.A.2 of this appendix, then the ecological Screening Level for sediment shall be background. If human health is the prevailing concern, then the human health Screening Level for sediment shall address all applicable exposures.

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

JOHN M. RUDDELL, DIRECTOR
DIVISION OF WASTE MANAGEMENT

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

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

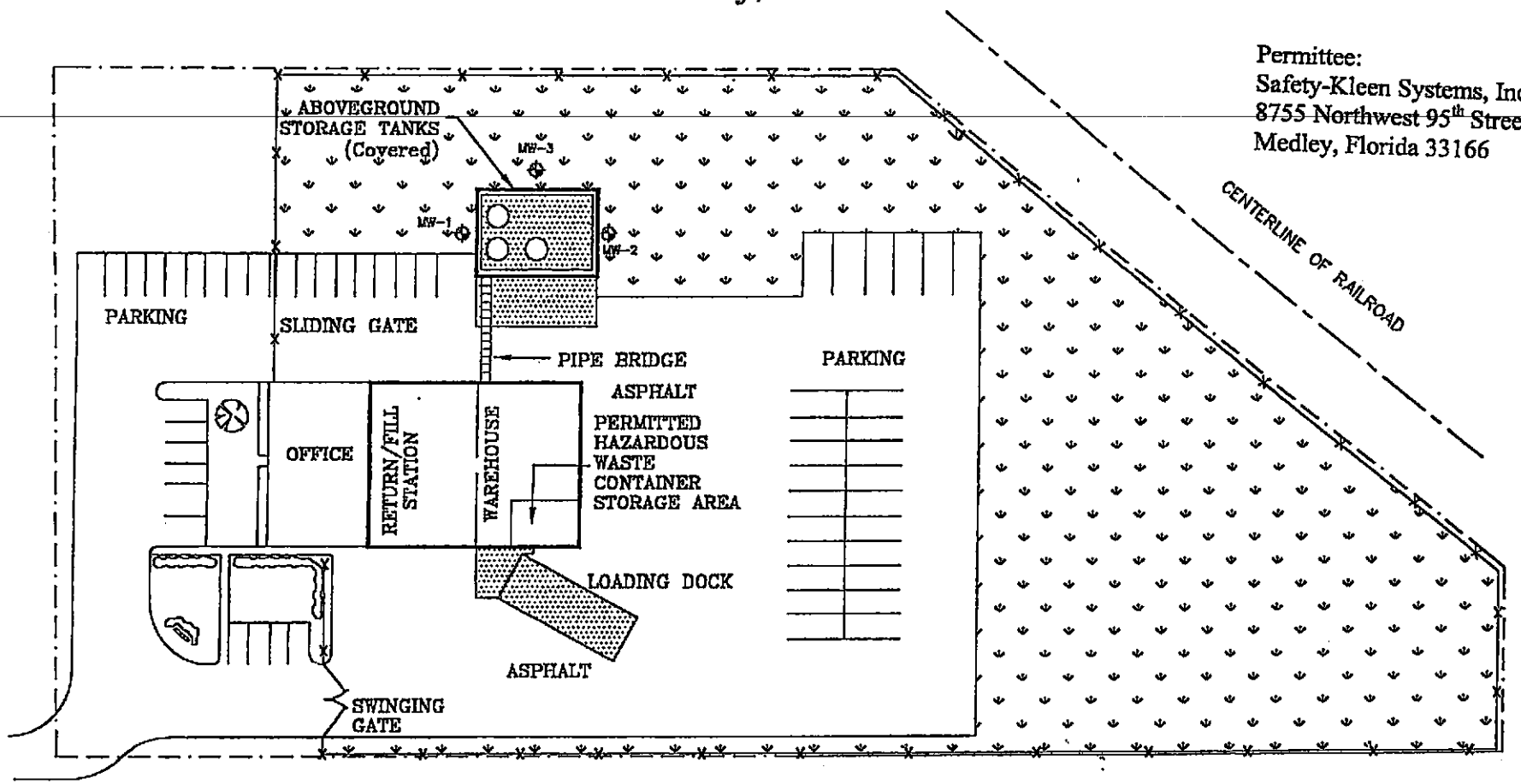
This is to certify that this Notice of Permit was mailed before
close of business on _____.

311.21 31121-PM 042897-1

Revision 0 – 08/08/02

Figure 5.1–1
Facility Layout and Access Control Features
Safety-Kleen Systems, Inc. Facility
Medley, Florida

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166



LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- ABOVEGROUND STORAGE TANKS
- MW–1 GROUND WATER MONITORING WELL

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

N

0 APPROXIMATE SCALE 80
FEET

Attachment A

base,border,mw,fig2–1–1

EDM

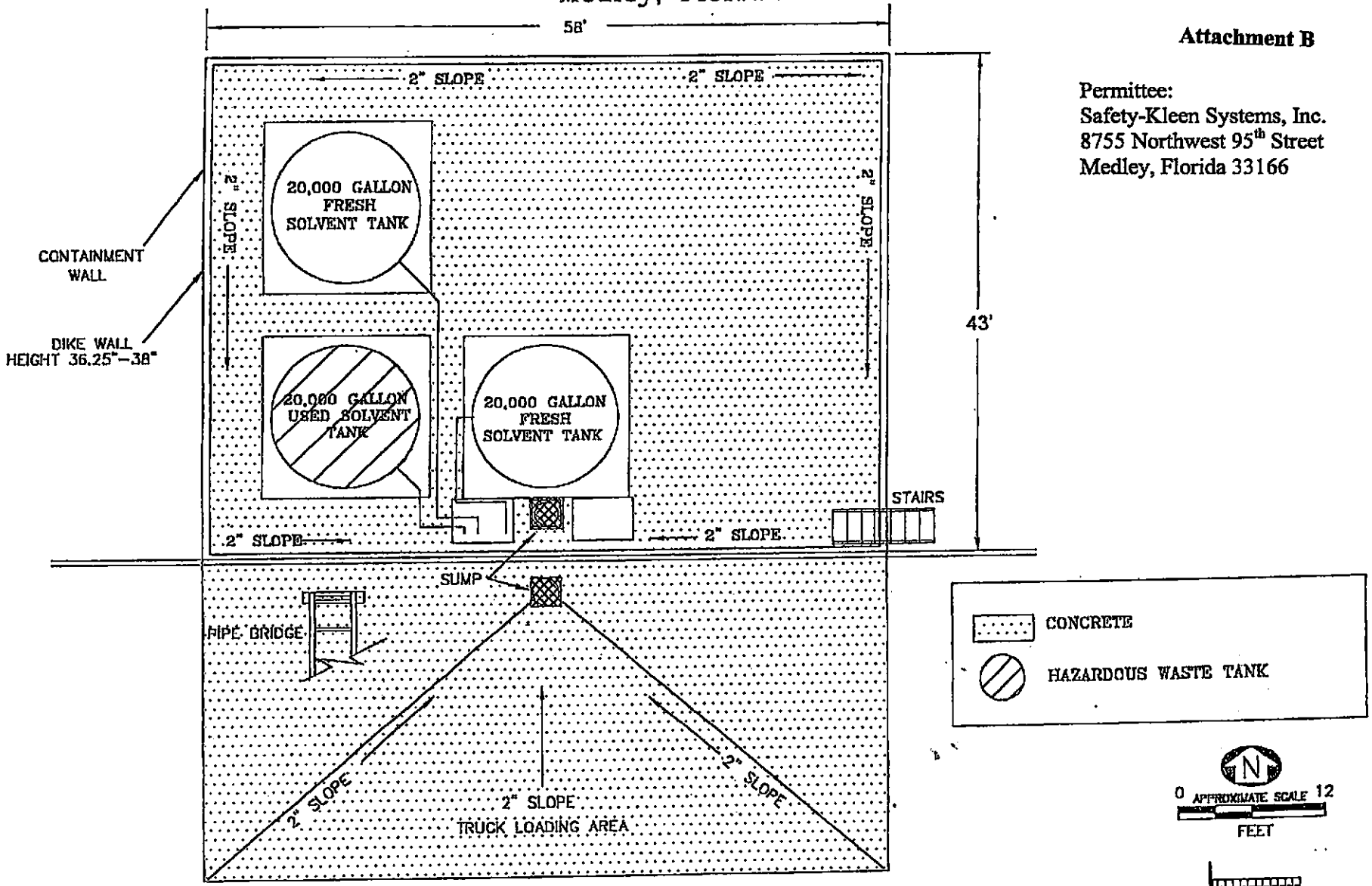
PERMIT

Figure 5.6–5
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Attachment B

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166



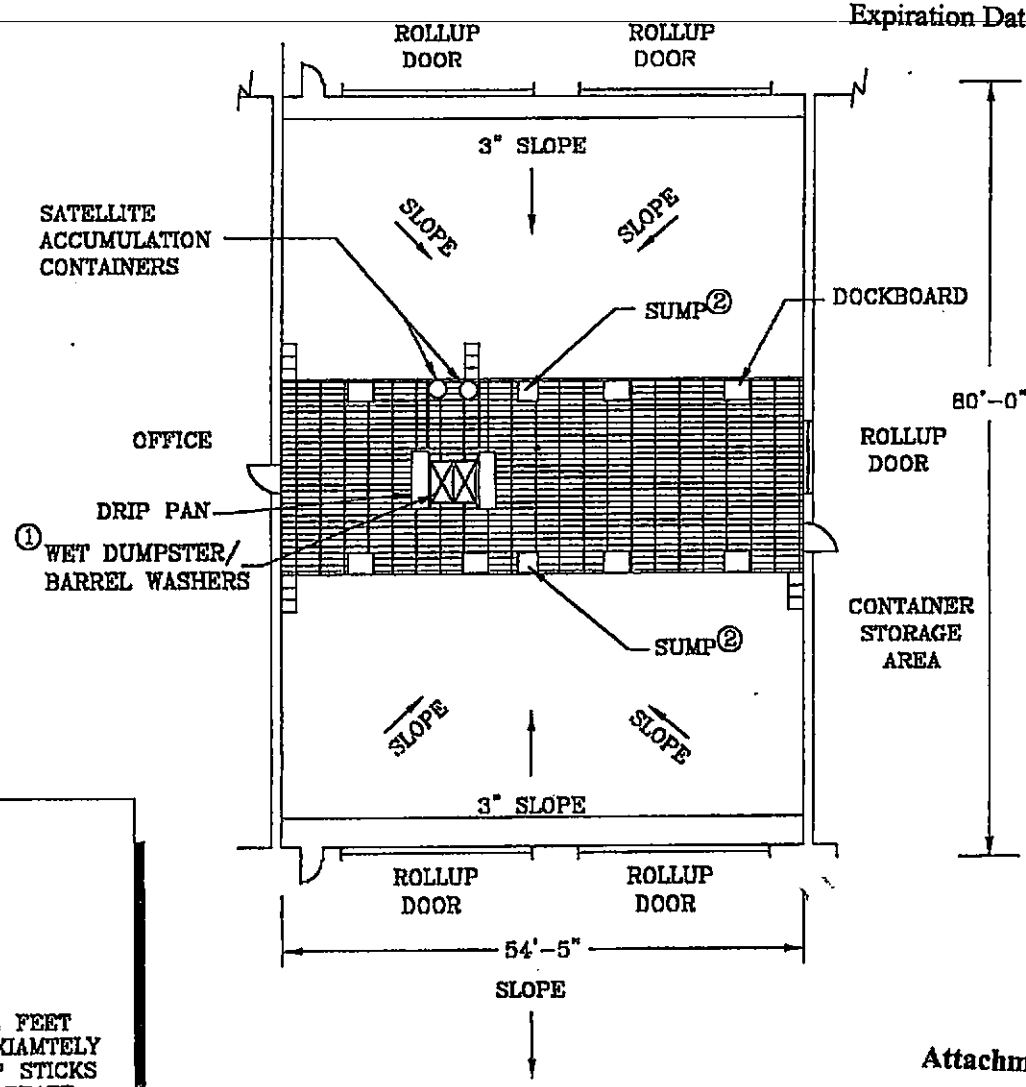
ERM

311.21 31121-PM 042887-1 PERMIT

Revision 0 – 08/08/02

Figure 5.6–4
Return/Fill Station
Safety-Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008



LEGEND

STEPS

GRATE

Notes:

1. WIDTH APPROXIMATELY 2 FEET
2. SUMPS MEASURE APPROXIAMTELY 2'x2'; THE NORTH SUMP STICKS OUT FROM UNDER THE GRATE BY APPROXIMATELY 6"

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

N

0 APPROXIMATE SCALE 20
FEET

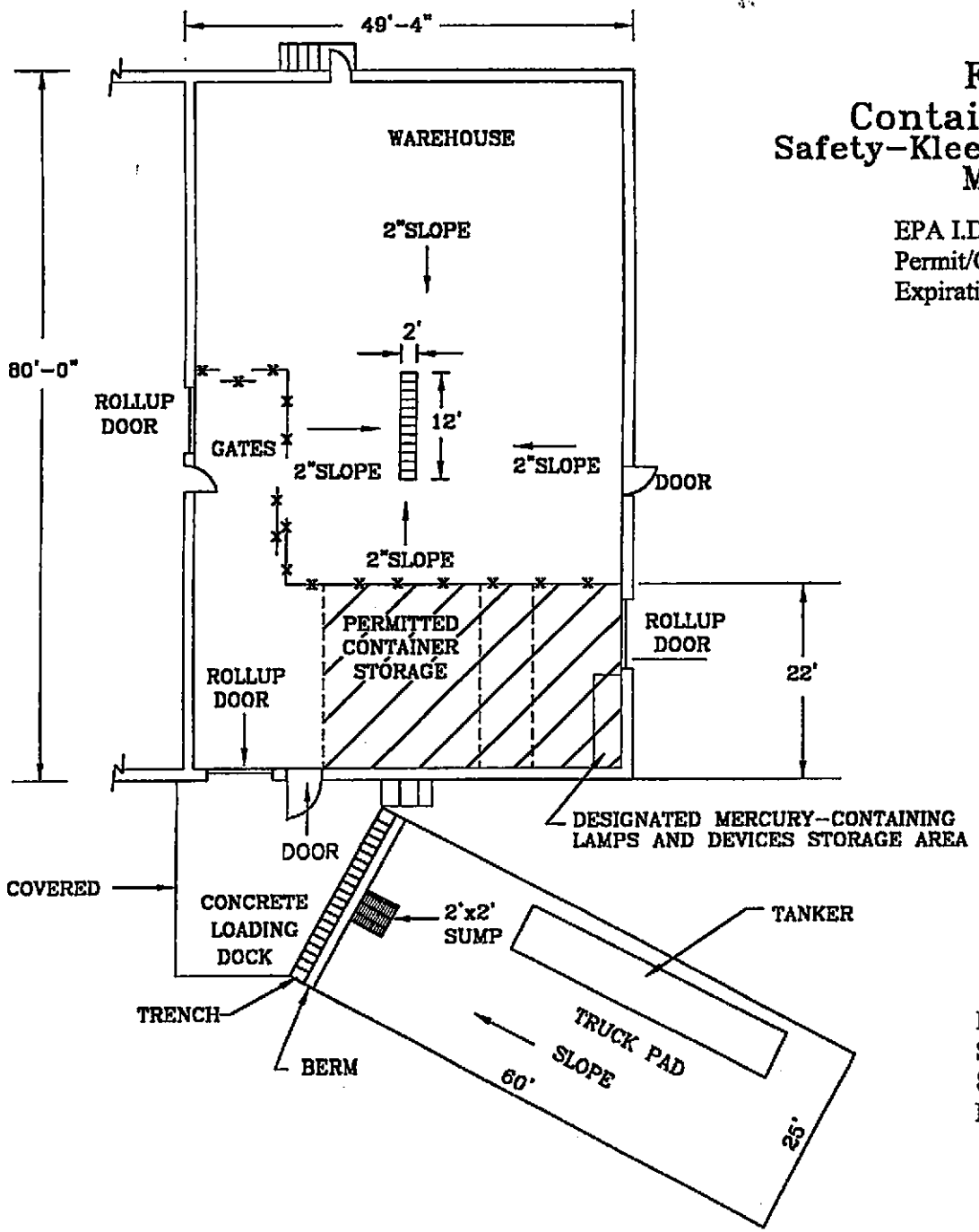
Attachment C

FRM

scfkln 9301 FIG8.1-1 7/24/02

Figure 8.1–1
Container Storage Area
Safety–Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008



LEGEND

- CONCRETE
- AREA USED FOR WASTE TRANSFER
- GRATING
- FENCE

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

N
0 APPROXIMATE SCALE 20
FEET

EDM

PERMIT

TABLE 5.1-1
PERMITTED AND TRANSFER WASTES

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	D009

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

*** This waste will be held for transfer in containers in the transfer area.

Department of
Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

January 10, 2003

RECEIVED
JAN 14 2003
DEPT OF ENV PROTECTION
WEST PALM BEACH

Mr. Matt Hedrick, EHS Manager
Safety-Kleen Systems, Inc.
5309 24th Street South
Tampa, Florida 33619

SUBJECT: Safety-Kleen, Inc., Medley, Florida; E.P.A. I.D. Number FLD 984 171 694; Operating Permit Application 56109-HO-004

Dear Mr. Hedrick:

Enclosed is a draft courtesy copy of the renewal operating permit for the Safety-Kleen, Inc., Medley site which I had previously sent electronically on January 8. Please note that this permit also contains the Corrective Action conditions for the rest of 8755 Northwest 95th Street, Medley, Florida. The facility will have an opportunity to further comment on the draft when the Department goes with the Intent to Issue.

Please submit any comments by January 17, 2003 so that the Intent to Issue draft permit can be issued on January 24, 2003. If you need additional time, you may submit more comments during the comment period. If you should have any questions, please call Bill Parker or Bheem Kothur at (850) 245-8707.

Sincerely,

Satish Kastury,
Environmental Administrator
Hazardous Waste Regulation

SK/wpp

Enclosure

Cc: Doug McCurry, EPA/Region 4
Jan Martin, EPA/Region 4
Vivek Kamath, FDEP/ West Palm Beach
Steve Brown, FDEP/ West Palm Beach

DRAFT

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

I.D. NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56109-HO-004
DATE OF ISSUE: **DRAFT**
EXPIRATION DATE: MARCH 19, 2008

ATTENTION:
Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

COUNTY: DADE
LATITUDE / LONGITUDE: 25°51'38"N/80°20'25"W
SECTION/TOWNSHIP/RANGE: 4/53S/40E
PROJECT: Operation of a Hazardous Waste Container Storage Facility, Treatment Unit and HSWA Corrective Action Requirements

Pursuant to the Solid Waste Disposal Act and 40 CFR 264.101 (as adopted in Rule 62-730.180, of the Florida Administrative Code [F.A.C.]), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-160, 62-522, 62-532, 62-550, and 62-730. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application, and 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 drum and tank storage units within a service accumulation center (See Attachment A – Facility Layout).

Tank Storage:

Utilization of one above ground 20,000 gallon storage tank for managing waste solvent under this permit. Two 20,000 gallon tanks are used for fresh solvent and shall not be used for hazardous waste. All tanks are underlain by a 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B).

Solvent Return / Fill Station:

Spent solvents enter the waste storage tank through the two wet dumpsters located in the Solvent Return / Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

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).

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.

Three solid waste management units have been identified at the facility in the United States Environmental Protection Agency (EPA) Hazardous and Solid Waste Amendments (HSWA) permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units: No further Action

- SWMU-1 Container Storage/Transfer Waste Area
- SWMU-2 Aboveground Storage Tank Area
- SWMU-3 Return/Fill Area

The State of Florida received authorization from EPA for implementing HSWA Corrective Action Program on November 17, 2000. This permit incorporates corrective action, including HSWA Corrective Action requirements and constitutes a full permit for Safety-Kleen Systems, Inc. Medley facility under the Resource Conservation and Recovery Act (RCRA). The applicant is currently subject to a HSWA permit issued by the EPA on February 12, 1993. At such time as the enclosed state permit with HSWA conditions becomes final and effective, the EPA will either terminate the Federal HSWA permit or allow it to expire. All HSWA corrective action requirements will be implemented through the final State permit, which will be equivalent to the Federal permit.

The Permittee, pursuant to this permit, 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.

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. The Permittee must inform the Department of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

Pursuant to 40 CFR 264.10, the 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). 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 33166.

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

1. Operating permit renewal application filed on DEP Form 62-730.900(2) and received on September 3, 2002.

2. Additional information submitted on December 18, 2002.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

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, 403.727, or 403.859 through 403.861, 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 subsections 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 location reasonable necessary to assure compliance with this permit or Department rules.

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

8. 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:

   a. A description of and cause of noncompliance; and

   b. 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.

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 proscribed 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, 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 Department approval in accordance with Rule 62-4.120 and 62-730.300 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
    a. Determination of Best Available Control Technology (BACT);

    b. Determination of Prevention of Significant Deterioration (PSD);

    c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

    d. Compliance with New Source Performance Standards.

14. The Permittee shall comply with the following:

    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, and records of all data used to complete the application for this permit. 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:

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

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

(3). the dates analyses were performed;

(4). the person responsible for performing the analyses;

(5). the analytical techniques or methods used;

(6). the results of such analyses.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. 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. In the case of an underground injection control permit, the following permit conditions also shall apply:

a. All reports or information required by the Department shall be certified as being true, accurate and complete.

b. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

c. Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

(1). The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

(2). The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.

d. The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

a. The following reports shall be submitted to the Department:

(1). 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.

(2). Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

(3). Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

b. Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

(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. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

d. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

e. Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS

1. All submittals in response to these conditions (except Specific Condition 2 of this Part) shall be as follows:

   a. Two (2) copies shall be sent to:

      Environmental Administrator
      Hazardous Waste Regulation Section
      M.S. 4560
      Bureau of Solid and Hazardous Waste
      Department of Environmental Protection
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

   b. One (1) copy shall be sent to:

      Hazardous Waste Supervisor
      Department of Environmental Protection
      400 North Congress Avenue
      West Palm Beach, Florida 33401

   c. One (1) copy shall be sent to:

      Chief, RCRA Programs Branch
      United States Environmental Protection Agency
      Region 4
      Sam Nunn Atlanta Federal Center
      61 Forsyth Street, S.W.
      Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(7), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Regulation Section
   M.S. 4560
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   In the event a cost estimate for closure, postclosure, or corrective action increases, the financial instrument must be updated accordingly. Pursuant to 40 CFR Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount covered by the instrument within 60 days of the estimate increase. Those facilities using a financial test must cover the estimate

increase in the next scheduled submittal. If the estimate increase causes the inability of facility to provide financial assurance through their currently selected mechanism, alternate financial assurance must be provided within 30 days. The Permittee shall provide assurances of financial responsibility for completion of off-site corrective action, if required, in accordance with Rule 62-730.180(7), F.A.C.

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All documents modifying the approved permit must be submitted to the Department for review shall be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(7), F.A.C.

4. 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(8), F.A.C.

5. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapter 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 revisions to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the revisions to the addresses in Specific Condition 1 of this Part.

6. Prior to 180 calendar days before the expiration of this permit (Rule 62-730.260(2), F.A.C.), the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless closure 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 closure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with Rule 62-730.900(2), F.A.C.

   The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the renewal to the addresses in Specific Condition 1 of this Part.

7. The Department of Environmental Protection's 24-hour emergency telephone number is (850)413-9911 or (800)320-0519. During normal business hours, the DEP District Office may be contacted at (561)681-6600.

8. The facility shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.184, F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from closure care requirements and all site-wide corrective action requirements.

9. The Permittee shall revise "Part I - General" of the **Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] within thirty (30) days of any changes in the Part I information. The revised "Part I - General" must be submitted to the Department within thirty (30) days of such changes.

10. Before transferring ownership or operation of this facility during the operating, closure or postclosure period, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)]. The Permittee shall comply with Rule 62-730.300, F.A.C.

11. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the site security provisions of the permit application. This site is a suspected or confirmed contaminated site where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.181(3), F.A.C.

    a. Warning signs at all entrances and other access points shall be at least 2 feet by 2 feet, made of a durable weather resistant material, with a white background and red lettering of a size indicated as follows:

2" Letters	WARNING! NO TRESPASSING
1" Letters	CONTAMINATED AREA AVOID CONTACT WITH SOIL AND WATER
1" Letters	FOR INFORMATION (561)681-6600

    b. Warning signs shall be unobstructed and mounted in such a manner that the center of the sign is approximately 56 inches above ground surface and is capable of being seen from at least 75 feet away.

    c. The Permittee is responsible for supplying, installing and maintaining the warning signs.

12. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5 of the permit application during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 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.

13. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained on-site. 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 and their respective job titles at the site [40 CFR 264.16].

14. 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 are described in the **Contingency Plan**, Section 5 of the permit application, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 12 and 14.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 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 as required by 40 CFR 264.35.

15. The contingency plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

16. The Permittee shall comply with the following conditions concerning the contingency plan:

    a. The Permittee shall immediately carry out the provisions of the emergency plan, Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 fifteen (15) calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

    b. The Permittee shall comply with the requirements of 40 CFR 264.53.

    c. Within seven (7) calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (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 (7) days of the change. All amended plans must be distributed to the appropriate agencies.

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

17. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72 and 264.76.

    a. At least four weeks prior to accepting hazardous waste from a foreign source, the Permittee shall notify the Department in writing as required by 40 CFR 264.12(a). Subsequent shipments of the same waste from the same source in the same calendar year do not require this notice.

    b. Within three working days of receipt of a shipment subject to 40 CFR 262.80 through 40 CFR 262.89, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the Department, the EPA Office of Enforcement and Compliance Assurance, and to competent authorities of other concerned countries.

    c. Prior to accepting a hazardous waste other than the permitted and transfer wastes shown in Table 7.1-1 of the permit application, the Permittee shall submit a request for permit modification which includes a waste analysis of the proposed new waste stream. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. (40 CFR 264.13)

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

    a. the results of the waste analysis;

    b. a summary report and details of incidents that require implementation of the contingency plan;

    c. manifests;

    d. the results of inspections;

    e. the closure plan and closure cost estimate

    f. biennial reports;

    g. monitoring, testing, or analytical data where required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228;

    h. inspections of emergency and safety equipment (Specific Condition 12 of this Part);

    i. personnel training records (Specific Condition 13 of this Part);

    j. the Waste Minimization Program Plan (Specific Conditions 19 and 20 of this Part).

    k. the description and quantity of each hazardous waste received or generated;

    l. the location of each hazardous waste within the facility and the quantity at location;

    m. biennial certification of waste minimization; and

    n. notices to generators as specified in 40 CFR 264.12(b)

    These records must be maintained at the facility until the completion of closure (40 CFR 264.73)

19. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). 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 record as required by 40 CFR 264.73(b)(9).

20. The Waste Minimization Program Plan, required in Specific Condition 19 of this Part, should include the following elements:

    a. Top Management Support

    (1). Dated and signed policy describing management support for waste minimization and for implementation of a waste minimization plan.

    (2). Description of employee awareness and training programs designed to involve employees in waste minimization planning and implementation to maximize the extent feasible.

    (3). Description of how a waste minimization plan has been incorporated into management practices so as to ensure ongoing efforts with respect to produce design, capital planning, production operations, and maintenance.

    b. Characterization of Waste Generation

    (1). Identification of types, amounts, and hazardous constituents of waste streams, with the source and date of generation.

    c. Periodic Waste Minimization Assessments

    (1). Identification of all points in a process where materials can be prevented from becoming a waste, or can be recycled.

    (2). Identification of potential waste reduction and recycling techniques applicable to each waste, with a cost estimate for capital investment and implementation.

    (3). Description of technically and economically practical waste reduction/recycling options to be implemented, and a planned schedule for implementation.

    (4). Specific performance goals, preferably quantitative, for the source reduction of waste by stream. Whenever possible, goals should be stated as weight of waste generated per standard unit of production, as defined by the generator.

    d. Cost Allocation System

(1). Identification of waste management costs for each waste, factoring in liability, transportation, record keeping, personnel, pollution control, treatment, disposal, compliance, and oversight costs to the extent feasible.

(2). Description of how departments are held accountable for the wastes they generate.

(3). Comparison of waste management costs with costs of potential reduction and recycling techniques applicable to each waste.

e. Technology Transfer

(1). Description of efforts to seek and exchange technical information on waste minimization from other parts of the company, other firms, trade associations, technical assistance programs, and professional consultants.

f. Program Evaluation

(1). Description of types and amounts of hazardous waste reduced or recycled.

(2). Analysis and quantification of progress made relative to each performance goal established and each reduction technique to be implemented.

(3). Amendments to waste minimization plan and explanation.

(4). Explanation and documentation of reduction efforts completed or in progress before development of the waste minimization plan.

(5). Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

21. Facilities submitting a Waste Minimization Plan pursuant to Specific Conditions 19.b and 20 of this Part shall, no less often than annually, submit a Waste Minimization Evaluation Report, that includes, at a minimum, the following:

a. Description of types and amounts of hazardous waste generated in the past six months.

b. Description of types and amounts of hazardous waste eliminated or recycled.

c. Analysis and quantification of progress made relative to each performance goal established in accordance to Specific Condition 20 c. of this Part, and each reduction technique to be implemented.

d. Amendments to waste minimization plan and identification and description of waste streams and processes that develop during the previous six months, and was not included in the Waste Minimization Plan.

e. Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

22. If, at any time, the Permittee or the Department determines that contamination has migrated, or is suspected to have migrated, into any media beyond the facility [40 CFR 260.10] (other than for immediate and short-term emergency response actions), or to other areas within the facility controlled by different operators, the Permittee shall notify the Department within seven calendar days of the initial discovery [Section 403.704(16) F.S., and 40 CFR 270.32(b)(2)]. This notification shall include a proposed notification letter to and a list of known and potentially affected property owners and operators, for Department approval, before the Permittee sends the notification letter to the parties listed below. Within 30 days of Department approval of the notification letter, the Permittee shall notify, by certified or registered mail, at a minimum the following list of people and agencies:

    a. all property owners onto which the contamination is known or suspected by the Permittee to have migrated;

    b. all onsite operators within the facility;

    c. Water Management District(s) with jurisdiction over the geographical area containing the contaminated properties;

    d. City, county or other local environmental agencies jurisdiction over the geographical area containing the contaminated properties; and

    e. EPA Region 4.

    In addition, if groundwater contamination has migrated into any media beyond the facility or to other areas within the facility with different operators, the Permittee shall immediately notify the local County Health Department and the Department of Health Bureau of Water Programs in Tallahassee at (850) 245-4240. Copies of the notification letters and proof of receipt must be submitted to the Department within 45 days of the Department's approval of the letter.

23. The Maximum Contaminant Levels, Groundwater Protection Standards, Residential Soil Cleanup Goals, Leachability Soil Cleanup Goals and Groundwater Target Cleanup Levels contained in this permit are to be used over the life of this permit, unless otherwise modified by the Department in writing.

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

25. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal, or until corrective action 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.

26. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated Interim Measures (IM) under Condition **HSWA IV.2**, which impact known or suspected contamination at or from SWMUs or AOCs referenced in Specific Conditions **HSWA I.1, and HSWA I.6 and HSWA I.7.** The notice

shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

27. Written notification of compliance or noncompliance with any item identified in the compliance schedule in Appendix D shall be submitted according to each schedule date. If the Permittee does not notify the Department within fourteen (14) calendar days of its compliance or noncompliance with the schedule, the Permittee shall be subject to an enforcement action. Submittal of a required item according to the schedule constitutes notification of compliance.

28. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.310, F.A.C.

PART II – CONTAINER STORAGE AREA:

1. Container storage shall be conducted within the areas of the facility as depicted in Figure 8.1-1 of the application. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per Section 8.1 of the permit application received on September 3, 2002.

    a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.

    b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.

    c. Hazardous waste with a 10-day storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.

2. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 40 CFR 264.173]

3. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas in accordance with the schedule and procedures identified in Section 8.4 of the permit application and 40 CFR 264.174.

6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device in accordance with 40 CFR 264.177(c) requirements.

7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.

8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system [40 CFR 264.175(b)(5)].

9. The secondary containment provided at the container loading/unloading areas shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in a timely a manner as possible.

10. The Permittee shall comply with the 15 meters (50 foot) setback rule concerning the storage of ignitable and reactive wastes in containers as per 40 CFR Part 264.176 and shall comply with the requirements of 40 CFR 264.17.

11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.

12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.26.

13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.

14. The container storage area shall be closed in accordance with Section 10 of the application as required by 40 CFR Part 264 Subpart G and 40 CFR 264.178.

15. The Permittee may store non-regulated materials in the regulated storage area provided:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in the regulated storage area.

    b. The Permittee shall maintain the required aisle spacing in the storage area for both the regulated and non-regulated materials in accordance with 40 CFR 264.35.

    c. The Permittee assures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    d. The Permittee provides a written record of non-regulated material in the facility operating record of any non-regulated materials in the regulated storage area. The notice shall include:

        i. the type and the quantity of the materials;

ii. verify adequate secondary containment;
iii. confirm that appropriate aisle spacing is available;
iv. document compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

17. The Permittee shall ensure that those containers being managed under the transporter/transfer station requirements of 40 CFR Part 263 are clearly identified.

18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

PART III – TANK SYSTEM:

Tank system, for Part III of this permit, is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures.

1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Figure 9.2-1 of the permit application.

2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank (40 CFR 264.192(a)) or the residue of any material previously in the tank (40 CFR 264.199) or if there are any conditions that may cause the waste to ignite or react (40CFR264.198).

3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

4. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank system in accordance with 40 CFR 264.194.

5. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department (40 CFR 264.196(d)). The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. (40 CFR 264.196(b)(2)).

6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.

7. The Permittee shall report any changes, component replacement or extensive repairs to the tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report as required by 40 CFR 264.196(f) has been submitted to the Department and approved.

8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the application and 40 CFR 264.195.

9. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

    a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release in compliance with 40 CFR 264.196(a).

    b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time in accordance with 40 CFR 264.196(b).

    c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues in compliance with 40 CFR 264.196(c).

    d. Comply with the notification and report requirements of 40 CFR 264.196(d).

    e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

    f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

10. The Permittee shall notify the Department if the results of the tank thickness testing (conducted every ten years) show any portion of the tank having a thickness less than the minimum limits per ***UL 142 "Steel Aboveground Tanks for Flammable and Combustible Liquids".*** Records of all shell thickness determinations shall be kept for the life of each tank.

11. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).

12. The two wet dumpsters in the Solvent Return/Fill Station contain drum washers and solvent. At least once in each 24-hour period, all liquids and sludge shall be removed from each Dumpster and all drums shall be removed from the Return/Fill Station.

PART IV – CLOSURE:

1. The Permittee shall have a written closure plan as required by 40 CFR 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 CFR 264.115, and accepted by the Department.

2. The Permittee shall submit a written request for a permit modification to authorize a change in the closure plans in accordance with the procedures in Chapter 62-730, F.A.C. The written request must include a copy of the amended closure plan for Department approval as per 40 CFR 264.112.

3. The Permittee shall manage all hazardous waste, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the units in accordance with the applicable provisions of 40 CFR Parts 260 through 268 and DEP Form 62-730.900(2), including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with closure certification.

4. The Permittee shall close the hazardous waste units in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere as per 40 CFR 264.111.

5. Closure or partial closure of the container storage area, tank system, and wet dumpsters shall be conducted in accordance with plans specified in Section 10 of the application and 40 CFR Part 264 Subpart G.

6. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s) as per 40 CFR 264.112.

7. The Permittee shall complete closure activities within 180 days after Department approval of the closure plan. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval as per 40 CFR 264.113.

8. The Permittee shall decontaminate or dispose of as hazardous waste all facility equipment, structures, and residues resulting from the closure activities as required by 40 CFR 264.114.

9. Within 60 days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a letter signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the facility has been closed in compliance with the closure plan as required by 40 CFR 264.115.

10. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the facility and perform post closure care as required by 40 CFR 264.310.

PART V - ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section 11 of the application.

2. The Permittee shall keep complete and current the Equipment Inventory Log [40 CFR 264.1064(b)(1)].

3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR Part 264 Subpart CC in accordance with Section 11 of the permit application.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years [40 CFR 264.1064].

5. Prior to constructing, installing or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB or CC, the Permittee shall supply the specific information required pursuant to 40 CFR Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit (container, tank, surface impoundment or

miscellaneous unit) such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.

6. On December 6, 1994, EPA published the final rule for Phase II Organic Air Emissions Standards (40 CFR Part 264 and 265, Subpart CC) for hazardous waste treatment, storage and disposal facilities, including certain hazardous waste generators accumulating waste on-site in RCRA permit-exempt (90-day) tanks and containers. Major clarifications to the rule were published on February 9, 1996, November 25, 1996, and December 8, 1997. In general, under these standards air emissions controls must be used for tanks, surface impoundments, containers and miscellaneous units which contact hazardous waste containing an average organic concentration greater than 500 ppmw at the point of origination determined by the procedures outlined in 40 CFR Part 264.1083(a), except as specifically exempted under 40 CFR Parts 264.1080 .1082.

PART VI – MISCELLANEOUS:

1. The permittee shall comply with the storage limits of 2,000 kilograms or less of mercury containing lamps and 100 kilograms or less of mercury-containing devices not to exceed a storage period of one (1) year in accordance with Rules 62-737.400(2) and 62-737.400(7), F.A.C.

2. The permittee must be able to demonstrate the length of time mercury containing lamps and devices are stored as specified in 40 CFR 273.15(c).

HSWA CONDITIONS

HSWA PART I – CORRECTIVE ACTION

1. The Conditions of this Part apply to:

   a. The solid waste management units (SWMUs) and areas of concern (AOCs) identified in **Appendix A.1**, which require a RCRA Facility Investigation (RFI);

   b. The SWMUs and AOCs identified in **Appendix A.2**, which require no further action under this permit at this time;

   c. The SWMUs and AOCs identified in **Appendix A.3**, which require confirmatory sampling;

   d. The SWMUs and AOCs identified in **Appendix A.4**, which require corrective action;

   e. 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 hazardous constituents to the environment; or,

(3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment.

f. Contamination that has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary 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 (5) 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 damages, costs, or expenses, including expert and attorneys' fees, 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-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC discovered under Specific Condition 1.e of this Part. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (*e.g.*, media affected, hazardous constituents released, magnitude of release, *etc.*). The Department may conduct, or require that the Permittee conduct, further assessment (*i.e.*, Confirmatory Sampling) in order to determine the status of the suspected AOC. The Department will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Department determines that further investigation of an AOC is required, the permit will be modified in accordance with Rule 62-730.290, F.A.C.

3. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any additional SWMU discovered under Specific Condition 1.e of this Part.

4. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Specific Condition 3 of this Part. At a minimum, the SAR shall provide the following information:

   a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19).

   b. Designation of type and function of unit(s).

   c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).

   d. Dates that the unit(s) was operated.

e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

5. Based on the results of the SAR, the Department shall determine the need for further investigations at the SWMUs covered in the SAR. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Conditions **HSWA III.2** or **HSWA II.2.**

6. The Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Specific Condition 1.e of this Part or SWMUs or AOCs identified in Specific Condition 1.e of this Part for which further investigation under Specific Condition 5 of this Part was not required

7. If the Department determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.**

HSWA PART II – CONFIRMATORY SAMPLING (CS)

1. The Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for each unit identified under Specific Condition **HSWA I.1.c.** The CS Work Plan shall be submitted within forty-five (45) calendar days from the effective date of this permit. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not a release has occurred. It shall also address applicable requirements and 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.

2. Upon notification by the Department, the Permittee shall prepare and submit a CS Work Plan for suspected AOCs per Specific Condition **HSWA I.2** or for newly identified SWMUs per Specific Condition **HSWA I.5.** The work plan shall be submitted within forty-five (45) calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall meet the basic requirements listed in Specific Condition 1 of this Part.

3. The CS Work Plan must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the CS Work Plan schedule in the letter approving the CS Work Plan. If the Department disapproves the CS Work Plan, the Department shall either

   a. notify the Permittee in writing of the CS Work Plan's deficiencies and specify a due date for submission of a revised CS Work Plan;

   b. revise the CS Work Plan and notify the Permittee of the revisions; and

   c. conditionally approve the CS Work Plan and notify the Permittee of the conditions.

4. The Permittee shall implement the confirmatory sampling in accordance with the approved CS Work Plan.

5. The Permittee shall prepare and submit to the Department in accordance with the schedule in the approved CS Work Plan, a CS Report identifying all SWMUs or AOCs that have released hazardous waste or hazardous constituents into the environment. The CS Report shall include all data, including raw data, and a summary and analysis of the data, that supports the above determination. If submittal of the CS Report coincides with submittal of the RFI Report, then the CS Report and the RFI Report may be combined into one submittal.

6. Based on the results of the CS Report, the Department shall determine the need for further investigations at the SWMUs or AOCs covered in the CS Report. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.** The Department will notify the Permittee of any no further action decision.

HSWA PART III - RCRA FACILITY INVESTIGATION (RFI)

1. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of the effective date of this permit, a RCRA Facility Investigation (RFI) Work Plan(s) for those units identified in Specific Condition **HSWA I.1.a.** This Work Plan shall be developed to meet the requirements of Specific Condition 3 of this Part.

2. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification by the Department, an RFI Work Plan for those units identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6.** The RFI Work Plan(s) shall be developed to meet the requirements of Specific Condition 3 of this Part.

3. The RFI Work Plan(s) shall meet the requirements of Appendix B. The RFI Work Plan(s) shall include schedules for implementation and completion of specific actions necessary to determine the nature and extent of contamination and the potential pathways of contaminant releases to the air, soil, surface water, and groundwater. The Permittee must provide sufficient justification and associated documentation that a release is not probable or has already been characterized if a unit or a media/pathway associated with a unit (groundwater, surface water, soil, subsurface gas, or air) is not included in the RFI Work Plan(s). Such deletions of a unit, media or pathway from the RFI(s) are subject to the approval of the Department. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix B. Such omissions or deviations are subject to the approval of the Department. In addition, the scope of the RFI Work Plan(s) shall include all investigations necessary to ensure compliance with 40 CFR 264.101(c).

4. The RFI Work Plan(s) must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the RFI Work Plan schedule in the letter approving the RFI Work Plan(s). If the Department disapproves the RFI Work Plan(s), the Department shall either

   a. notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submission of a revised RFI Work Plan;

b. revise the RFI Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved RFI Work Plan; or,

c. conditionally approve the RFI Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the RFI(s) in accordance with the approved RFI Work Plan(s) and Appendix B. The Permittee shall notify the Department at least twenty (20) days prior to any sampling activity within the scope of the RFI Work Plan.

6. The Permittee shall prepare and submit to the Department Draft and Final RCRA Facility Investigation Report(s) for the investigations conducted pursuant to the RFI Work Plan(s) submitted under Specific Conditions 1 through 4 of this Part. The Draft RFI Report(s) shall be submitted to the Department for review in accordance with the schedule in the approved RFI Work Plan(s). The Final RFI Report(s) shall be submitted to the Department within thirty (30) calendar days of receipt of the Department's final comments on the Draft RFI Report. The RFI Report(s) shall include an analysis and summary of all required investigations of SWMUs and AOCs and their results. The summary shall describe the type and extent of contamination at the facility, including sources and migration pathways, identify all hazardous constituents present in all media, and describe actual or potential receptors. The RFI Report(s) shall also describe the extent of contamination (qualitative/quantitative) in relation to background levels indicative of the area. If the Draft RFI Report is a summary of the initial phase investigatory work, the report shall include a work plan for the final phase investigatory actions required based on the initial findings. Approval of the final phase work plan shall be carried out in accordance with Specific Condition 4 of this Part. The objective of this task shall be to ensure that the investigation data are sufficient in quality (*e.g.*, quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support a CMS, if necessary.

7. The Permittee shall prepare and submit to the Department, along with the Draft and Final RFI Report(s), Screening Levels for each of the hazardous constituents reported in Specific Condition 6 of this Part. Screening Levels shall be calculated as specified in Appendix E of this permit.

8. The Department will review the RFI Report(s), including the Screening Levels described in Specific Condition 7 of this Part. The Department shall notify the Permittee of the need for further investigative action if necessary and, if appropriate at this moment of the investigation, inform the Permittee, if not already notified, of the need for a CMS to meet the requirements of HSWA Part V and 40 CFR 264.101. The Department will notify the Permittee of any no further action decision. Any further investigative action required by the Department shall be prepared and submitted in accordance with a schedule specified by the Department and approved in accordance with Specific Condition 4 of this Part.

9. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee shall provide the Department with quarterly RFI Progress Reports (90 day intervals) beginning ninety (90) calendar days from the start date specified by the Department in the RFI Work Plan approval letter. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the RFI completed;

b. Summaries of findings;

c. Summaries of any deviations from the approved RFI Work Plan during the reporting period;

d. Summaries of any significant contacts with local community public interest groups or State government;

e. Summaries of any problems or potential problems encountered during the reporting period;

f. Actions taken to rectify problems;

g. Changes in relevant personnel;

h. Projected work for the next reporting period; and

i. Copies of daily reports, inspection reports, data, *etc.*

HSWA PART IV – INTERIM MEASURES (IM)

1. Upon notification by the Department, the Permittee shall prepare and submit an Interim Measures Work Plan for any SWMU or AOC that the Department determines is necessary. IM are necessary in order to minimize or prevent the further migration of contaminants and to limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in Specific Condition 2 of this Part. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

2. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Specific Condition I.26. The Department will process Permittee-initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Specific Condition 1 of this Part. Permittee-initiated IM shall be considered conditionally approved unless the Department specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee-initiated IM. The scope and success of Permittee-initiated IM conditionally approved per Specific Condition 2 of this Part (in other words, this Specific Condition) shall be subject to subsequent in-depth review; the Department will either comment on or approve the Permittee-initiated IM. Permittee-initiated IM must follow the progress and final reporting requirements in Specific Conditions 8 and 9 of this Part.

3. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and are consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

4. The IM Work Plan imposed under Specific Condition 1 of this Part must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Department disapproves the IM Work Plan, the Department shall either:

a. notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan;

b. revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan; or,

c. conditionally approve the IM Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the interim measures imposed under Specific Condition 1 of this Part in accordance with the approved IM Work Plan.

6. The Permittee shall give notice to the Department as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Specific Condition 1 of this Part or initiated by the Permittee under Specific Condition 2 of this Part.

7. Final approval of corrective action required under 40 CFR 264.101 which is achieved through IM shall be in accordance with Rule 62-730.290, F.A.C. and **HSWA Part VI** as a permit modification.

8 If the time required for completion of interim measures imposed under Specific Condition 1 of this Part or implemented under Specific Condition 2 of this Part is greater than one year, the Permittee shall provide the Department with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee-initiated IM. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the IM completed;

b. Summaries of findings;

c. Summaries of any deviations from the IM Work Plan during the reporting period;

d. Summaries of any problems or potential problems encountered during the reporting period; and

e. Projected work for the next reporting period.

9. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of completion of IM conducted under this Part, an IM Report. The IM Report shall contain the following information at a minimum:

a. A description of IM implemented;

b. Summaries of results;

c. Summaries of all problems encountered;

d. Summaries of accomplishments and/or effectiveness of IM; and

e. Copies of all relevant laboratory/monitoring data, *etc.*

HSWA PART V – CORRECTIVE MEASURES STUDY (CMS)

1. The Permittee shall prepare and submit a CMS Work Plan for those units requiring a CMS within ninety (90) calendar days of notification by the Department that a CMS is required. This CMS Work Plan shall be developed to meet the requirements of Specific Condition 2 of this Part. The Permittee may seek approval from the Department for concurrent RFI/CMS. The CMS may be performed concurrent with the RFI process if the Department determines that sufficient investigative details are available to allow concurrent action.

2. The CMS Work Plan shall meet the requirements of Appendix C at a minimum. The CMS Work Plan shall include schedules for implementation and completion of specific actions necessary to complete a CMS. The Permittee must provide sufficient justification and/or documentation for any unit deleted from the CMS Work Plan. Such deletion of a unit is subject to the approval of the Department. The CMS shall be conducted in accordance with the approved CMS Work Plan. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix C. Such omissions or deviations are subject to the approval of the Department. The scope of the CMS Work Plan shall include all investigations necessary to ensure compliance with Chapter 62-730, F.A.C., 40 CFR 264.101, 40 CFR 264.552, and 40 CFR 270.32(b)(2). The Permittee shall implement corrective actions beyond the facility boundary, as set forth in Specific Condition **HSWA I.1.f.**

3. The Department shall either approve or disapprove, in writing, the CMS Work Plan. If the Department disapproves the CMS Work Plan, the Department shall either

   a notify the Permittee in writing of the CMS Work Plan's deficiencies and specify a due date for submittal of a revised CMS Work Plan;

   b. revise the CMS Work Plan and notify the Permittee of the revisions; or

   c. conditionally approve the CMS Work Plan and notify the Permittee of the conditions.

   This revised CMS Work Plan becomes the approved CMS Work Plan. Any disapproval and subsequent revision of a CMS Work Plan or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

4. The Permittee shall begin to implement the CMS according to the schedules specified in the CMS Work Plan, no later than fifteen (15) calendar days after the Permittee has received written approval from the Department for the CMS Work Plan. Pursuant to Specific Condition 2 of this Part, the CMS shall be conducted in accordance with the approved CMS Work Plan.

5. The Permittee shall prepare and submit to the Department a draft and final CMS Report for the study conducted pursuant to the approved CMS Work Plan and in accordance with Appendix C. The draft CMS Report shall be submitted to the Department in accordance with the schedule in the approved CMS Work Plan. The final CMS Report shall be submitted to the Department within thirty (30) days of receipt of the Department's final comments on the draft CMS Report. The CMS Report shall summarize any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. If a remedial alternative requires the use of a Corrective Action Management Unit (CAMU), the CMS report shall include all information necessary to establish and implement the CAMU. The CMS Report shall present all information gathered under the approved

CMS Work Plan. The CMS Final Report must contain adequate information to support the Department's decision on the recommended remedy, described under HSWA Part VI.

6. If the Department determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition 5 of this Part, the Department may disapprove the CMS Final Report. If the Department disapproves the CMS Final Report, the Department shall notify the Permittee in writing of deficiencies in the CMS Final Report and specify a due date for submittal of a revised CMS Final Report. The Department will notify the Permittee of any no further action decision. Any disapproval and subsequent revision of a CMS Report or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

7. As specified under Specific Condition 6 of this Part, based on preliminary results and the CMS Final Report, the Department may require that the Permittee evaluate additional remedies or particular elements of one or more proposed remedies.

HSWA PART VI – REMEDY APPROVAL AND PERMIT MODIFICATION

1. A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any IM implemented to date.

2. Upon Department approval of the Remedy (Specific Condition 1 of this Part), the Permittee shall public notice the Statement of Basis in accordance with Rule 62-730.220(9)(c), F.A.C. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

3. Within one hundred-twenty (120) calendar days after permit modification for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy in accordance with Rule 62-730.180(7), F.A.C.

HSWA PART VII – MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

1. If at any time the Department or the Permittee determines that modification of the Corrective Action Schedule of Compliance is necessary, the permit may be modified to reflect the change(s) to the Schedule of Compliance (Appendix D), with Department approval.

2. Modifications that are initiated and finalized by the Department will be in accordance with the applicable provisions of Chapter 62-730, F.A.C. The Permittee may also request a permit modification in accordance with Rule 62-730.290(3), F.A.C., to change the Schedule of Compliance.

3. If the Department determines that steps or dates in Appendix D may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

HSWA PART VIII – WORK PLAN AND REPORT REQUIREMENTS

1. All work plans and schedules shall be subject to approval by the Department prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Department. Upon approval the Permittee shall implement all work plans and schedules as written.

2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Department based on the Permittee's demonstration that sufficient justification for the extension exists.

3. If the Department or the Permittee at any time determines that the SAR information required under HSWA Part I, the CS Work Plan under HSWA Part II, or RFI Work Plan(s) required under HSWA Part III no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Department within ninety (90) calendar days of such determination.

HSWA Part IX – Approval/Disapproval of Submittals

1. The Department will review the work plans, reports, schedules, and other documents ("submittals") which require the Department's approval in accordance with the conditions of this permit. The Department will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore.

HSWA Part X – Dispute Resolution

1. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (**Administrative Procedures Act**) and the Department's existing Rules and Procedures.

HSWA Part XI – Land Disposal Restrictions

1. 40 CFR 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 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

3. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

HSWA PART XII – DEFINITIONS

1. For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270, unless this permit specifically provides otherwise. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

   a. "Screening Levels" for the purposes of this permit are the Department's risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health and/or the environment.

   b. The term "area of concern" (AOC) for purposes of this permit includes any area having a probable release of a hazardous waste or hazardous constituent which is not from a solid waste management unit and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under RCRA Section 3005(c)(3) and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

   c. "Corrective Action Management Unit" (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility (40 CFR Part 264 Subpart S).

   d. "Corrective measures" for purposes of this permit, include all corrective action necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.101. Corrective measures may address releases to air, soils, surface water or groundwater.

   e. "Extent of contamination" for the purposes of this permit is defined as the horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above detection limits or background concentrations indicative of the region, whichever is appropriate as determined by the Department.

   f. A "hazardous constituent" for purposes of this permit is any substance listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX.

   g. "Interim Measures" (IM) for purposes of this permit are actions necessary to minimize or prevent the further migration of contaminants and limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented.

   h. "Land Disposal" for purposes of this permit and 40 CFR Part 268 means placement in or on the land except for a CAMU or staging pile and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, underground mine or cave, or concrete vault or bunker intended for disposal purposes.

i. A "release" for purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.

j. A "solid waste management unit" (SWMU) for the purposes of this permit includes any unit which has been used for the treatment, storage, or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. RCRA regulated hazardous waste management units are also solid waste management units. SWMUs include areas that have been contaminated by routine and systematic releases of hazardous waste or hazardous constituents, excluding one-time accidental spills that are immediately remediated and cannot be linked to solid waste management activities (*e.g.*, product or process spills).

k. A "Temporary Unit" (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment or storage of hazardous remediation wastes during specific remediation activities. Designated by the Department, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.

l. A "unit" for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, septic tank, drain field, wastewater treatment unit, elementary neutralization unit, transfer station, or recycling unit.

Appendix A

Solid Waste Management Unit Summary

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring a RCRA Facility Investigation (RFI):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a RCRA Facility Investigation.				

A.2. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU-1	Container Storage/ Transfer Waste Area	Regulated Unit	1992 to Present
SWMU-2	Aboveground Storage Tank Area	Regulated Unit	1992 to Present
SWMU-3	Return/Fill Area	Regulated Unit	1992 to Present

A.3. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Confirmatory Sampling (CS).				

A.4. List of solid waste management units (SWMUs) and areas of concern (AOCs) undergoing Corrective Action (CA):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for CA	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Corrective Action (CA).				

Appendix B

RCRA Facility Investigation (RFI) Outline

The purpose of the RFI portion of the RCRA corrective action process is to evaluate the nature and extent of releases of hazardous wastes and/or hazardous constituents and to gather necessary data to support the CMS and/or IM. Planning for the investigation is best accomplished through a logical progression of tasks:

1. gather information on the source of the release(s) to the environment (Source Characterization),

2. gather information on the physical aspects of the environment which will affect the migration and fate of the release and identification of exposure pathways for both humans and non-human members of the environment (Environmental Setting),

3. use Source Characterization and Environmental Setting to develop a conceptual model of the release which will be used to plan and conduct a program to define the nature, rate and extent of the release (Sampling and Analysis Plan).

An RFI Work Plan and RFI Report are generally required elements of the RCRA corrective action process. The requirements for a full, detailed RFI are listed in this Appendix. The Department recognizes that each facility is unique. Therefore, the scope and requirements of the RFI shall be focused to fit the complexity of the site-specific situation. The work plan requirements listed in this Appendix in no way limit the site-specific opportunities for a Permittee. For example, the RFI may be implemented in phases. Relevant information contained in previously developed documents, such as a RCRA Part B permit application, may be referenced as appropriate, but must be summarized in either the RFI Work Plan or the RFI Report. In addition, the Department understands that Risk Assessments are becoming more widely utilized to place characterization information into context and to aid in determining remedial solutions. If a Risk Assessment is expected to be performed in the future, the Permittee and the contractor should meet with the Department to discuss the general format and process the Department expects a Risk Assessment to follow.

In some cases, it may be possible to implement the RFI concurrent with the CMS (also see Appendix C). This approach can save time and money because the earlier in the corrective action process potential remedies can be identified, the more effectively information gathering can be focused. The Department anticipates that a concurrent RFI/CMS approach may be appropriate in the following types of situations, among others: facilities where removal remedies have been proposed by the owner/operator, facilities with straightforward remedial solutions or where presumptive remedies can be applied, facilities where few remedial options are available, and facilities where the remedy is phased. The Department will determine on a case-by-case basis if a concurrent RFI/CMS is appropriate. Because of the unique data collection requirements necessary for a remedial solution which includes natural attenuation of contaminants in groundwater, if natural attenuation is expected to be part of the remedial solution, then the Sampling and Analysis Plan should be crafted to include monitoring of specific water quality parameters unique to natural attenuation (*e.g.*, nitrites/nitrates, ferrous iron, sulfides, dissolved oxygen, methane, hydrogen, *etc.*).

I. RFI WORK PLAN REQUIREMENTS - ELEMENTS OF THE RFI WORK PLAN

The RFI Work Plan shall include, at a minimum, the following elements:

A. Introduction - Summary of any relevant existing assessment data

The Permittee shall describe the purpose or objective of the RFI Work Plan and provide a summary of any existing environmental data, which is relevant to the investigation. The summary should provide the following items, at a minimum:

1. land ownership history;
2. facility operating dates;
3. facility's product(s);
4. raw materials used in facility operations, wastes generated;
5. nature and extent of any known contamination;
6. summary of an ongoing IM and past assessments; and,
7. summary of permit objective and how this objective will be satisfied.

B. Environmental Setting

The Permittee shall provide information on the environmental setting at the facility. The Permittee shall characterize the Environmental Setting as it relates to identified sources, pathways and areas of releases of hazardous constituents from Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs). Data gaps pertinent to characterization of releases shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The Environmental Setting shall cover the following items, at a minimum:

1. Hydrogeology

   The Permittee shall provide a summary of the hydrogeologic conditions at the facility. This discussion shall include, but not be limited to, the following information:

   a. A description of the regional and facility specific geologic and hydrogeologic characteristics affecting groundwater flow beneath the facility, including:

      (1). Regional and facility specific stratigraphy: description of strata including strike and dip, identification of stratigraphic contacts;

      (2). Structural geology: description of local and regional structural features (*e.g.*, folding, faulting, tilting, jointing, metamorphic foliation, *etc.*);

      (3). Depositional history;

      (4). Regional and facility specific groundwater flow patterns (porous media, fracture media, karst media); and,

(5). Identification and characterization of areas and amounts of recharge and discharge (springs in karst terrain, base level streams and rivers).

b. An analysis of any topographic features that might influence the groundwater flow system (*e.g.*, sinkholes and sinking streams in karst terrains).

c. Based on any existing field data, tests (*e.g.*, pump tests, tracer tests), and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (*i.e.*, the aquifers and any intervening saturated and unsaturated units), including:

(1). Hydraulic conductivity and porosity (total and effective), groundwater flow velocity, groundwater basin discharge;

(2). Lithology, grain size, sorting, degree of cementation;

(3). An interpretation of hydraulic interconnections between saturated zones (*i.e.*, aquifers) and surface waters; and

(4). The attenuation capacity and mechanisms of the natural earth materials (*e.g.*, ion exchange capacity, organic carbon content, mineral content, *etc.*).

d. Based on data obtained from groundwater monitoring wells and piezometers installed upgradient, water wells and/or springs downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring including:

(1). Water-level contour and/or potentiometric maps, including seasonal variations;

(2). Hydrologic cross sections showing vertical gradients;

(3). The flow system, including the vertical and horizontal components of flow; and,

(4). Any temporal changes in hydraulic gradients, for example, due to tidal or seasonal influences and for karst terrain, stormflow.

e. A description of man-made influences that may affect the hydrology of the site, identifying:

(1). Local water supply and production wells with an approximate schedule of pumping; and;

(2). Man-made hydraulic structures (pipelines, french drains, ditches, roofs, runways, parking lots, *etc.*).

2. Soils

The Permittee shall provide an explanation of the soil and rock units above the water table in the vicinity of contaminant release(s). This summary may include, but not be limited to, the following types of information as appropriate:

a. Surface soil distribution;

b. Soil profile, including ASTM classification of soils;

c. Transects of soil stratigraphy;

d. Hydraulic conductivity (saturated and unsaturated);

e. Relative permeability;

f. Bulk density;

g. Porosity;

h. Soil sorption capacity;

i. Cation exchange capacity (CEC);

j. Soil organic content;

k. Soil pH;

l. Particle size distribution;

m. Depth of water table;

n. Moisture content;

o. Effect of stratification on unsaturated flow;

p. Infiltration;

q. Evapotranspiration;

r. Storage capacity;

s. Vertical flow rate; and,

t. Mineral content.

3. Surface Water and Sediment

The Permittee shall provide a description of the surface water bodies in the vicinity of the facility. This summary may include, but not be limited to, the following activities and information:

a. Description of the temporal and permanent surface water bodies including:

(1). For lakes and estuaries: location, elevation, surface area, inflow, outflow, depth, temperature stratification, and volume;

(2). For impoundments: location, elevation, surface area, depth, volume, freeboard, and construction and purpose;

(3). For streams, ditches, and channels: location, elevation, flow, velocity, depth, width, seasonal fluctuations, flooding tendencies (*i.e.*,, 100 year event), discharge point(s), and general contents;

(4). Drainage patterns; and;

(5). Evapotranspiration.

b. Description of the chemistry of the natural surface water and sediments. This includes determining the pH, total dissolved solids, total suspended solids, biological oxygen demand, alkalinity, conductivity, dissolved oxygen profiles, nutrients, chemical oxygen demand, total organic carbon, specific contaminant concentrations, *etc.*

c. Description of sediment characteristics including:

(1). Deposition area;

(2). Thickness profile; and,

(3). Physical and chemical parameters (*e.g.*, grain size, density, organic carbon content, ion exchange capacity, pH, *etc.*).

4. Air

The Permittee shall provide information characterizing the climate in the vicinity of the facility. Such information may include, but not be limited to:

a. A description of the following parameters:

(1). Annual and monthly rainfall averages;

(2). Monthly temperature averages and extremes;

(3). Wind speed and direction;

(4). Relative humidity/dew point;

(5). Atmospheric pressure;

(6). Evaporation data;

(7). Development of inversions; and,

(8). Climate extremes that have been known to occur in the vicinity of the facility, including frequency of occurrence (*i.e.*, Hurricanes)

b. A description of topographic and man-made features which affect air flow and emission patterns, including:

(1). Ridges, hills or mountain areas;

(2). Canyons or valleys;

(3). Surface water bodies (*e.g.*, rivers, lakes, bays, *etc.*); and,

(4). Buildings.

C. Source Characterization

For those sources from which releases of hazardous constituents have been detected, the Permittee shall provide analytical data to completely characterize the wastes and the areas where wastes have been placed, to the degree that is possible without undue safety risks, including: type, quantity; physical form; disposition (containment or nature of deposits); and facility characteristics affecting release (*e.g.*, facility security, and engineering barriers). Data gaps on source characterization shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. This summary shall include quantification of the following specific characteristics, at each source area:

1. Unit/Disposal Area Characteristics:

a. Location of unit/disposal area;

b. Type of unit/disposal area;

c. Design features;

d. Operating practices (past and present)

e. Period of operation;

f. Age of unit/disposal area;

g. General physical conditions; and,

h. Method used to close the unit/disposal area.

2. Waste Characteristics:

a. Type of wastes placed in the unit;

(1). Hazardous classification (*e. g.*, flammable, reactive, corrosive, oxidizing or reducing agent);

(2). Quantity; and,

(3). Chemical composition.

b. Physical and chemical characteristics such as:

(1). Physical form (solid, liquid, gas);

(2). Physical description (*e.g.*, powder, oily sludge);

(3). Temperature;

(4). pH;

(5). General chemical class (*e.g.*, acid, base, solvent);

(6). Molecular weight;

(7). Density;

(8). Boiling point;

(9). Viscosity;

(10). Solubility in water;

(11). Cohesiveness of the waste; and,

(12). Vapor pressure.

c. Migration and dispersal characteristics of the waste such as:

(1). Sorption capability;

(2). Biodegradability, bioconcentration, and biotransformation;

(3). Photodegradation rates;

(4). Hydrolysis rates; and,

(5). Chemical transformations.

D. Potential Receptors

The Permittee shall provide data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Data gaps pertinent to receptor

analysis shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The following characteristics shall be identified at a minimum:

1. Current local uses and planned future uses of groundwater:

   a. Type of use (*e.g.*, drinking water source: municipal or residential, agricultural, domestic/non-potable, and industrial);

   b. Location of groundwater users, to include withdrawal and discharge wells and springs, within one mile of the impacted area.

   The above information should also indicate the aquifer or hydrogeologic unit used and/or impacted for each item.

2. Current local uses and planned future uses of surface waters directly impacted by the facility:

   a. Domestic and municipal (*e.g.*, potable and lawn/gardening watering);

   b. Recreational (*e.g.*, swimming, fishing);

   c. Agricultural;

   d. Industrial; and,

   e. Environmental (*e.g.*, fish and wildlife propagation).

3. Human use of or access to the facility and adjacent lands, including but not limited to:

   a. Recreation;

   b. Hunting;

   c. Residential;

   d. Commercial; and,

   e. Relationship between population locations and prevailing wind direction.

4. A general description of the biota in surface water bodies on, adjacent to, or affected by the facility.

5. A general description of the ecology within the area adjacent to the facility.

6. A general demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age; sex; and sensitive subgroups.

7. A description of any known or documented endangered or threatened species near the facility.

E. Sampling and Analysis Plan(s) for Characterization of Releases of Hazardous Waste/Hazardous Constituents

The Permittee shall prepare a plan to document all monitoring procedures necessary to characterize the extent, fate and transport of releases (*i.e.*, identify sample locations, sample procedures and sample analysis to be performed during the investigation to characterize the environmental setting, source, and releases of hazardous constituents, so as to ensure that all information and data are valid and properly documented). The sampling strategy and procedures shall be in accordance with EPA Region 4 Environmental Compliance Branch's **Standard Operating Procedure and Quality Assurance Manual** (SOP) (most recent version) or a Department-approved Quality Assurance Project Plan pursuant to Chapter 62-160, F.A.C. Any deviations from this reference must be requested by the applicant and approved by the Department. If a Risk Assessment is expected to be performed once release characterization is complete or nearly complete, Data Quality Objectives (DQO) for a Human Health Risk Assessment requires a Data Quality Objective of Level 3 or greater.

The Sampling and Analysis Plan must specifically discuss the following unless the SOP procedures are specifically referenced.

1. Sampling Strategy

   a. Selecting appropriate sampling locations, depths, *etc.*;

   b. Obtaining all necessary ancillary data;

   c. Determining conditions under which sampling should be conducted;

   d. Determining which media are to be sampled (*e.g.*, groundwater, air, soil, sediment, subsurface gas);

   e. Determining which parameters are to be measured and where;

   f. Selecting the frequency of sampling and length of sampling period;

   g. Selecting the types of samples (*e.g.*, composite *vs.* grab) and number of samples to be collected.

2. Sampling Procedures

   a. Documenting field sampling operations and procedures, including;

      (1). Documentation of procedures for preparation of reagents or supplies which become an integral part of the sample (*e.g.*, filters, preservatives, and absorbing reagents);

      (2). Procedures and forms for recording the exact location and specific considerations associated with sample acquisition;

      (3). Documentation of specific sample preservation method;

(4). Calibration of field instruments;

(5). Submission of appropriate blanks (*e.g.*, field, equipment, trip, *etc.*);

(6). Potential interferences present at the facility;

(7). Construction materials and techniques, associated with monitoring wells and piezometers;

(8). Field equipment listing and sampling containers;

(9). Sampling order; and,

(10). Decontamination procedures.

b. Selecting appropriate sample containers;

c. Sampling preservation; and,

d. Chain-of-custody, including:

(1). Standardized field tracking reporting forms to establish sample custody in the field prior to shipment; and,
(2). Pre-prepared sample labels containing all information necessary for effective sample tracking.

(3). Chain-of-custody seals for sample containers and shipping coolers.

3. Sample Analysis

Sample analysis shall be conducted in accordance with **SW-846: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods** (most recent version) or an alternate approved method. The sample analysis section of the Sampling and Analysis Plan shall specify the following:

a. Chain-of-custody procedures, including:

(1). Identification of a responsible party to act as sampling custodian at the laboratory facility authorized to sign for incoming field samples, obtain documents of shipment, and verify the data entered onto the sample custody records;

(2). Provision for a laboratory sample custody log consisting of serially numbered standard lab-tracking report sheets; and

(3). Specification of laboratory sample custody procedures for sample handling, storage, and dispersement for analysis.

b. Sample storage (*e.g.*, maximum holding times for constituents);

c. Sample preparation methods;

d. Analytical Procedures, including:

(1). Scope and application of the procedure;

(2). Sample matrix;

(3). Potential interferences;

(4). Precision and accuracy of the methodology; and

(5). Method Detection Limits; and,

(6). Practical Quantitative Limits

e. Calibration procedures and frequency;

f. Data reduction, validation and reporting;

g. Internal quality control checks, laboratory performance and systems audits and frequency, including:

(1). Method blank(s);

(2). Laboratory control sample(s);

(3). Calibration check sample(s);

(4). Replicate sample(s);

(5). Matrix-spiked sample(s);

(6). "Blind" quality control sample(s);

(7). Control charts;

(8). Surrogate samples;

(9). Zero and span gases; and,

(10). Reagent quality control checks.

h. External quality control checks by the Department, including:

(1). Spikes and blanks at sampling events for which the Department or its technical representative provides oversight; and,

(2). The equivalent of a CLP data package for samples split with the Department or for which the Department specifically requests the package.

i. Preventive maintenance procedures and schedules;

j. Corrective action (for laboratory problems); and

k. Turnaround time.

F. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation.

1. Data Record

The data record shall include the following:

a. Unique sample or field measurement code;

b. Sampling or field measurement location and sample or measurement type;

c. Sampling or field measurement raw data;

d. Laboratory analysis ID number;

e. Property or component measures; and

f. Result of analysis (*e.g.*,. concentration, data qualifiers).

2. Tabular Displays

The following data shall be presented in tabular displays:

a. Unsorted (raw) data;

b. Results for each medium, or for each constituent monitored;

c. Data reduction for statistical analysis, as appropriate;

d. Sorting of data by potential stratification factors (*e.g.*, location, soil layer, topography); and,

e. Summary data

3. Graphical Displays

The following data shall be presented in graphical formats (*e.g.*, bar graphs, line graphs, area or plan maps, isopleth plots, cross-sectional plots or transects, three dimensional graphs, *etc.*):

a. Display sampling location and sampling grid;

b. Indicate boundaries of sampling area, and area where more data are required;

c. Display geographical extent of contamination, both horizontally and vertically;

d. Illustrate changes in concentration in relation to distances from the source, time, depth or other parameters; and,

e. Indicate features affecting inter-media transport and show potential receptors.

G. Project Management Plan - Schedule of Implementation

The Permittee shall prepare a Project Management Plan that will cover qualifications of personnel categories and the management control structure for the project. The Permittee shall also provide a schedule for completing the planned RFI activities. The schedule shall be as specific as possible (*i.e.*, it should indicate the number of days/weeks/months required for each major work plan task).

II. RFI REPORT REQUIREMENTS - ELEMENTS OF THE RFI REPORT

The RFI Report shall include, at a minimum, the following elements:

A. Introduction

The Permittee shall describe the purpose of the RFI Work Plan and provide a summary description of the project.

B. Environmental Setting

The Permittee shall describe the Environmental Setting in and around the facility. The RFI Work Plan should contain some, if not all, of the information on the Environmental Setting. Any information collected during work plan implementation that clarifies or improves understanding of the Environmental Setting should be provided in this section.

C. Source Characterization

The Permittee shall summarize the sources of contamination and nature of releases identified at the facility. The RCRA Facility Assessment and the RFI Work Plan should contain some, if not all, of the information on Source Characterization. Any information collected during work plan implementation or obtained from the sources (*e.g.*, voluntarily or from other Environmental Programs) that directly addresses Source Characterization shall be provided in this section.

D. Sampling and Analysis Results

The Permittee shall present data results obtained pursuant to the RFI Work Plan. The Permittee shall identify any work plan proposals that were not completed and explain why such actions were not finished. The Permittee shall also present its analysis/interpretation of how the sampling data meet the RFI objective and how the sampling data fits or modifies the contaminant conceptual model. For all analytical data, the Permittee shall discuss the results of data quality/data review.

E. Data Quality Assurance/Data Quality Data Review

The Permittee shall perform a Quality Assurance/Quality Control data review on all data present in the RFI. The Quality Assurance/Quality Control data review shall be in accordance with the USEPA Contract Laboratory Program National Functional Guidelines for Inorganic Data Review (EPA-540/R94-013) and the USEPA Contract Laboratory Program National Functional Guidelines for Organic Data Review (EPA-540/R94-012), unless the Permittee has a Department-approved Quality Assurance Project Plan. The data review shall address the following, at minimum:

1. Holding times;
2. Blanks;
3. Laboratory Control Samples;
4. Field Duplicates;
5. Surrogate Recoveries;
6. Matrix Spike/Matrix Spike Duplicates; and,
7. Data Assessment - Data Usability.

F. Conclusions

The Permittee shall summarize the major conclusions reached after analysis of the environmental setting, source characterization, sampling and analysis results and data quality. Any data gaps needed to complete characterization of the scope and extent of the releases from SWMUs and/or AOCs or to refine further the contaminant conceptual model shall be identified and recommendations made in the Recommendations Section of the report.

G. Recommendations

The Permittee shall provide its recommendations on what, if any, further action is needed to complete the characterization of release(s) from SWMUs and/or AOCs.

H. Work Plan for Additional Investigations

If further investigations are determined to be needed to complete the objective of the RFI then the Permittee shall provide a work plan to complete characterization of the release(s).

Appendix C

Corrective Measures Study (CMS) Outline

The purpose of the CMS portion of the RCRA corrective action process is to identify and evaluate potential remedial alternatives for the releases of hazardous constituents that have been identified at the facility through the RFI or other investigations to need further evaluation. The scope and requirements of the CMS are balanced with the expeditious initiation of remedies and rapid restoration of contaminated media. The scope and requirements of the CMS should be focused to fit the complexity of the site-specific situation. It is anticipated that Permittees with sites with complex environmental problems may need to evaluate a number of technologies and corrective measure alternatives. For other facilities, however, the evaluation of a single corrective measure alternative may be adequate. Therefore, a streamlined or focused approach to the CMS may be initiated. Information gathered during any stabilizations or interim measures will be used to augment the CMS and, in cases where corrective action goals are met, may be a substitute for the final CMS.

Regardless of whether a streamlined/focused or a detailed CMS is required, a CMS Work Plan and CMS Report are generally required elements. The requirements for a full, detailed CMS are listed below. The Department has the flexibility not to require sections of the plan and/or report, where site-specific situations indicate that all requirements are not necessary. Additionally, the Department may require additional studies besides these discussed in order to support the CMS.

I. CMS WORK PLAN

A. Elements of the CMS Work Plan

The CMS Work Plan shall include at a minimum the following elements:

1. A brief site-specific description of the overall purpose of the CMS;

2. A brief description of the corrective measure objectives, including proposed target media cleanup standards (*e.g.*, promulgated Federal and State standards) and preliminary points of compliance or a description of how a risk assessment will be performed (*e.g.*, guidance documents);

3. A brief description of the specific corrective measure technologies and/or corrective measure alternatives which will be studied;

4. A brief description of the general approach to investigating and evaluating potential corrective measures;

5. A detailed description of any proposed pilot, laboratory and/or bench scale studies;

6. A proposed outline for the CMS Report including a description of how information will be presented;

7. A brief description of overall project management including overall approach, levels of authority (include organization chart), lines of communication, project schedules, budget

and personnel. Include a description of qualifications for personnel directing or performing the work;

8. A project schedule that specifies all significant steps in the process and when key documents (*e.g.*, CMS Progress Reports, draft CMS Report) are to be submitted to the Department;

9. A detailed Public Involvement Plan.

II. CMS REPORT

The detail of a CMS may vary based upon the complexity of the site, on-going IM, *etc.* However, the CMS Report may include the following elements:

A. Introduction/Purpose

The Permittee shall describe the purpose of the CMS Report and provide a summary description of the project.

B. Description of Current Situation

The Permittee shall submit a summary and an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RCRA Facility Investigation (RFI) Report. This discussion should concentrate on those issues that could significantly affect the evaluation and selection of the corrective measures alternative(s). The Permittee shall provide an update to information presented in the RFI regarding previous response activities and interim measures that have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

C. Establishment of Proposed Media Specific Cleanup Standards

The Permittee shall describe the proposed media cleanup standards and point of compliance. The cleanup criteria must be either background, promulgated Federal and State standards, State cleanup criteria, or alternate risk-derived target cleanup levels. If media clean-up standards are not proposed, then the Department will unilaterally propose setting media clean-up standards to either background, promulgated Federal and State standards or the most conservative risk-derived standards.

D. Identification, Screening and Development of Corrective Measure Technologies

1. Identification: List and briefly describe potentially applicable technologies for each affected media that may be used to achieve the corrective action objectives. Include a table that summarizes the available technologies.

   The Permittee should consider innovative treatment technologies, especially in situations where there are a limited number of applicable corrective measure technologies.

2. Screening: The Permittee shall screen the corrective measure technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies that have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

   Site, waste, and technology characteristics used to screen inapplicable technologies are described in more detail below:

   a. Site Characteristics: Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration.

   b. Waste Characteristics: Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of *in-situ* methods, direct treatment methods, and land disposal (on/off-site).

   c. Technology Limitations: During the screening process, the level of technology development, performance record, and inherent construction, operation, and maintenance problems should be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

3. Corrective Measure Development: The Permittee shall assemble the technologies that pass the screening step into specific alternatives that have the potential to meet the corrective action objectives for each media. Options for addressing less complex sites could be relatively straightforward and may only require evaluation of a single or limited number of alternatives. Each alternative may consist of an individual technology or a combination used in sequence *(i.e.,* treatment train). Different alternatives may be considered for separate areas of the facility, as appropriate. List and briefly describe each corrective measure alternative.

E. Evaluation of a Final Corrective Measure Alternative

For each remedy that warrants a more detailed evaluation (*i.e.*, those that passed through the screening step), including those situations when only one remedy is being proposed, the Permittee shall provide detailed documentation of how the potential remedy will comply with each of the standards listed below. These standards reflect the major technical components of remedies including cleanup of releases, source control and management of wastes that are generated by remedial activities. The specific standards are as follows:

1. Protect human health and the environment.

2. Attain media cleanup standards set by the Department.

3. Control the source of releases to reduce or eliminate, to the extent practicable, further releases that may pose a threat to human health and the environment.

4. Comply with applicable standards for management of wastes.

5. Other factors.

In evaluating the selected alternative or alternatives, the Permittee shall prepare and submit information that documents that the specific remedy will meet the standards listed above. The following guidance should be used in completing this evaluation.

1. Protect Human Health and the Environment

   Corrective action remedies must be protective of human health and the environment. Remedies may include those measures that are needed to be protective, but are not directly related to media cleanup, source control or management of wastes. An example would be a requirement to provide alternative drinking water supplies in order to prevent exposures to releases from an aquifer used for drinking water purposes. Therefore, the Permittee shall provide a discussion of any short term remedies necessary to meet this standard, as well as discuss how the corrective measures alternative(s) meet this standard.

2. Attain Media Cleanup Standards

   Remedies will be required to attain media cleanup standards. As part of the necessary information for satisfying this requirement, the Permittee shall address whether the potential remedy will achieve the remediation objectives. An estimate of the time frame necessary to achieve the goals shall be included. Contingent remedies may be proposed if there is doubt if the initial remedy will be successful (*e.g.*, contingent remedies to innovative technologies).

3. Control of Sources of Releases

   The Permittee shall address the issue of whether source control measures are necessary, and if so, the type of actions that would be appropriate. Any source control measure proposed should include a discussion on how well the method is anticipated to work given the particular situation at the facility and the known track record of the specific technology.

4. Comply With any Applicable Standards for Management of Wastes

   The Permittee shall include a discussion of how the specific waste management activities will be conducted in compliance with all applicable State and Federal regulations (*e.g.*, closure requirements, LDRs)

5. Other Factors

There are five general factors that will be considered as appropriate by the Department in selecting/approving a remedy that meets the four standards listed above. These five decision factors include:

a. Long-term reliability and effectiveness;

b. Reduction in the toxicity, mobility or volume of wastes;

c. Short-term effectiveness;

d. Implementability; and,

e. Cost.

Examples of the type of information to include are provided below:

(1). Long-term reliability and effectiveness: The Permittee may consider whether the technology, or combination of technologies, have been used effectively under analogous site conditions, whether failure of any one technology in the alternative would have any immediate impact on receptors, and whether the alternative would have the flexibility to deal with uncontrollable changes at the site. Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. In addition, each corrective measure alternative should be evaluated in terms of the projected useful life of the overall alternative and of its component technologies. Useful life is defined as the length of time the level of effectiveness can be maintained.

(2). Reduction in the toxicity, mobility or volume of wastes: As a general goal, remedies will be preferred that employ techniques that are capable of eliminating or substantially reducing the potential for the wastes in SWMUs and/or contaminated media at the facility to cause future environmental releases. Estimates of how the corrective measure alternative will reduce toxicity, mobility and or volume of the waste is required and may be accomplished through a comparison of initial site conditions to expected post-corrective measures conditions.

(3). Short-term effectiveness: The Permittee shall evaluate each corrective measure alternative for short-term effectiveness. Possible factors to consider are fire, explosion, exposure to hazardous constituents, and potential threats associated with the treatment, excavation, transportation and re-disposal or containment of the waste material.

(4). Implementability: Information to consider when assessing implementability include:

(a). The administrative activities needed to implement the corrective measure alternative (*e.g.*, permits, rights of way, *etc.*) and the length of time these activities will take;

(b). The constructibility, time for implementation, and time for beneficial results;

(c). The availability of adequate off-site treatment, storage capacity, disposal services, needed technical services and materials; and,

(d). The availability of prospective technologies for each corrective measure alternative.

(5). Cost: The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include both capital and operation and maintenance costs. The capital costs shall include, but are not limited to, costs for: engineering, site preparation, construction, materials, labor, sampling/analysis, waste management/disposal, permitting, health and safety measures, *etc.* The operation and maintenance costs shall include labor, training, sampling and analysis, maintenance materials, utilities, waste disposal and/or treatment, *etc.* Costs shall be calculated as the net present value of the capital and operation and maintenance costs.

F. Justification and Recommendation of the Corrective Measure or Measures

The Permittee shall justify and recommend in the CMS Report a corrective measure alternative for consideration by the Department. Such a recommendation should include a description and supporting rationale for the preferred alternative that is consistent with the corrective action standards and remedy selection decision factors discussed above. In addition, this recommendation shall include summary tables that allow the alternative or alternatives to be understood easily. Trade-offs among health risks, environmental effects, and other pertinent factors shall be highlighted. The Department will select the corrective measure alternative or alternatives to be implemented based on the results presented in the CMS Report.

Appendix D

Schedule of Compliance

Schedule of Compliance	Due Date
Notification of Newly Identified SWMUs and AOCs *Specific Conditions **HSWA I.2 and HSWA I.3.***	Within fifteen (15) calendar days of discovery
SWMU Assessment Report *Specific Condition **HSWA I.4.***	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs *Specific Condition **HSWA I.6.***	Within fifteen (15) calendar days of discovery
CS Work Plan for SWMUs or AOCs identified in **Appendix A.3** *Specific Condition **HSWA II.2***	Within forty-five (45) calendar days after effective date of permit
CS Work Plan for SWMUs identified under Condition ***HSWA I.5.***, or AOCs identified under Specific Condition ***HSWA I.2.*** *Specific Condition **HSWA II.2.***	Within forty-five (45) calendar days of notification by the Department
CS Report *Specific Condition **HSWA II.5.***	In accordance with the approved CS Work Plan
RFI Work Plan for SWMU(s) and AOC(s) identified under Specific Condition **HSWA I.1.a.** *Specific Condition **HSWA III.1.***	Within ninety (90) calendar days from effective date of permit
RFI Work Plan for SWMU(s) and AOC(s) Identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6.** *Specific Condition **HSWA III.2.***	Within ninety (90) calendar days after receipt of notification by the Department which SWMUs or AOCs require an RFI

Schedule of Compliance	Due Date
Draft RFI Report *Specific Condition **HSWA III.6.***	In accordance with the approved RFI Work Plan

Final RFI Report *Specific Condition HSWA III.8.*	Within thirty (30) calendar days after receipt of Department's final comments on Draft RFI Report
RFI Progress Reports *Specific Condition HSWA III.9.*	Quarterly, beginning ninety (90) calendar days from the start date specified by the Department*
IM Work Plan *Specific Condition HSWA IV.1.*	Within thirty (30) calendar days of notification by the Department
IM Progress Reports *Specific Condition HSWA IV.8.*	In accordance with the approved IM Work Plan ** or semi-annually for Permittee-initiated IM
IM Report *Specific Condition HSWA IV.9.*	Within ninety (90) calendar days of completion
CMS Work Plan *Specific Condition HSWA V.1.*	Within ninety (90) calendar days of notification by the Department that a CMS is required
Implementation of CMS Work Plan *Specific Condition HSWA V.4.*	Within fifteen (15) calendar days after receipt of the Department approval of Plan
Draft CMS Report *Specific Condition HSWA V.5.*	In accordance with the schedule in the approved CMS Work Plan
Final CMS Report ***Specific Condition HSWA V.5.***	Within thirty (30) calendar days of the Department's final comments on Draft CMS Report
Demonstration of Financial Assurance *Specific Condition HSWA VI.3.*	Within one hundred twenty (120) calendar days after permit modification for remedy

Schedule of Compliance	Due Date
Noncompliance/Imminent Hazard Report ***General Condition 8.***	Oral within 24 hours and written within fifteen (15) calendar days of becoming aware of the hazardous circumstances
Written report of noncompliance of tanks, surface impoundments or containers with 40 CFR 264.1082(c)(1) or (c)(2) (Subpart CC).	Within fifteen (15) calendar days of becoming aware of noncompliance

The above reports must be signed and certified in accordance with 40 CFR 270.11 and Rule 62-730.220(6), (7) and (8), F.A.C.

* This applies to Work Plan execution that requires more than one hundred-eighty (180) calendar days

** This applies to Work Plan execution that requires more than one year.

Appendix E

Screening Levels

I. Definition

Screening Levels are the Department's conservative risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health or the environment. Screening Levels shall be set for all hazardous constituents, a subset of hazardous wastes, identified in the RFI Report(s) or for those hazardous constituents that the Department has reason to believe may have been released from a solid waste management unit (SWMU) or Area of Concern (AOC) at the facility. Should the concentration of a hazardous constituent(s) in an aquifer, surface water, soils, or air exceed its Screening Level for any environmental medium, the Department may require that the Permittee conduct a Corrective Measure Study (CMS) to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101. If the Department determines that a constituent(s) released from a SWMU or AOC in quantities below its respective Screening Level(s) may pose a threat to human health or the environment, given site-specific exposure conditions, cumulative effects, ecological concerns, *etc.*, then the Department has the authority to require a CMS to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101.

Screening Levels shall be concentration levels, which satisfy the following criteria:

A. 1. Is derived in a manner consistent with Department guidelines for assessing human and environmental health risks from hazardous constituents; and

2. Is based on scientifically valid studies conducted in accordance with the Toxic Substances Control Act (TSCA) Good Laboratory Practice Standards, or equivalent; and

3. For human health Screening Levels to address carcinogens, represents a concentration associated with an excess upper bound lifetime cancer risk of 1×10^{-6} for carcinogens due to continuous constant lifetime exposure; and

4. For human health Screening Levels to address systemic toxicants, represents a concentration to which the human population (including sensitive subgroups) could be exposed on a daily basis that is likely to be without appreciable risk of deleterious effects during a lifetime in accordance with Department procedures.

B. For constituent(s) detected in groundwater, air, surface water, or soils, for which a concentration level that meets the criteria specified in section I.A.1 through I.A.4 of this appendix is not available or possible, the Screening Level for the constituent(s) shall be the background concentration of the constituent(s).

II. Groundwater

A. Screening Levels for constituents in groundwater shall be concentrations specified as:

1. MCLs; or

2. For constituents for which MCLs have not been promulgated, a concentration, which satisfies the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents for which MCLs have not been promulgated, the recommended equations/assumptions shall be developed using the Department's Groundwater Cleanup Target Levels. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves the right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

III. Surface Water

A. Screening Levels for constituents in surface water shall be concentrations specified as:

1. Water Quality Standards established pursuant to the Clean Water Act by the Department, where such standards are expressed as numeric values; or

2. Numeric interpretations of Department narrative water quality standards where water quality standards expressed as numeric values have not been established by the Department; or

3. MCLs for constituents in surface water designated by the Department for drinking water supply, where numeric values, or numeric interpretations described in paragraphs 1 and 2 immediately above, are not available; or

4. For constituents in surface waters designated by the Department for drinking water supply for which numeric values, numeric interpretations, or MCLs are not available, a concentration which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated assuming exposure through consumption of the water contaminated with the constituent; or

5. For constituents in surface waters designated for use or uses other than drinking water supply and for which numeric values or numeric interpretations have not been established, a concentration established by the Department which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents in surface water, the recommended equations/assumptions shall be developed using Department guidance.

IV. Air

A. Air emissions shall not exceed the Department's conservative risk-based concentrations.

V. Soils

A. Screening Levels for constituents in soils shall be concentrations which meet the criteria specified in section I.A.1 through I.A.4 of this appendix.

B. The calculation of human health Screening Levels for soil includes several specific exposure routes which must be evaluated individually: 1) ingestion, 2) inhalation and 3) leachability to groundwater. In deriving Screening Levels to address ingestion, inhalation and leaching, the methodology/assumptions shall be those in Department guidance. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

VI. Sediment

A. Screening Levels for constituents in sediment shall be based on whether human health or ecological health is the major concern. If ecological concerns are deemed to predominate, then Screening Levels for constituents in sediment shall be concentrations based on the latest sediment screening values as calculated by the Department. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

If an ecological sediment screening value for a constituent of concern has not been generated by the Department and cannot be generated using the criteria in sections I.A.1 and I.A.2 of this appendix, then the ecological Screening Level for sediment shall be background. If human health is the prevailing concern, then the human health Screening Level for sediment shall address all applicable exposures.

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
JOHN M. RUDDELL, DIRECTOR
DIVISION OF WASTE MANAGEMENT

Filing and Acknowledgment
Filed on this date, pursuant to

_____ _____

CLERK DATE

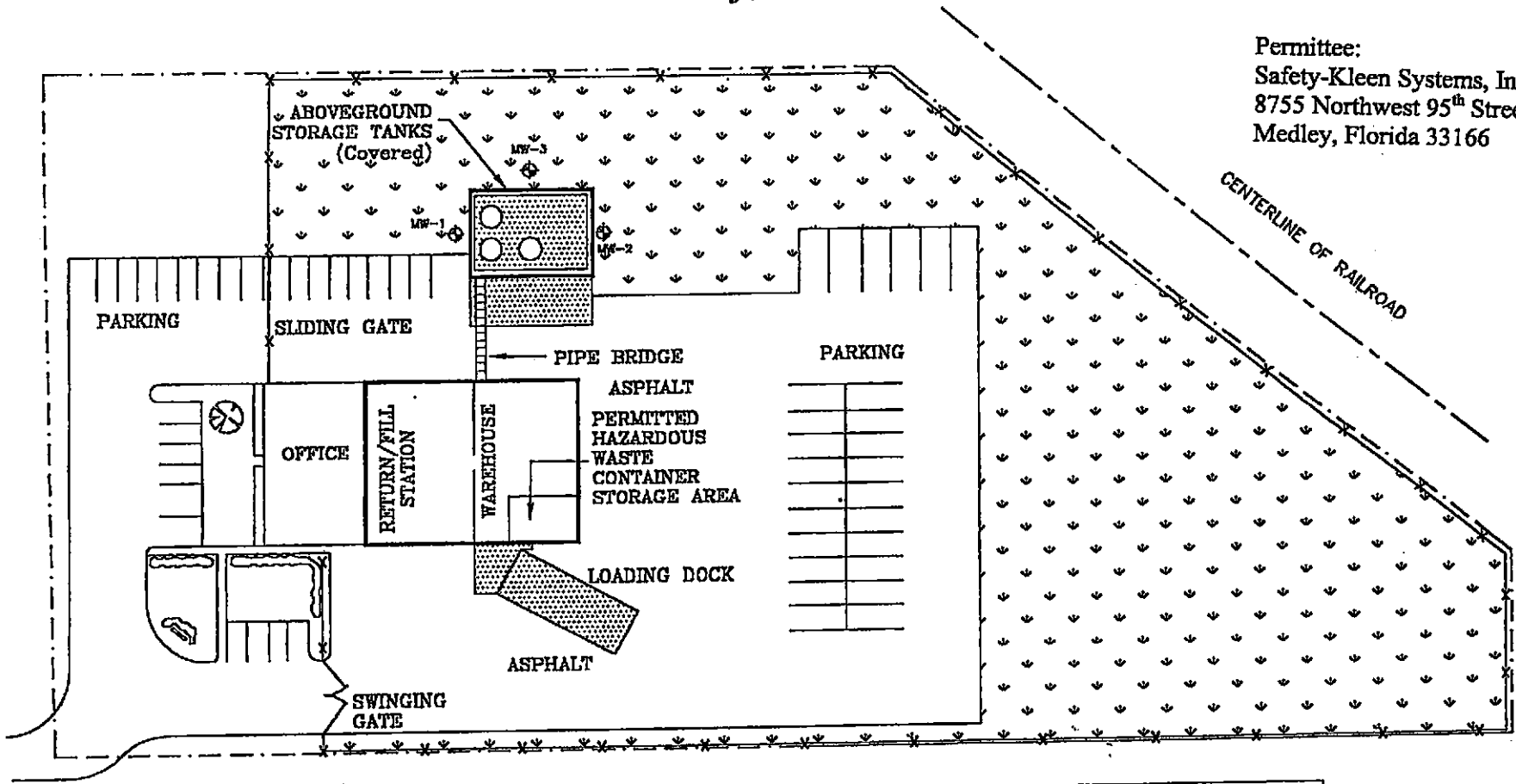
This is to certify that this Notice of Permit was mailed before
close of business on _____.

Revision 0 – 08/08/02

Figure 5.1–1
Facility Layout and Access Control Features
Safety-Kleen Systems, Inc. Facility
Medley, Florida

DRAFT

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166



LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- ABOVEGROUND STORAGE TANKS
- GROUND WATER MONITORING WELL (MW–1)

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

N

0 APPROXIMATE SCALE 80 FEET

Attachment A

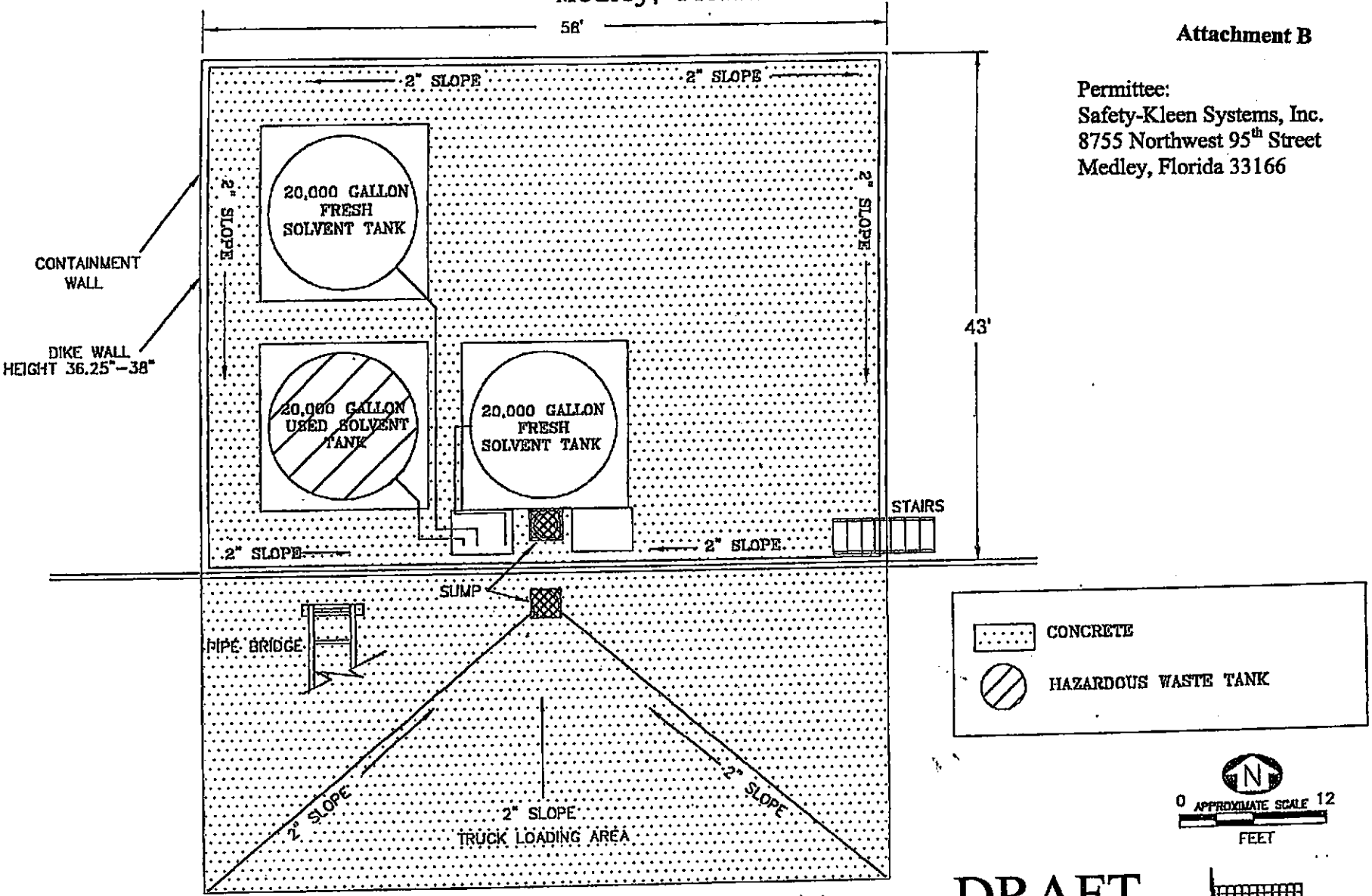
base.border.mw fig2–1–1

Figure 5.6–5
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Attachment B

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166



DRAFT

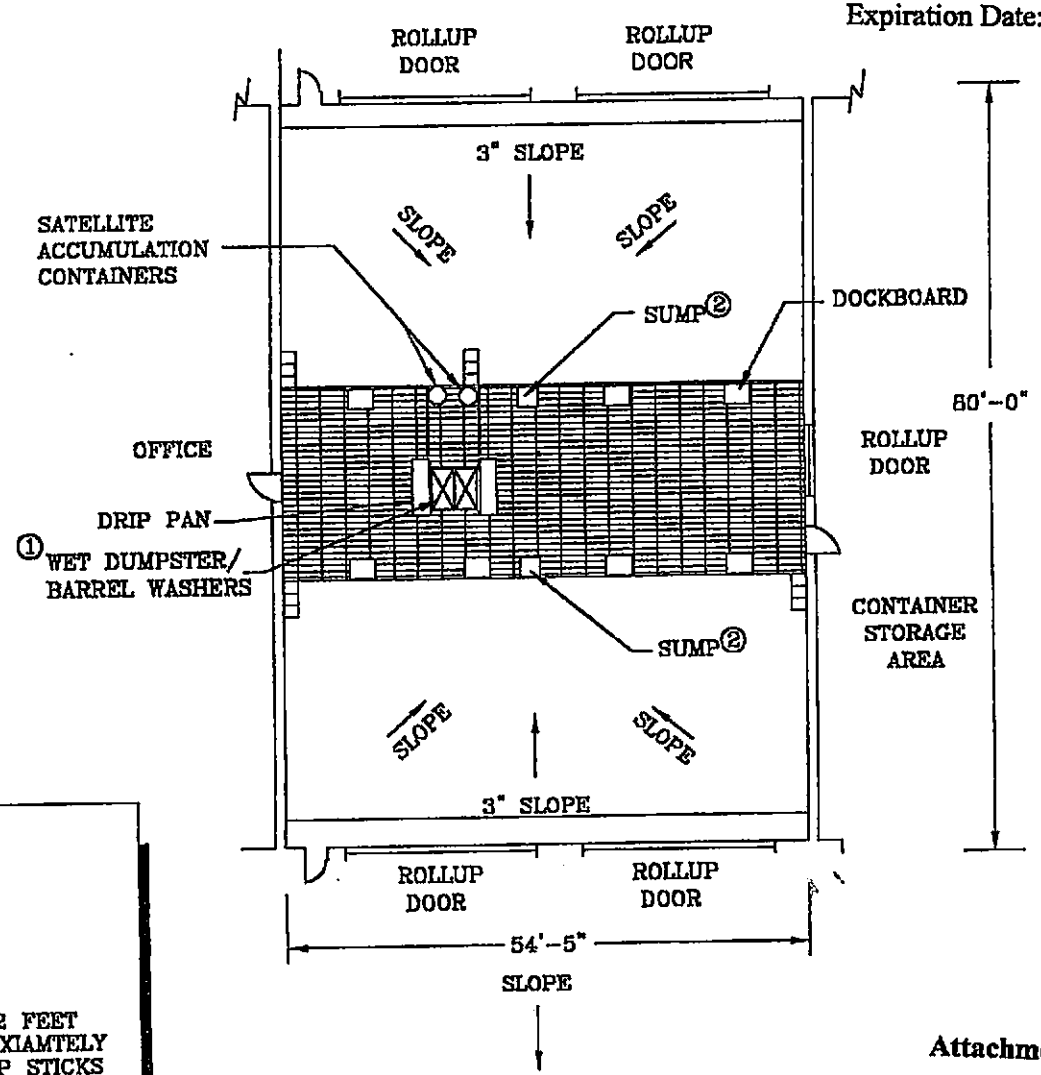
ERM

311.21 31121-PM 042697-1 PERMIT

Figure 5.6-4
Return/Fill Station
Safety-Kleen Systems, Inc. Facility
Medley, Florida

DRAFT

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008



LEGEND

STEPS

GRATE

Notes:

1. WIDTH APPROXIMATELY 2 FEET
2. SUMPS MEASURE APPROXIAMTELY 2'x2'; THE NORTH SUMP STICKS OUT FROM UNDER THE GRATE BY APPROXIMATELY 6"

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

N
0 APPROXIMATE SCALE 20
FEET

Attachment C

ERM

311.21 31121-PM 042897-1 PERMIT

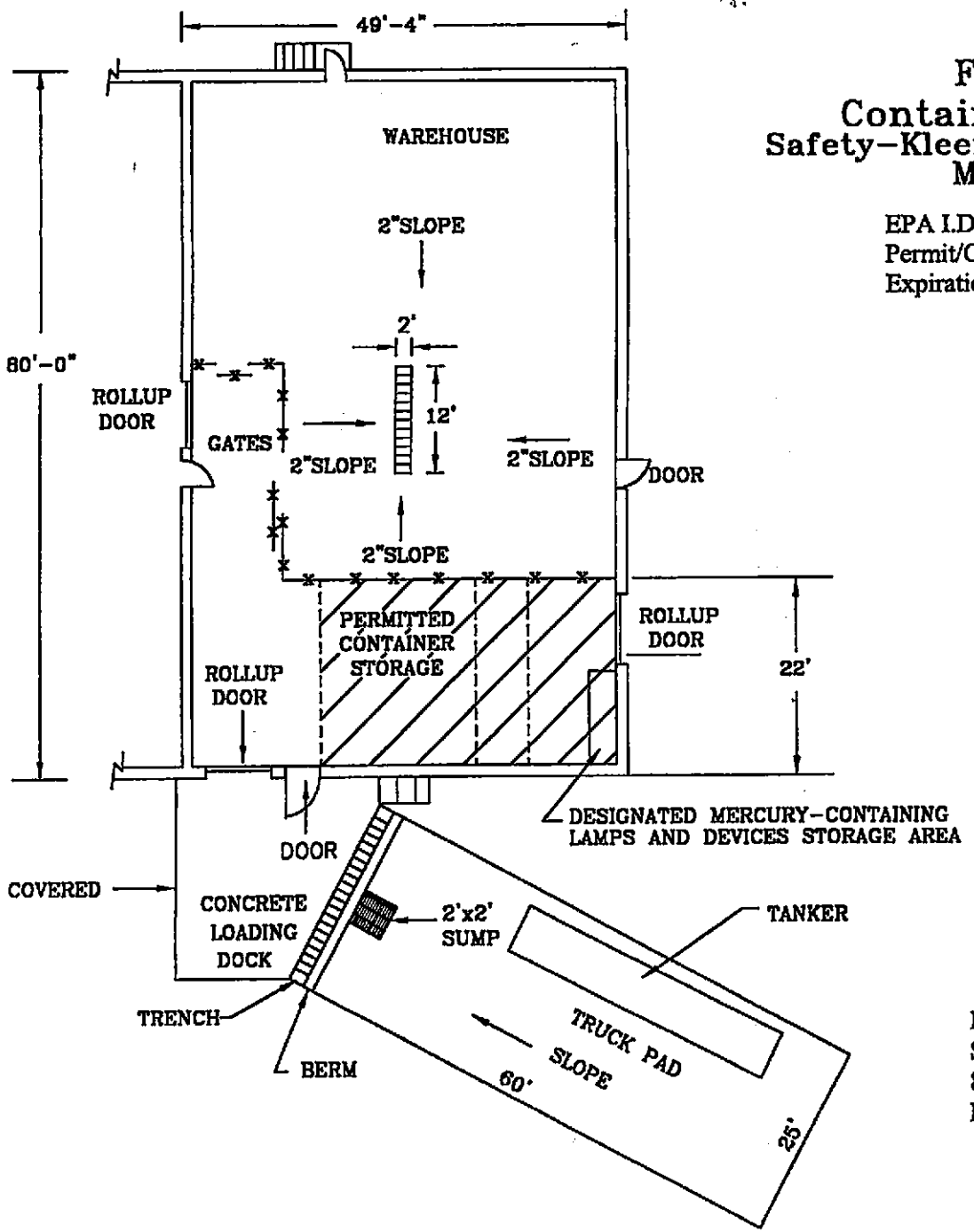
safkin 9301 FIG8.1-1 7/24/02

REVISION 0 – 08/30/02

Figure 8.1–1
Container Storage Area
Safety–Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

DRAFT



LEGEND

- CONCRETE
- AREA USED FOR WASTE TRANSFER
- GRATING
- FENCE

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

N
0 APPROXIMATE SCALE 20
FEET

Attachment D

PERMIT

TABLE 5.1-1
PERMITTED AND TRANSFER WASTES

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	D009

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

*** This waste will be held for transfer in containers in the transfer area.

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

DRAFT

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Attachment E

Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

April 25, 2003

RECEIVED
MAY 01 2003
DEPT OF ENV PROTECTION
WEST PALM BEACH

CERTIFIED - RETURN RECEIPT
7000 1670 0013 3108 3532

Mr. Matt Hedrick, EHS Manager
Safety-Kleen Systems, Inc.
5309 24th Street South
Tampa, Florida 33619

SUBJECT: Safety-Kleen Systems, Inc., Medley Facility
EPA I.D. Number FLD 984 171 694
Operating Permit 56019-HO-004
Dade County

Dear Mr. Hedrick:

Enclosed is Renewal Permit Number 56019-HO-004 for operation of a hazardous waste container storage facility and treatment unit and to implement corrective action pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA). This permit is being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-522, 62-532, 62-550, and 62-730, Florida Administrative Code (F.A.C.).

This permit renewal is final and effective on the date filed with the Clerk of the Department. When the permit renewal 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.

The Notice of Appeal must be filed within thirty (30) days from the date the final permit renewal is issued.

Sincerely,

John M. Ruddell

John M. Ruddell, Director
Division of Waste Management

JMR/wpp

Enclosures

cc w/enc.:

Narindar Kumar, EPA/Region 4
Steve Brown, DEP/Southeast District
Warren Snyder, P.E., Environmental Resource Management/ Jacksonville
Mayor, City of Medley
Chair, Dade County Board of County Commissioners
John Renfrow, Dade Environmental Resources Management
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

I.D. NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56019-HO-004
DATE OF ISSUE: April 28, 2003
EXPIRATION DATE: MARCH 19, 2008

ATTENTION:
Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

COUNTY: DADE
LATITUDE / LONGITUDE: 25°51'38"N/80°20'25"W
PROJECT: Operation of a Hazardous Waste Container Storage Facility, Treatment Unit and HSWA Corrective Action Requirements

Pursuant to the Solid Waste Disposal Act and 40 CFR 264.101 (as adopted in Rule 62-730.180, of the Florida Administrative Code [F.A.C.]), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-160, 62-522, 62-532, 62-550, and 62-730. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application, and 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 drum and tank storage units within a service accumulation center (See Attachment A – Facility Layout).

Tank Storage:

Utilization of one above ground 20,000 gallon storage tank for managing waste solvent under this permit. Two 20,000 gallon tanks are used for fresh solvent and shall not be used for hazardous waste. All tanks are underlain by a 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B).

Solvent Return / Fill Station:

Spent solvents enter the waste storage tank through the two wet dumpsters located in the Solvent Return / Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

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:

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.

Three solid waste management units have been identified at the facility in the United States Environmental Protection Agency (EPA) Hazardous and Solid Waste Amendments (HSWA) permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units: No further Action

- SWMU-1 Container Storage/Transfer Waste Area
- SWMU-2 Aboveground Storage Tank Area
- SWMU-3 Return/Fill Area

The State of Florida received authorization from EPA for implementing HSWA Corrective Action Program on November 17, 2000. This permit incorporates corrective action, including HSWA Corrective Action requirements and constitutes a full permit for Safety-Kleen Systems, Inc. Medley facility under the Resource Conservation and Recovery Act (RCRA). The applicant is currently subject to a HSWA permit issued by the EPA on February 12, 1993. At such time as the enclosed state permit with HSWA conditions becomes final and effective, the EPA will either terminate the Federal HSWA permit or allow it to expire. All HSWA corrective action requirements will be implemented through the final State permit, which will be equivalent to the Federal permit.

The Permittee, pursuant to this permit, 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.

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. The Permittee must inform the Department of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

Pursuant to 40 CFR 264.10, the 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). 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 33166.

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.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

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, 403.727, or 403.859 through 403.861, 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 subsections 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 location reasonable necessary to assure compliance with this permit or Department rules.

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

8. 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:

   a. A description of and cause of noncompliance; and

   b. 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.

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 proscribed 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, 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 Department approval in accordance with Rule 62-4.120 and 62-730.300 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
    a. Determination of Best Available Control Technology (BACT);

    b. Determination of Prevention of Significant Deterioration (PSD);

    c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

    d. Compliance with New Source Performance Standards.

14. The Permittee shall comply with the following:

    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, and records of all data used to complete the application for this permit. 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:

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

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

(3). the dates analyses were performed;

(4). the person responsible for performing the analyses;

(5). the analytical techniques or methods used;

(6). the results of such analyses.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. 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. In the case of an underground injection control permit, the following permit conditions also shall apply:

a. All reports or information required by the Department shall be certified as being true, accurate and complete.

b. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

c. Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

(1). The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

(2). The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.

d. The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

a. The following reports shall be submitted to the Department:

(1). 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.

(2). Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

(3). Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

b. Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

(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. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

d. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

e. Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS

PART I - STANDARD REQUIREMENTS

1. All submittals in response to these conditions (except Specific Condition 2 of this Part) shall be as follows:

   a. Two (2) copies shall be sent to:

      Environmental Administrator
      Hazardous Waste Regulation Section
      M.S. 4560
      Bureau of Solid and Hazardous Waste
      Department of Environmental Protection
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

   b. One (1) copy shall be sent to:

      Hazardous Waste Supervisor
      Department of Environmental Protection
      400 North Congress Avenue
      West Palm Beach, Florida 33401

   c. One (1) copy shall be sent to:

      Chief, RCRA Programs Branch
      United States Environmental Protection Agency
      Region 4
      Sam Nunn Atlanta Federal Center
      61 Forsyth Street, S.W.
      Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(7), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Regulation Section
   M.S. 4560
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   In the event a cost estimate for closure, postclosure, or corrective action increases, the financial instrument must be updated accordingly. Pursuant to 40 CFR Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount covered by the instrument within

60 days of the estimate increase. Those facilities using a financial test must cover the estimate increase in the next scheduled submittal. If the estimate increase causes the inability of facility to provide financial assurance through their currently selected mechanism, alternate financial assurance must be provided within 30 days. The Permittee shall provide assurances of financial responsibility for completion of off-site corrective action, if required, in accordance with Rule 62-730.180(7), F.A.C.

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All documents modifying the approved permit must be submitted to the Department for review shall be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(7), F.A.C.

4. 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(8), F.A.C.

5. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapter 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 revisions to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the revisions to the addresses in Specific Condition 1 of this Part.

6. Prior to 180 calendar days before the expiration of this permit (Rule 62-730.260(2), F.A.C.), the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless closure 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 closure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with Rule 62-730.900(2), F.A.C.

   The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the renewal to the addresses in Specific Condition 1 of this Part.

7. The Department of Environmental Protection's 24-hour emergency telephone number is (850)413-9911 or (800)320-0519. During normal business hours, the DEP District Office may be contacted at (561)681-6600.

8. The facility shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.184, F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from closure care requirements and all site-wide corrective action requirements.

9. The Permittee shall revise "Part I - General" of the **Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] within thirty (30) days of any changes in the Part I information. The revised "Part I - General" must be submitted to the Department within thirty (30) days of such changes.

10. Before transferring ownership or operation of this facility during the operating, closure or postclosure period, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)]. The Permittee shall comply with Rule 62-730.300, F.A.C.

11. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the site security provisions of the permit application. If the site becomes a suspected or confirmed contaminated site where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.181(3), F.A.C.

    a. Warning signs shall be at least 2 feet by 2 feet, made of durable weather resistant material, with a light background and lettering in a highly contrasting color. All lettering must be at least 1 inch high.

    b. Warning signs shall be unobstructed and mounted in such a manner that the center of the sign is approximately 56 inches above ground surface and is capable of being seen from at least 75 feet away.

    c. Warning sign text shall warn of danger, prohibit the entry of unauthorized persons, convey other information appropriate to site conditions, and include a telephone number to call for more information.

    d. The Permittee is responsible for supplying, installing and maintaining the warning signs.

12. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5 of the permit application during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 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.

13. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained on-site. 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 and their respective job titles at the site [40 CFR 264.16].

14. 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 are described in the **Contingency Plan**, Section 5 of the permit application, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 12 and 14.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 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 as required by 40 CFR 264.35.

15. The contingency plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

16. The Permittee shall comply with the following conditions concerning the contingency plan:

    a. The Permittee shall immediately carry out the provisions of the emergency plan, Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 fifteen (15) calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

    b. The Permittee shall comply with the requirements of 40 CFR 264.53.

    c. Within seven (7) calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (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 (7) days of the change. All amended plans must be distributed to the appropriate agencies.

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

17. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72 and 264.76.

    a. At least four weeks prior to accepting hazardous waste from a foreign source, the Permittee shall notify the Department in writing as required by 40 CFR 264.12(a). Subsequent shipments of the same waste from the same source in the same calendar year do not require this notice.

    b. Within three working days of receipt of a shipment subject to 40 CFR 262.80 through 40 CFR 262.89, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the Department, the EPA Office of Enforcement and Compliance Assurance, and to competent authorities of other concerned countries.

    c. Prior to accepting a hazardous waste other than the permitted and transfer wastes shown in Table 7.1-1 of the permit application, the Permittee shall submit a request for permit modification which includes a waste analysis of the proposed new waste stream. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. (40 CFR 264.13)

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

    a. the results of the waste analysis;

    b. a summary report and details of incidents that require implementation of the contingency plan;

    c. manifests;

    d. the results of inspections;

    e. the closure plan and closure cost estimate

    f. biennial reports;

    g. monitoring, testing, or analytical data where required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228;

    h. inspections of emergency and safety equipment (Specific Condition 12 of this Part);

    i. personnel training records (Specific Condition 13 of this Part);

    j. the Waste Minimization Program Plan (Specific Conditions 19 and 20 of this Part).

    k. the description and quantity of each hazardous waste received or generated;

    l. the location of each hazardous waste within the facility and the quantity at location;

    m. biennial certification of waste minimization; and

    n. notices to generators as specified in 40 CFR 264.12(b)

    These records must be maintained at the facility until the completion of closure (40 CFR 264.73)

19. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). 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 record as required by 40 CFR 264.73(b)(9).

20. The Waste Minimization Program Plan, required in Specific Condition 19 of this Part, should include the following elements:

    a. Top Management Support

    (1). Dated and signed policy describing management support for waste minimization and for implementation of a waste minimization plan.

    (2). Description of employee awareness and training programs designed to involve employees in waste minimization planning and implementation to maximize the extent feasible.

    (3). Description of how a waste minimization plan has been incorporated into management practices so as to ensure ongoing efforts with respect to produce design, capital planning, production operations, and maintenance.

    b. Characterization of Waste Generation

    (1). Identification of types, amounts, and hazardous constituents of waste streams, with the source and date of generation.

    c. Periodic Waste Minimization Assessments

    (1). Identification of all points in a process where materials can be prevented from becoming a waste, or can be recycled.

    (2). Identification of potential waste reduction and recycling techniques applicable to each waste, with a cost estimate for capital investment and implementation.

    (3). Description of technically and economically practical waste reduction/recycling options to be implemented, and a planned schedule for implementation.

    (4). Specific performance goals, preferably quantitative, for the source reduction of waste by stream. Whenever possible, goals should be stated as weight of waste generated per standard unit of production, as defined by the generator.

d. Cost Allocation System

(1). Identification of waste management costs for each waste, factoring in liability, transportation, record keeping, personnel, pollution control, treatment, disposal, compliance, and oversight costs to the extent feasible.

(2). Description of how departments are held accountable for the wastes they generate.

(3). Comparison of waste management costs with costs of potential reduction and recycling techniques applicable to each waste.

e. Technology Transfer

(1). Description of efforts to seek and exchange technical information on waste minimization from other parts of the company, other firms, trade associations, technical assistance programs, and professional consultants.

f. Program Evaluation

(1). Description of types and amounts of hazardous waste reduced or recycled.

(2). Analysis and quantification of progress made relative to each performance goal established and each reduction technique to be implemented.

(3). Amendments to waste minimization plan and explanation.

(4). Explanation and documentation of reduction efforts completed or in progress before development of the waste minimization plan.

(5). Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

21. Facilities submitting a Waste Minimization Plan pursuant to Specific Conditions 19.b and 20 of this Part shall, no less often than annually, submit a Waste Minimization Evaluation Report, that includes, at a minimum, the following:

a. Description of types and amounts of hazardous waste generated in the past six months.

b. Description of types and amounts of hazardous waste eliminated or recycled.

c. Analysis and quantification of progress made relative to each performance goal established in accordance to Specific Condition 20 c. of this Part, and each reduction technique to be implemented.

d. Amendments to waste minimization plan and identification and description of waste streams and processes that develop during the previous six months, and was not included in the Waste Minimization Plan.

e. Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

22. If, at any time, the Permittee or the Department determines that contamination has migrated, or is suspected to have migrated, into any media beyond the facility [40 CFR 260.10] (other than for immediate and short-term emergency response actions), or to other areas within the facility controlled by different operators, the Permittee shall notify the Department within seven calendar days of the initial discovery [Section 403.704(16) F.S., and 40 CFR 270.32(b)(2)]. This notification shall include a proposed notification letter to and a list of known and potentially affected property owners and operators, for Department approval, before the Permittee sends the notification letter to the parties listed below. Within 30 days of Department approval of the notification letter, the Permittee shall notify, by certified or registered mail, at a minimum the following list of people and agencies:

    a. all property owners onto which the contamination is known or suspected by the Permittee to have migrated;

    b. all onsite operators within the facility;

    c. Water Management District(s) with jurisdiction over the geographical area containing the contaminated properties;

    d. City, county or other local environmental agencies jurisdiction over the geographical area containing the contaminated properties; and

    e. EPA Region 4.

    In addition, if groundwater contamination has migrated into any media beyond the facility or to other areas within the facility with different operators, the Permittee shall immediately notify the local County Health Department and the Department of Health Bureau of Water Programs in Tallahassee at (850) 245-4240. Copies of the notification letters and proof of receipt must be submitted to the Department within 45 days of the Department's approval of the letter.

23. The Maximum Contaminant Levels, Groundwater Protection Standards, Residential Soil Cleanup Goals, Leachability Soil Cleanup Goals and Groundwater Target Cleanup Levels contained in this permit are to be used over the life of this permit, unless otherwise modified by the Department in writing.

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

25. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal, or until corrective action 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.

26. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated Interim Measures (IM) under Condition **HSWA IV.2**, which impact known or suspected contamination at or from SWMUs or AOCs referenced in Specific Conditions **HSWA I.1, and HSWA I.6 and HSWA I.7.** The notice

shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

27. Written notification of compliance or noncompliance with any item identified in the compliance schedule in Appendix D shall be submitted according to each schedule date. If the Permittee does not notify the Department within fourteen (14) calendar days of its compliance or noncompliance with the schedule, the Permittee shall be subject to an enforcement action. Submittal of a required item according to the schedule constitutes notification of compliance.

28. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.310, F.A.C.

PART II – CONTAINER STORAGE AREA:

1. Container storage shall be conducted within the areas of the facility as depicted in Figure 8.1-1 of the application. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per Section 8.1 of the permit application received on September 3, 2002.

    a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.

    b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.

    c. Hazardous waste with a 10-day storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.

2. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 40 CFR 264.173]

3. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas in accordance with the schedule and procedures identified in Section 8.4 of the permit application and 40 CFR 264.174.

6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device in accordance with 40 CFR 264.177(c) requirements.

7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.

8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system [40 CFR 264.175(b)(5)].

9. The secondary containment provided at the container loading/unloading areas shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in a timely a manner as possible.

10. The Permittee shall comply with the 15 meters (50 foot) setback rule concerning the storage of ignitable and reactive wastes in containers as per 40 CFR Part 264.176 and shall comply with the requirements of 40 CFR 264.17.

11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.

12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.26.

13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.

14. The container storage area shall be closed in accordance with Section 10 of the application as required by 40 CFR Part 264 Subpart G and 40 CFR 264.178.

15. The Permittee may store non-regulated materials in the regulated storage area provided:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in the regulated storage area.

    b. The Permittee shall maintain the required aisle spacing in the storage area for both the regulated and non-regulated materials in accordance with 40 CFR 264.35.

    c. The Permittee assures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    d. The Permittee provides a written record of non-regulated material in the facility operating record of any non-regulated materials in the regulated storage area. The notice shall include:

        i. the type and the quantity of the materials;
        ii. verify adequate secondary containment;

iii. confirm that appropriate aisle spacing is available;
iv. document compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

17. The Permittee shall ensure that those containers being managed under the transporter/transfer station requirements of 40 CFR Part 263 are clearly identified.

18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

PART III – TANK SYSTEM:

Tank system, for Part III of this permit, is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures.

1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Figure 9.2-1 of the permit application.

2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank (40 CFR 264.192(a)) or the residue of any material previously in the tank (40 CFR 264.199) or if there are any conditions that may cause the waste to ignite or react (40CFR264.198).

3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

4. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank system in accordance with 40 CFR 264.194.

5. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department (40 CFR 264.196(d)). The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. (40 CFR 264.196(b)(2)).

6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.

7. The Permittee shall report any changes, component replacement or extensive repairs to the tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report as required by 40 CFR 264.196(f) has been submitted to the Department and approved.

8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the application and 40 CFR 264.195.

9. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

   a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release in compliance with 40 CFR 264.196(a).

   b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time in accordance with 40 CFR 264.196(b).

   c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues in compliance with 40 CFR 264.196(c).

   d. Comply with the notification and report requirements of 40 CFR 264.196(d).

   e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

   f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

10. The Permittee shall notify the Department if the results of the tank thickness testing (conducted every ten years) show any portion of the tank having a thickness less than the minimum limits per ***UL 142 "Steel Aboveground Tanks for Flammable and Combustible Liquids"***. Records of all shell thickness determinations shall be kept for the life of each tank.

11. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).

12. The two wet dumpsters in the Solvent Return/Fill Station contain drum washers and solvent. At least once in each 24-hour period, all liquids and sludge shall be removed from each Dumpster and all drums shall be removed from the Return/Fill Station.

PART IV – CLOSURE:

1. The Permittee shall have a written closure plan as required by 40 CFR 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 CFR 264.115, and accepted by the Department.

2. The Permittee shall submit a written request for a permit modification to authorize a change in the closure plans in accordance with the procedures in Chapter 62-730, F.A.C. The written request must include a copy of the amended closure plan for Department approval as per 40 CFR 264.112.

3. The Permittee shall manage all hazardous waste, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the units in accordance with the applicable provisions of 40 CFR Parts 260 through 268 and DEP Form 62-730.900(2), including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with closure certification.

4. The Permittee shall close the hazardous waste units in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere as per 40 CFR 264.111.

5. Closure or partial closure of the container storage area, tank system, and wet dumpsters shall be conducted in accordance with plans specified in Section 10 of the application and 40 CFR Part 264 Subpart G.

6. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s) as per 40 CFR 264.112.

7. The Permittee shall complete closure activities within 180 days after Department approval of the closure plan. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval as per 40 CFR 264.113.

8. The Permittee shall decontaminate or dispose of as hazardous waste all facility equipment, structures, and residues resulting from the closure activities as required by 40 CFR 264.114.

9. Within 60 days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a letter signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the facility has been closed in compliance with the closure plan as required by 40 CFR 264.115.

10. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the facility and perform post closure care as required by 40 CFR 264.310.

PART V - ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section 11 of the application.

2. The Permittee shall keep complete and current the Equipment Inventory Log [40 CFR 264.1064(b)(1)].

3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR Part 264 Subpart CC in accordance with Section 11 of the permit application.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years [40 CFR 264.1064].

5. Prior to constructing, installing or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB or CC, the Permittee shall supply the specific information required pursuant to 40 CFR Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit (container, tank, surface impoundment or miscellaneous unit) such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.

6. On December 6, 1994, EPA published the final rule for Phase II Organic Air Emissions Standards (40 CFR Part 264 and 265, Subpart CC) for hazardous waste treatment, storage and disposal facilities, including certain hazardous waste generators accumulating waste on-site in RCRA permit-exempt (90-day) tanks and containers. Major clarifications to the rule were published on February 9, 1996, November 25, 1996, and December 8, 1997. In general, under these standards air emissions controls must be used for tanks, surface impoundments, containers and miscellaneous units which contact hazardous waste containing an average organic concentration greater than 500 ppmw at the point of origination determined by the procedures outlined in 40 CFR Part 264.1083(a), except as specifically exempted under 40 CFR Parts 264.1080 .1082.

PART VI – MISCELLANEOUS:

1. The permittee shall comply with the storage limits of 2,000 kilograms or less of mercury containing lamps and 100 kilograms or less of mercury-containing devices not to exceed a storage period of one (1) year in accordance with Rules 62-737.400(2) and 62-737.400(7), F.A.C.

2. The permittee must be able to demonstrate the length of time mercury containing lamps and devices are stored as specified in 40 CFR 273.15(c).

HSWA CONDITIONS

HSWA PART I – CORRECTIVE ACTION

1. The Conditions of this Part apply to:

   a. The solid waste management units (SWMUs) and areas of concern (AOCs) identified in **Appendix A.1**, which require a RCRA Facility Investigation (RFI);

   b. The SWMUs and AOCs identified in **Appendix A.2**, which require no further action under this permit at this time;

   c. The SWMUs and AOCs identified in **Appendix A.3**, which require confirmatory sampling;

   d. The SWMUs and AOCs identified in **Appendix A.4**, which require corrective action;

   e. 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 hazardous constituents to the environment; or,

      (3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment.

f. Contamination that has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary 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 (5) 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 damages, costs, or expenses, including expert and attorneys' fees, 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-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC discovered under Specific Condition 1.e of this Part. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (*e.g.*, media affected, hazardous constituents released, magnitude of release, *etc.*). The Department may conduct, or require that the Permittee conduct, further assessment (*i.e.*, Confirmatory Sampling) in order to determine the status of the suspected AOC. The Department will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Department determines that further investigation of an AOC is required, the permit will be modified in accordance with Rule 62-730.290, F.A.C.

3. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any additional SWMU discovered under Specific Condition 1.e of this Part.

4. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Specific Condition 3 of this Part. At a minimum, the SAR shall provide the following information:

   a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19).

   b. Designation of type and function of unit(s).

   c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).

   d. Dates that the unit(s) was operated.

   e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

5. Based on the results of the SAR, the Department shall determine the need for further investigations at the SWMUs covered in the SAR. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Conditions **HSWA III.2** or **HSWA II.2.**

6. The Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Specific Condition 1.e of this Part or SWMUs or AOCs identified in Specific Condition 1.e of this Part for which further investigation under Specific Condition 5 of this Part was not required

7. If the Department determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.**

HSWA PART II – CONFIRMATORY SAMPLING (CS)

1. The Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for each unit identified under Specific Condition **HSWA I.1.c.** The CS Work Plan shall be submitted within forty-five (45) calendar days from the effective date of this permit. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not a release has occurred. It shall also address applicable requirements and 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.

2. Upon notification by the Department, the Permittee shall prepare and submit a CS Work Plan for suspected AOCs per Specific Condition **HSWA I.2** or for newly identified SWMUs per Specific Condition **HSWA I.5.** The work plan shall be submitted within forty-five (45) calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall meet the basic requirements listed in Specific Condition 1 of this Part.

3. The CS Work Plan must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the CS Work Plan schedule in the letter approving the CS Work Plan. If the Department disapproves the CS Work Plan, the Department shall either

   a. notify the Permittee in writing of the CS Work Plan's deficiencies and specify a due date for submission of a revised CS Work Plan;

   b. revise the CS Work Plan and notify the Permittee of the revisions; and

   c. conditionally approve the CS Work Plan and notify the Permittee of the conditions.

4. The Permittee shall implement the confirmatory sampling in accordance with the approved CS Work Plan.

5. The Permittee shall prepare and submit to the Department in accordance with the schedule in the approved CS Work Plan, a CS Report identifying all SWMUs or AOCs that have released hazardous waste or hazardous constituents into the environment. The CS Report shall include all data, including raw data, and a summary and analysis of the data, that supports the above determination. If submittal of the CS Report coincides with submittal of the RFI Report, then the CS Report and the RFI Report may be combined into one submittal.

6. Based on the results of the CS Report, the Department shall determine the need for further investigations at the SWMUs or AOCs covered in the CS Report. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.** The Department will notify the Permittee of any no further action decision.

HSWA PART III - RCRA FACILITY INVESTIGATION (RFI)

1. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of the effective date of this permit, a RCRA Facility Investigation (RFI) Work Plan(s) for those units identified in Specific Condition **HSWA I.1.a.** This Work Plan shall be developed to meet the requirements of Specific Condition 3 of this Part.

2. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification by the Department, an RFI Work Plan for those units identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6.** The RFI Work Plan(s) shall be developed to meet the requirements of Specific Condition 3 of this Part.

3. The RFI Work Plan(s) shall meet the requirements of Appendix B. The RFI Work Plan(s) shall include schedules for implementation and completion of specific actions necessary to determine the nature and extent of contamination and the potential pathways of contaminant releases to the air, soil, surface water, and groundwater. The Permittee must provide sufficient justification and associated documentation that a release is not probable or has already been characterized if a unit or a media/pathway associated with a unit (groundwater, surface water, soil, subsurface gas, or air) is not included in the RFI Work Plan(s). Such deletions of a unit, media or pathway from the RFI(s) are subject to the approval of the Department. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix B. Such omissions or deviations are subject to the approval of the Department. In addition, the scope of the RFI Work Plan(s) shall include all investigations necessary to ensure compliance with 40 CFR 264.101(c).

4. The RFI Work Plan(s) must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the RFI Work Plan schedule in the letter approving the RFI Work Plan(s). If the Department disapproves the RFI Work Plan(s), the Department shall either

   a. notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submission of a revised RFI Work Plan;

   b. revise the RFI Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved RFI Work Plan; or,

   c. conditionally approve the RFI Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the RFI(s) in accordance with the approved RFI Work Plan(s) and Appendix B. The Permittee shall notify the Department at least twenty (20) days prior to any sampling activity within the scope of the RFI Work Plan.

6. The Permittee shall prepare and submit to the Department Draft and Final RCRA Facility Investigation Report(s) for the investigations conducted pursuant to the RFI Work Plan(s) submitted under Specific Conditions 1 through 4 of this Part. The Draft RFI Report(s) shall be submitted to the Department for review in accordance with the schedule in the approved RFI Work Plan(s). The Final RFI Report(s) shall be submitted to the Department within thirty (30) calendar days of receipt of the Department's final comments on the Draft RFI Report. The RFI Report(s) shall include an analysis and summary of all required investigations of SWMUs and AOCs and their results. The summary shall describe the type and extent of contamination at the facility, including sources and migration pathways, identify all hazardous constituents present in all media, and describe actual or potential receptors. The RFI Report(s) shall also describe the extent of contamination (qualitative/quantitative) in relation to background levels indicative of the area. If the Draft RFI Report is a summary of the initial phase investigatory work, the report shall include a work plan for the final phase investigatory actions required based on the initial findings. Approval of the final phase work plan shall be carried out in accordance with Specific Condition 4 of this Part. The objective of this task shall be to ensure that the investigation data are sufficient in quality (*e.g.*, quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support a CMS, if necessary.

7. The Permittee shall prepare and submit to the Department, along with the Draft and Final RFI Report(s), Screening Levels for each of the hazardous constituents reported in Specific Condition 6 of this Part. Screening Levels shall be calculated as specified in Appendix E of this permit.

8. The Department will review the RFI Report(s), including the Screening Levels described in Specific Condition 7 of this Part. The Department shall notify the Permittee of the need for further investigative action if necessary and, if appropriate at this moment of the investigation, inform the Permittee, if not already notified, of the need for a CMS to meet the requirements of HSWA Part V and 40 CFR 264.101. The Department will notify the Permittee of any no further action decision. Any further investigative action required by the Department shall be prepared and submitted in accordance with a schedule specified by the Department and approved in accordance with Specific Condition 4 of this Part.

9. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee shall provide the Department with quarterly RFI Progress Reports (90 day intervals) beginning ninety (90) calendar days from the start date specified by the Department in the RFI Work Plan approval letter. The Progress Reports shall contain the following information at a minimum:

   a. A description of the portion of the RFI completed;

   b. Summaries of findings;

   c. Summaries of any deviations from the approved RFI Work Plan during the reporting period;

   d. Summaries of any significant contacts with local community public interest groups or State government;

e. Summaries of any problems or potential problems encountered during the reporting period;

f. Actions taken to rectify problems;

g. Changes in relevant personnel;

h. Projected work for the next reporting period; and

i. Copies of daily reports, inspection reports, data, *etc.*

HSWA PART IV – INTERIM MEASURES (IM)

1. Upon notification by the Department, the Permittee shall prepare and submit an Interim Measures Work Plan for any SWMU or AOC that the Department determines is necessary. IM are necessary in order to minimize or prevent the further migration of contaminants and to limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in Specific Condition 2 of this Part. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

2. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Specific Condition I.26. The Department will process Permittee-initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Specific Condition 1 of this Part. Permittee-initiated IM shall be considered conditionally approved unless the Department specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee-initiated IM. The scope and success of Permittee-initiated IM conditionally approved per Specific Condition 2 of this Part (in other words, **this** Specific Condition) shall be subject to subsequent in-depth review; the Department will either comment on or approve the Permittee-initiated IM. Permittee-initiated IM must follow the progress and final reporting requirements in Specific Conditions 8 and 9 of this Part.

3. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and are consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

4. The IM Work Plan imposed under Specific Condition 1 of this Part must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Department disapproves the IM Work Plan, the Department shall either:

   a. notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan;

   b. revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan; or,

c. conditionally approve the IM Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the interim measures imposed under Specific Condition 1 of this Part in accordance with the approved IM Work Plan.

6. The Permittee shall give notice to the Department as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Specific Condition 1 of this Part or initiated by the Permittee under Specific Condition 2 of this Part.

7. Final approval of corrective action required under 40 CFR 264.101 which is achieved through IM shall be in accordance with Rule 62-730.290, F.A.C. and **HSWA Part VI** as a permit modification.

8 If the time required for completion of interim measures imposed under Specific Condition 1 of this Part or implemented under Specific Condition 2 of this Part is greater than one year, the Permittee shall provide the Department with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee-initiated IM. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the IM completed;

b. Summaries of findings;

c. Summaries of any deviations from the IM Work Plan during the reporting period;

d. Summaries of any problems or potential problems encountered during the reporting period; and

e. Projected work for the next reporting period.

9. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of completion of IM conducted under this Part, an IM Report. The IM Report shall contain the following information at a minimum:

a. A description of IM implemented;

b. Summaries of results;

c. Summaries of all problems encountered;

d. Summaries of accomplishments and/or effectiveness of IM; and

e. Copies of all relevant laboratory/monitoring data, *etc.*

HSWA PART V – CORRECTIVE MEASURES STUDY (CMS)

1. The Permittee shall prepare and submit a CMS Work Plan for those units requiring a CMS within ninety (90) calendar days of notification by the Department that a CMS is required. This CMS Work Plan shall be developed to meet the requirements of Specific Condition 2 of this Part. The Permittee may seek approval from the Department for concurrent RFI/CMS. The CMS may be performed concurrent with the RFI process if the Department determines that sufficient investigative details are available to allow concurrent action.

2. The CMS Work Plan shall meet the requirements of Appendix C at a minimum. The CMS Work Plan shall include schedules for implementation and completion of specific actions necessary to complete a CMS. The Permittee must provide sufficient justification and/or documentation for any unit deleted from the CMS Work Plan. Such deletion of a unit is subject to the approval of the Department. The CMS shall be conducted in accordance with the approved CMS Work Plan. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix C. Such omissions or deviations are subject to the approval of the Department. The scope of the CMS Work Plan shall include all investigations necessary to ensure compliance with Chapter 62-730, F.A.C., 40 CFR 264.101, 40 CFR 264.552, and 40 CFR 270.32(b)(2). The Permittee shall implement corrective actions beyond the facility boundary, as set forth in Specific Condition HSWA I.1.f.

3. The Department shall either approve or disapprove, in writing, the CMS Work Plan. If the Department disapproves the CMS Work Plan, the Department shall either

   a notify the Permittee in writing of the CMS Work Plan's deficiencies and specify a due date for submittal of a revised CMS Work Plan;

   b. revise the CMS Work Plan and notify the Permittee of the revisions; or

   c. conditionally approve the CMS Work Plan and notify the Permittee of the conditions.

   This revised CMS Work Plan becomes the approved CMS Work Plan. Any disapproval and subsequent revision of a CMS Work Plan or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

4. The Permittee shall begin to implement the CMS according to the schedules specified in the CMS Work Plan, no later than fifteen (15) calendar days after the Permittee has received written approval from the Department for the CMS Work Plan. Pursuant to Specific Condition 2 of this Part, the CMS shall be conducted in accordance with the approved CMS Work Plan.

5. The Permittee shall prepare and submit to the Department a draft and final CMS Report for the study conducted pursuant to the approved CMS Work Plan and in accordance with Appendix C. The draft CMS Report shall be submitted to the Department in accordance with the schedule in the approved CMS Work Plan. The final CMS Report shall be submitted to the Department within thirty (30) days of receipt of the Department's final comments on the draft CMS Report. The CMS Report shall summarize any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. If a remedial alternative requires the use of a Corrective Action Management Unit (CAMU), the CMS report shall include all information necessary to establish and implement the CAMU. The CMS Report shall present all information gathered under the approved CMS Work Plan. The CMS Final Report must contain adequate information to support the Department's decision on the recommended remedy, described under HSWA Part VI.

6. If the Department determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition 5 of this Part, the Department may disapprove the CMS Final Report. If the Department disapproves the CMS Final Report, the Department shall notify the Permittee in writing of deficiencies in the CMS Final Report and specify a due date for submittal of a revised CMS Final Report. The Department will notify the Permittee of any no

further action decision. Any disapproval and subsequent revision of a CMS Report or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

7. As specified under Specific Condition 6 of this Part, based on preliminary results and the CMS Final Report, the Department may require that the Permittee evaluate additional remedies or particular elements of one or more proposed remedies.

HSWA PART VI – REMEDY APPROVAL AND PERMIT MODIFICATION

1. A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any IM implemented to date.

2. Upon Department approval of the Remedy (Specific Condition 1 of this Part), the Permittee shall public notice the Statement of Basis in accordance with Rule 62-730.220(9)(c), F.A.C. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

3. Within one hundred-twenty (120) calendar days after permit modification for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy in accordance with Rule 62-730.180(7), F.A.C.

HSWA PART VII – MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

1. If at any time the Department or the Permittee determines that modification of the Corrective Action Schedule of Compliance is necessary, the permit may be modified to reflect the change(s) to the Schedule of Compliance (Appendix D), with Department approval.

2. Modifications that are initiated and finalized by the Department will be in accordance with the applicable provisions of Chapter 62-730, F.A.C. The Permittee may also request a permit modification in accordance with Rule 62-730.290(3), F.A.C., to change the Schedule of Compliance.

3. If the Department determines that steps or dates in Appendix D may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

HSWA PART VIII – WORK PLAN AND REPORT REQUIREMENTS

1. All work plans and schedules shall be subject to approval by the Department prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Department. Upon approval the Permittee shall implement all work plans and schedules as written.

2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Department based on the Permittee's demonstration that sufficient justification for the extension exists.

3. If the Department or the Permittee at any time determines that the SAR information required under HSWA Part I, the CS Work Plan under HSWA Part II, or RFI Work Plan(s) required under HSWA Part III no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Department within ninety (90) calendar days of such determination.

HSWA PART IX – APPROVAL/DISAPPROVAL OF SUBMITTALS

1. The Department will review the work plans, reports, schedules, and other documents ("submittals") which require the Department's approval in accordance with the conditions of this permit. The Department will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore.

HSWA PART X – DISPUTE RESOLUTION

1. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (**Administrative Procedures Act**) and the Department's existing Rules and Procedures.

HSWA PART XI – LAND DISPOSAL RESTRICTIONS

1. 40 CFR 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 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

3. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

HSWA PART XII – DEFINITIONS

1. For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270, unless this permit specifically provides otherwise. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

   a. "Screening Levels" for the purposes of this permit are the Department's risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health and/or the environment.

   b. The term "area of concern" (AOC) for purposes of this permit includes any area having a probable release of a hazardous waste or hazardous constituent which is not from a solid waste management unit and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under RCRA Section 3005(c)(3) and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

   c. "Corrective Action Management Unit" (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility (40 CFR Part 264 Subpart S).

   d. "Corrective measures" for purposes of this permit, include all corrective action necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.101. Corrective measures may address releases to air, soils, surface water or groundwater.

   e. "Extent of contamination" for the purposes of this permit is defined as the horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above detection limits or background concentrations indicative of the region, whichever is appropriate as determined by the Department.

   f. A "hazardous constituent" for purposes of this permit is any substance listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX.

   g. "Interim Measures" (IM) for purposes of this permit are actions necessary to minimize or prevent the further migration of contaminants and limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented.

   h. "Land Disposal" for purposes of this permit and 40 CFR Part 268 means placement in or on the land except for a CAMU or staging pile and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, underground mine or cave, or concrete vault or bunker intended for disposal purposes.

i. A "release" for purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.

j. A "solid waste management unit" (SWMU) for the purposes of this permit includes any unit which has been used for the treatment, storage, or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. RCRA regulated hazardous waste management units are also solid waste management units. SWMUs include areas that have been contaminated by routine and systematic releases of hazardous waste or hazardous constituents, excluding one-time accidental spills that are immediately remediated and cannot be linked to solid waste management activities (*e.g.*, product or process spills).

k. A "Temporary Unit" (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment or storage of hazardous remediation wastes during specific remediation activities. Designated by the Department, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.

l. A "unit" for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, septic tank, drain field, wastewater treatment unit, elementary neutralization unit, transfer station, or recycling unit.

Appendix A

Solid Waste Management Unit Summary

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring a RCRA Facility Investigation (RFI):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a RCRA Facility Investigation.				

A.2. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU-1	Container Storage/ Transfer Waste Area	Regulated Unit	1992 to Present
SWMU-2	Aboveground Storage Tank Area	Regulated Unit	1992 to Present
SWMU-3	Return/Fill Area	Regulated Unit	1992 to Present

A.3. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Confirmatory Sampling (CS).				

A.4. List of solid waste management units (SWMUs) and areas of concern (AOCs) undergoing Corrective Action (CA):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for CA	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Corrective Action (CA).				

Appendix B

RCRA Facility Investigation (RFI) Outline

The purpose of the RFI portion of the RCRA corrective action process is to evaluate the nature and extent of releases of hazardous wastes and/or hazardous constituents and to gather necessary data to support the CMS and/or IM. Planning for the investigation is best accomplished through a logical progression of tasks:

1. gather information on the source of the release(s) to the environment (Source Characterization),

2. gather information on the physical aspects of the environment which will affect the migration and fate of the release and identification of exposure pathways for both humans and non-human members of the environment (Environmental Setting),

3. use Source Characterization and Environmental Setting to develop a conceptual model of the release which will be used to plan and conduct a program to define the nature, rate and extent of the release (Sampling and Analysis Plan).

An RFI Work Plan and RFI Report are generally required elements of the RCRA corrective action process. The requirements for a full, detailed RFI are listed in this Appendix. The Department recognizes that each facility is unique. Therefore, the scope and requirements of the RFI shall be focused to fit the complexity of the site-specific situation. The work plan requirements listed in this Appendix in no way limit the site-specific opportunities for a Permittee. For example, the RFI may be implemented in phases. Relevant information contained in previously developed documents, such as a RCRA Part B permit application, may be referenced as appropriate, but must be summarized in either the RFI Work Plan or the RFI Report. In addition, the Department understands that Risk Assessments are becoming more widely utilized to place characterization information into context and to aid in determining remedial solutions. If a Risk Assessment is expected to be performed in the future, the Permittee and the contractor should meet with the Department to discuss the general format and process the Department expects a Risk Assessment to follow.

In some cases, it may be possible to implement the RFI concurrent with the CMS (also see Appendix C). This approach can save time and money because the earlier in the corrective action process potential remedies can be identified, the more effectively information gathering can be focused. The Department anticipates that a concurrent RFI/CMS approach may be appropriate in the following types of situations, among others: facilities where removal remedies have been proposed by the owner/operator, facilities with straightforward remedial solutions or where presumptive remedies can be applied, facilities where few remedial options are available, and facilities where the remedy is phased. The Department will determine on a case-by-case basis if a concurrent RFI/CMS is appropriate. Because of the unique data collection requirements necessary for a remedial solution which includes natural attenuation of contaminants in groundwater, if natural attenuation is expected to be part of the remedial solution, then the Sampling and Analysis Plan should be crafted to include monitoring of specific water quality parameters unique to natural attenuation (*e.g.*, nitrites/nitrates, ferrous iron, sulfides, dissolved oxygen, methane, hydrogen, *etc.*).

I. RFI WORK PLAN REQUIREMENTS - ELEMENTS OF THE RFI WORK PLAN

The RFI Work Plan shall include, at a minimum, the following elements:

A. Introduction - Summary of any relevant existing assessment data

The Permittee shall describe the purpose or objective of the RFI Work Plan and provide a summary of any existing environmental data, which is relevant to the investigation. The summary should provide the following items, at a minimum:

1. land ownership history;
2. facility operating dates;
3. facility's product(s);
4. raw materials used in facility operations, wastes generated;
5. nature and extent of any known contamination;
6. summary of an ongoing IM and past assessments; and,
7. summary of permit objective and how this objective will be satisfied.

B. Environmental Setting

The Permittee shall provide information on the environmental setting at the facility. The Permittee shall characterize the Environmental Setting as it relates to identified sources, pathways and areas of releases of hazardous constituents from Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs). Data gaps pertinent to characterization of releases shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The Environmental Setting shall cover the following items, at a minimum:

1. Hydrogeology

   The Permittee shall provide a summary of the hydrogeologic conditions at the facility. This discussion shall include, but not be limited to, the following information:

   a. A description of the regional and facility specific geologic and hydrogeologic characteristics affecting groundwater flow beneath the facility, including:

      (1). Regional and facility specific stratigraphy: description of strata including strike and dip, identification of stratigraphic contacts;

      (2). Structural geology: description of local and regional structural features (*e.g.*, folding, faulting, tilting, jointing, metamorphic foliation, *etc.*);

      (3). Depositional history;

(4). Regional and facility specific groundwater flow patterns (porous media, fracture media, karst media); and,

(5). Identification and characterization of areas and amounts of recharge and discharge (springs in karst terrain, base level streams and rivers).

b. An analysis of any topographic features that might influence the groundwater flow system (*e.g.*, sinkholes and sinking streams in karst terrains).

c. Based on any existing field data, tests (*e.g.*, pump tests, tracer tests), and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (*i.e.*, the aquifers and any intervening saturated and unsaturated units), including:

(1). Hydraulic conductivity and porosity (total and effective), groundwater flow velocity, groundwater basin discharge;

(2). Lithology, grain size, sorting, degree of cementation;

(3). An interpretation of hydraulic interconnections between saturated zones (*i.e.*, aquifers) and surface waters; and

(4). The attenuation capacity and mechanisms of the natural earth materials (*e.g.*, ion exchange capacity, organic carbon content, mineral content, *etc.*).

d. Based on data obtained from groundwater monitoring wells and piezometers installed upgradient, water wells and/or springs downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring including:

(1). Water-level contour and/or potentiometric maps, including seasonal variations;

(2). Hydrologic cross sections showing vertical gradients;

(3). The flow system, including the vertical and horizontal components of flow; and,

(4). Any temporal changes in hydraulic gradients, for example, due to tidal or seasonal influences and for karst terrain, stormflow.

e. A description of man-made influences that may affect the hydrology of the site, identifying:

(1). Local water supply and production wells with an approximate schedule of pumping; and;

(2). Man-made hydraulic structures (pipelines, french drains, ditches, roofs, runways, parking lots, *etc.*).

2. Soils

The Permittee shall provide an explanation of the soil and rock units above the water table in the vicinity of contaminant release(s). This summary may include, but not be limited to, the following types of information as appropriate:

a. Surface soil distribution;

b. Soil profile, including ASTM classification of soils;

c. Transects of soil stratigraphy;

d. Hydraulic conductivity (saturated and unsaturated);

e. Relative permeability;

f. Bulk density;

g. Porosity;

h. Soil sorption capacity;

i. Cation exchange capacity (CEC);

j. Soil organic content;

k. Soil pH;

l. Particle size distribution;

m. Depth of water table;

n. Moisture content;

o. Effect of stratification on unsaturated flow;

p. Infiltration;

q. Evapotranspiration;

r. Storage capacity;

s. Vertical flow rate; and,

t. Mineral content.

3. Surface Water and Sediment

The Permittee shall provide a description of the surface water bodies in the vicinity of the facility. This summary may include, but not be limited to, the following activities and information:

a. Description of the temporal and permanent surface water bodies including:

(1). For lakes and estuaries: location, elevation, surface area, inflow, outflow, depth, temperature stratification, and volume;

(2). For impoundments: location, elevation, surface area, depth, volume, freeboard, and construction and purpose;

(3). For streams, ditches, and channels: location, elevation, flow, velocity, depth, width, seasonal fluctuations, flooding tendencies (*i.e.*,, 100 year event), discharge point(s), and general contents;

(4). Drainage patterns; and;

(5). Evapotranspiration.

b. Description of the chemistry of the natural surface water and sediments. This includes determining the pH, total dissolved solids, total suspended solids, biological oxygen demand, alkalinity, conductivity, dissolved oxygen profiles, nutrients, chemical oxygen demand, total organic carbon, specific contaminant concentrations, *etc.*

c. Description of sediment characteristics including:

(1). Deposition area;

(2). Thickness profile; and,

(3). Physical and chemical parameters (*e.g.*, grain size, density, organic carbon content, ion exchange capacity, pH, *etc.*).

4. Air

The Permittee shall provide information characterizing the climate in the vicinity of the facility. Such information may include, but not be limited to:

a. A description of the following parameters:

(1). Annual and monthly rainfall averages;

(2). Monthly temperature averages and extremes;

(3). Wind speed and direction;

(4). Relative humidity/dew point;
(5). Atmospheric pressure;

(6). Evaporation data;

(7). Development of inversions; and,

(8). Climate extremes that have been known to occur in the vicinity of the facility, including frequency of occurrence (*i.e.*, Hurricanes)

b. A description of topographic and man-made features which affect air flow and emission patterns, including:

(1). Ridges, hills or mountain areas;

(2). Canyons or valleys;

(3). Surface water bodies (*e.g.*, rivers, lakes, bays, *etc.*); and,

(4). Buildings.

C. Source Characterization

For those sources from which releases of hazardous constituents have been detected, the Permittee shall provide analytical data to completely characterize the wastes and the areas where wastes have been placed, to the degree that is possible without undue safety risks, including: type, quantity; physical form; disposition (containment or nature of deposits); and facility characteristics affecting release (*e.g.*, facility security, and engineering barriers). Data gaps on source characterization shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. This summary shall include quantification of the following specific characteristics, at each source area:

1. Unit/Disposal Area Characteristics:

a. Location of unit/disposal area;

b. Type of unit/disposal area;

c. Design features;

d. Operating practices (past and present)

e. Period of operation;

f. Age of unit/disposal area;

g. General physical conditions; and,

h. Method used to close the unit/disposal area.

2. Waste Characteristics:

   a. Type of wastes placed in the unit;

      (1). Hazardous classification (*e. g.*, flammable, reactive, corrosive, oxidizing or reducing agent);

      (2). Quantity; and,

      (3). Chemical composition.

   b. Physical and chemical characteristics such as:

      (1). Physical form (solid, liquid, gas);

      (2). Physical description (*e.g.*, powder, oily sludge);

      (3). Temperature;

      (4). pH;

      (5). General chemical class (*e.g.*, acid, base, solvent);

      (6). Molecular weight;

      (7). Density;

      (8). Boiling point;

      (9). Viscosity;

      (10). Solubility in water;

      (11). Cohesiveness of the waste; and,

      (12). Vapor pressure.

   c. Migration and dispersal characteristics of the waste such as:

      (1). Sorption capability;

      (2). Biodegradability, bioconcentration, and biotransformation;

      (3). Photodegradation rates;

      (4). Hydrolysis rates; and,

      (5). Chemical transformations.

D. Potential Receptors

The Permittee shall provide data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Data gaps pertinent to receptor analysis shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The following characteristics shall be identified at a minimum:

1. Current local uses and planned future uses of groundwater:

   a. Type of use (*e.g.*, drinking water source: municipal or residential, agricultural, domestic/non-potable, and industrial);

   b. Location of groundwater users, to include withdrawal and discharge wells and springs, within one mile of the impacted area.

   The above information should also indicate the aquifer or hydrogeologic unit used and/or impacted for each item.

2. Current local uses and planned future uses of surface waters directly impacted by the facility:

   a. Domestic and municipal (*e.g.*, potable and lawn/gardening watering);

   b. Recreational (*e.g.*, swimming, fishing);

   c. Agricultural;

   d. Industrial; and,

   e. Environmental (*e.g.*, fish and wildlife propagation).

3. Human use of or access to the facility and adjacent lands, including but not limited to:

   a. Recreation;

   b. Hunting;

   c. Residential;

   d. Commercial; and,

   e. Relationship between population locations and prevailing wind direction.

4. A general description of the biota in surface water bodies on, adjacent to, or affected by the facility.

5. A general description of the ecology within the area adjacent to the facility.

6. A general demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age; sex; and sensitive subgroups.

7. A description of any known or documented endangered or threatened species near the facility.

E. Sampling and Analysis Plan(s) for Characterization of Releases of Hazardous Waste/Hazardous Constituents

The Permittee shall prepare a plan to document all monitoring procedures necessary to characterize the extent, fate and transport of releases (*i.e.*, identify sample locations, sample procedures and sample analysis to be performed during the investigation to characterize the environmental setting, source, and releases of hazardous constituents, so as to ensure that all information and data are valid and properly documented). The sampling strategy and procedures shall be in accordance with EPA Region 4 Environmental Compliance Branch's **Standard Operating Procedure and Quality Assurance Manual** (SOP) (most recent version) or a Department-approved Quality Assurance Project Plan pursuant to Chapter 62-160, F.A.C. Any deviations from this reference must be requested by the applicant and approved by the Department. If a Risk Assessment is expected to be performed once release characterization is complete or nearly complete, Data Quality Objectives (DQO) for a Human Health Risk Assessment requires a Data Quality Objective of Level 3 or greater.

The Sampling and Analysis Plan must specifically discuss the following unless the SOP procedures are specifically referenced.

1. Sampling Strategy

   a. Selecting appropriate sampling locations, depths, *etc.*;

   b. Obtaining all necessary ancillary data;

   c. Determining conditions under which sampling should be conducted;

   d. Determining which media are to be sampled (*e.g.*, groundwater, air, soil, sediment, subsurface gas);

   e. Determining which parameters are to be measured and where;

   f. Selecting the frequency of sampling and length of sampling period;

   g. Selecting the types of samples (*e.g.*, composite *vs.* grab) and number of samples to be collected.

2. Sampling Procedures

   a. Documenting field sampling operations and procedures, including;

      (1). Documentation of procedures for preparation of reagents or supplies which become an integral part of the sample (*e.g.*, filters, preservatives, and absorbing reagents);

(2). Procedures and forms for recording the exact location and specific considerations associated with sample acquisition;

(3). Documentation of specific sample preservation method;

(4). Calibration of field instruments;

(5). Submission of appropriate blanks (*e.g.*, field, equipment, trip, *etc.*);

(6). Potential interferences present at the facility;

(7). Construction materials and techniques, associated with monitoring wells and piezometers;

(8). Field equipment listing and sampling containers;

(9). Sampling order; and,

(10). Decontamination procedures.

b. Selecting appropriate sample containers;

c. Sampling preservation; and,

d. Chain-of-custody, including:

(1). Standardized field tracking reporting forms to establish sample custody in the field prior to shipment; and,

(2). Pre-prepared sample labels containing all information necessary for effective sample tracking.

(3). Chain-of-custody seals for sample containers and shipping coolers.

3. Sample Analysis

Sample analysis shall be conducted in accordance with **SW-846: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods** (most recent version) or an alternate approved method. The sample analysis section of the Sampling and Analysis Plan shall specify the following:

a. Chain-of-custody procedures, including:

(1). Identification of a responsible party to act as sampling custodian at the laboratory facility authorized to sign for incoming field samples, obtain documents of shipment, and verify the data entered onto the sample custody records;

(2). Provision for a laboratory sample custody log consisting of serially numbered standard lab-tracking report sheets; and

(3). Specification of laboratory sample custody procedures for sample handling, storage, and dispersement for analysis.

b. Sample storage (*e.g.*, maximum holding times for constituents);

c. Sample preparation methods;

d. Analytical Procedures, including:

(1). Scope and application of the procedure;

(2). Sample matrix;

(3). Potential interferences;

(4). Precision and accuracy of the methodology; and

(5). Method Detection Limits; and,

(6). Practical Quantitative Limits

e. Calibration procedures and frequency;

f. Data reduction, validation and reporting;

g. Internal quality control checks, laboratory performance and systems audits and frequency, including:

(1). Method blank(s);

(2). Laboratory control sample(s);

(3). Calibration check sample(s);

(4). Replicate sample(s);

(5). Matrix-spiked sample(s);

(6). "Blind" quality control sample(s);

(7). Control charts;

(8). Surrogate samples;

(9). Zero and span gases; and,

(10). Reagent quality control checks.

h. External quality control checks by the Department, including:

(1). Spikes and blanks at sampling events for which the Department or its technical representative provides oversight; and,

(2). The equivalent of a CLP data package for samples split with the Department or for which the Department specifically requests the package.

i. Preventive maintenance procedures and schedules;

j. Corrective action (for laboratory problems); and

k. Turnaround time.

F. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation.

1. Data Record

The data record shall include the following:

a. Unique sample or field measurement code;

b. Sampling or field measurement location and sample or measurement type;

c. Sampling or field measurement raw data;

d. Laboratory analysis ID number;

e. Property or component measures; and

f. Result of analysis (*e.g.*,. concentration, data qualifiers).

2. Tabular Displays

The following data shall be presented in tabular displays:

a. Unsorted (raw) data;

b. Results for each medium, or for each constituent monitored;

c. Data reduction for statistical analysis, as appropriate;

d. Sorting of data by potential stratification factors (*e.g.*, location, soil layer, topography); and,

e. Summary data

3. Graphical Displays

The following data shall be presented in graphical formats (*e.g.*, bar graphs, line graphs, area or plan maps, isopleth plots, cross-sectional plots or transects, three dimensional graphs, *etc.*):

a. Display sampling location and sampling grid;

b. Indicate boundaries of sampling area, and area where more data are required;

c. Display geographical extent of contamination, both horizontally and vertically;

d. Illustrate changes in concentration in relation to distances from the source, time, depth or other parameters; and,

e. Indicate features affecting inter-media transport and show potential receptors.

G. Project Management Plan - Schedule of Implementation

The Permittee shall prepare a Project Management Plan that will cover qualifications of personnel categories and the management control structure for the project. The Permittee shall also provide a schedule for completing the planned RFI activities. The schedule shall be as specific as possible (*i.e.*, it should indicate the number of days/weeks/months required for each major work plan task).

II. RFI REPORT REQUIREMENTS - ELEMENTS OF THE RFI REPORT

The RFI Report shall include, at a minimum, the following elements:

A. Introduction

The Permittee shall describe the purpose of the RFI Work Plan and provide a summary description of the project.

B. Environmental Setting

The Permittee shall describe the Environmental Setting in and around the facility. The RFI Work Plan should contain some, if not all, of the information on the Environmental Setting. Any information collected during work plan implementation that clarifies or improves understanding of the Environmental Setting should be provided in this section.

C. Source Characterization

The Permittee shall summarize the sources of contamination and nature of releases identified at the facility. The RCRA Facility Assessment and the RFI Work Plan should contain some, if not all, of the information on Source Characterization. Any information collected during work plan implementation or obtained from the sources (*e.g.*, voluntarily or from other Environmental Programs) that directly addresses Source Characterization shall be provided in this section.

D. Sampling and Analysis Results

The Permittee shall present data results obtained pursuant to the RFI Work Plan. The Permittee shall identify any work plan proposals that were not completed and explain why such actions were not finished. The Permittee shall also present its analysis/interpretation of how the sampling data meet the RFI objective and how the sampling data fits or modifies the contaminant conceptual model. For all analytical data, the Permittee shall discuss the results of data quality/data review.

E. Data Quality Assurance/Data Quality Data Review

The Permittee shall perform a Quality Assurance/Quality Control data review on all data present in the RFI. The Quality Assurance/Quality Control data review shall be in accordance with the USEPA Contract Laboratory Program National Functional Guidelines for Inorganic Data Review (EPA-540/R94-013) and the USEPA Contract Laboratory Program National Functional Guidelines for Organic Data Review (EPA-540/R94-012), unless the Permittee has a Department-approved Quality Assurance Project Plan. The data review shall address the following, at minimum:

1. Holding times;
2. Blanks;
3. Laboratory Control Samples;
4. Field Duplicates;
5. Surrogate Recoveries;
6. Matrix Spike/Matrix Spike Duplicates; and,
7. Data Assessment - Data Usability.

F. Conclusions

The Permittee shall summarize the major conclusions reached after analysis of the environmental setting, source characterization, sampling and analysis results and data quality. Any data gaps needed to complete characterization of the scope and extent of the releases from SWMUs and/or AOCs or to refine further the contaminant conceptual model shall be identified and recommendations made in the Recommendations Section of the report.

G. Recommendations

The Permittee shall provide its recommendations on what, if any, further action is needed to complete the characterization of release(s) from SWMUs and/or AOCs.

H. Work Plan for Additional Investigations

If further investigations are determined to be needed to complete the objective of the RFI then the Permittee shall provide a work plan to complete characterization of the release(s).

Appendix C

Corrective Measures Study (CMS) Outline

The purpose of the CMS portion of the RCRA corrective action process is to identify and evaluate potential remedial alternatives for the releases of hazardous constituents that have been identified at the facility through the RFI or other investigations to need further evaluation. The scope and requirements of the CMS are balanced with the expeditious initiation of remedies and rapid restoration of contaminated media. The scope and requirements of the CMS should be focused to fit the complexity of the site-specific situation. It is anticipated that Permittees with sites with complex environmental problems may need to evaluate a number of technologies and corrective measure alternatives. For other facilities, however, the evaluation of a single corrective measure alternative may be adequate. Therefore, a streamlined or focused approach to the CMS may be initiated. Information gathered during any stabilizations or interim measures will be used to augment the CMS and, in cases where corrective action goals are met, may be a substitute for the final CMS.

Regardless of whether a streamlined/focused or a detailed CMS is required, a CMS Work Plan and CMS Report are generally required elements. The requirements for a full, detailed CMS are listed below. The Department has the flexibility not to require sections of the plan and/or report, where site-specific situations indicate that all requirements are not necessary. Additionally, the Department may require additional studies besides these discussed in order to support the CMS.

I. CMS WORK PLAN

A. Elements of the CMS Work Plan

The CMS Work Plan shall include at a minimum the following elements:

1. A brief site-specific description of the overall purpose of the CMS;

2. A brief description of the corrective measure objectives, including proposed target media cleanup standards (*e.g.*, promulgated Federal and State standards) and preliminary points of compliance or a description of how a risk assessment will be performed (*e.g.*, guidance documents);

3. A brief description of the specific corrective measure technologies and/or corrective measure alternatives which will be studied;

4. A brief description of the general approach to investigating and evaluating potential corrective measures;

5. A detailed description of any proposed pilot, laboratory and/or bench scale studies;

6. A proposed outline for the CMS Report including a description of how information will be presented;

7. A brief description of overall project management including overall approach, levels of authority (include organization chart), lines of communication, project schedules, budget

and personnel. Include a description of qualifications for personnel directing or performing the work;

8. A project schedule that specifies all significant steps in the process and when key documents (*e.g.*, CMS Progress Reports, draft CMS Report) are to be submitted to the Department;

9. A detailed Public Involvement Plan.

II. CMS REPORT

The detail of a CMS may vary based upon the complexity of the site, on-going IM, *etc.* However, the CMS Report may include the following elements:

A. Introduction/Purpose

The Permittee shall describe the purpose of the CMS Report and provide a summary description of the project.

B. Description of Current Situation

The Permittee shall submit a summary and an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RCRA Facility Investigation (RFI) Report. This discussion should concentrate on those issues that could significantly affect the evaluation and selection of the corrective measures alternative(s). The Permittee shall provide an update to information presented in the RFI regarding previous response activities and interim measures that have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

C. Establishment of Proposed Media Specific Cleanup Standards

The Permittee shall describe the proposed media cleanup standards and point of compliance. The cleanup criteria must be either background, promulgated Federal and State standards, State cleanup criteria, or alternate risk-derived target cleanup levels. If media clean-up standards are not proposed, then the Department will unilaterally propose setting media clean-up standards to either background, promulgated Federal and State standards or the most conservative risk-derived standards.

D. Identification, Screening and Development of Corrective Measure Technologies

1. Identification: List and briefly describe potentially applicable technologies for each affected media that may be used to achieve the corrective action objectives. Include a table that summarizes the available technologies.

   The Permittee should consider innovative treatment technologies, especially in situations where there are a limited number of applicable corrective measure technologies.

2. Screening: The Permittee shall screen the corrective measure technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies that have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

   Site, waste, and technology characteristics used to screen inapplicable technologies are described in more detail below:

   a. Site Characteristics: Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration.

   b. Waste Characteristics: Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of *in-situ* methods, direct treatment methods, and land disposal (on/off-site).

   c. Technology Limitations: During the screening process, the level of technology development, performance record, and inherent construction, operation, and maintenance problems should be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

3. Corrective Measure Development: The Permittee shall assemble the technologies that pass the screening step into specific alternatives that have the potential to meet the corrective action objectives for each media. Options for addressing less complex sites could be relatively straightforward and may only require evaluation of a single or limited number of alternatives. Each alternative may consist of an individual technology or a combination used in sequence *(i.e.,* treatment train). Different alternatives may be considered for separate areas of the facility, as appropriate. List and briefly describe each corrective measure alternative.

E. Evaluation of a Final Corrective Measure Alternative

For each remedy that warrants a more detailed evaluation (*i.e.*, those that passed through the screening step), including those situations when only one remedy is being proposed, the Permittee shall provide detailed documentation of how the potential remedy will comply with each of the standards listed below. These standards reflect the major technical components of remedies including cleanup of releases, source control and management of wastes that are generated by remedial activities. The specific standards are as follows:

1. Protect human health and the environment.

2. Attain media cleanup standards set by the Department.

3. Control the source of releases to reduce or eliminate, to the extent practicable, further releases that may pose a threat to human health and the environment.

4. Comply with applicable standards for management of wastes.

5. Other factors.

In evaluating the selected alternative or alternatives, the Permittee shall prepare and submit information that documents that the specific remedy will meet the standards listed above. The following guidance should be used in completing this evaluation.

1. Protect Human Health and the Environment

   Corrective action remedies must be protective of human health and the environment. Remedies may include those measures that are needed to be protective, but are not directly related to media cleanup, source control or management of wastes. An example would be a requirement to provide alternative drinking water supplies in order to prevent exposures to releases from an aquifer used for drinking water purposes. Therefore, the Permittee shall provide a discussion of any short term remedies necessary to meet this standard, as well as discuss how the corrective measures alternative(s) meet this standard.

2. Attain Media Cleanup Standards

   Remedies will be required to attain media cleanup standards. As part of the necessary information for satisfying this requirement, the Permittee shall address whether the potential remedy will achieve the remediation objectives. An estimate of the time frame necessary to achieve the goals shall be included. Contingent remedies may be proposed if there is doubt if the initial remedy will be successful (*e.g.*, contingent remedies to innovative technologies).

3. Control of Sources of Releases

   The Permittee shall address the issue of whether source control measures are necessary, and if so, the type of actions that would be appropriate. Any source control measure proposed should include a discussion on how well the method is anticipated to work given the particular situation at the facility and the known track record of the specific technology.

4. Comply With any Applicable Standards for Management of Wastes

   The Permittee shall include a discussion of how the specific waste management activities will be conducted in compliance with all applicable State and Federal regulations (*e.g.*, closure requirements, LDRs)

5. Other Factors

There are five general factors that will be considered as appropriate by the Department in selecting/approving a remedy that meets the four standards listed above. These five decision factors include:

a. Long-term reliability and effectiveness;

b. Reduction in the toxicity, mobility or volume of wastes;

c. Short-term effectiveness;

d. Implementability; and,

e. Cost.

Examples of the type of information to include are provided below:

(1). Long-term reliability and effectiveness: The Permittee may consider whether the technology, or combination of technologies, have been used effectively under analogous site conditions, whether failure of any one technology in the alternative would have any immediate impact on receptors, and whether the alternative would have the flexibility to deal with uncontrollable changes at the site. Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. In addition, each corrective measure alternative should be evaluated in terms of the projected useful life of the overall alternative and of its component technologies. Useful life is defined as the length of time the level of effectiveness can be maintained.

(2). Reduction in the toxicity, mobility or volume of wastes: As a general goal, remedies will be preferred that employ techniques that are capable of eliminating or substantially reducing the potential for the wastes in SWMUs and/or contaminated media at the facility to cause future environmental releases. Estimates of how the corrective measure alternative will reduce toxicity, mobility and or volume of the waste is required and may be accomplished through a comparison of initial site conditions to expected post-corrective measures conditions.

(3). Short-term effectiveness: The Permittee shall evaluate each corrective measure alternative for short-term effectiveness. Possible factors to consider are fire, explosion, exposure to hazardous constituents, and potential threats associated with the treatment, excavation, transportation and re-disposal or containment of the waste material.

(4). Implementability: Information to consider when assessing implementability include:

(a). The administrative activities needed to implement the corrective measure alternative (*e.g.*, permits, rights of way, *etc.*) and the length of time these activities will take;

(b). The constructibility, time for implementation, and time for beneficial results;

(c). The availability of adequate off-site treatment, storage capacity, disposal services, needed technical services and materials; and,

(d). The availability of prospective technologies for each corrective measure alternative.

(5). Cost: The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include both capital and operation and maintenance costs. The capital costs shall include, but are not limited to, costs for: engineering, site preparation, construction, materials, labor, sampling/analysis, waste management/disposal, permitting, health and safety measures, *etc.* The operation and maintenance costs shall include labor, training, sampling and analysis, maintenance materials, utilities, waste disposal and/or treatment, *etc.* Costs shall be calculated as the net present value of the capital and operation and maintenance costs.

F. Justification and Recommendation of the Corrective Measure or Measures

The Permittee shall justify and recommend in the CMS Report a corrective measure alternative for consideration by the Department. Such a recommendation should include a description and supporting rationale for the preferred alternative that is consistent with the corrective action standards and remedy selection decision factors discussed above. In addition, this recommendation shall include summary tables that allow the alternative or alternatives to be understood easily. Trade-offs among health risks, environmental effects, and other pertinent factors shall be highlighted. The Department will select the corrective measure alternative or alternatives to be implemented based on the results presented in the CMS Report.

Appendix D

Schedule of Compliance

Schedule of Compliance	Due Date
Notification of Newly Identified SWMUs and AOCs *Specific Conditions **HSWA I.2 and HSWA I.3.***	Within fifteen (15) calendar days of discovery
SWMU Assessment Report *Specific Condition **HSWA I.4.***	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs *Specific Condition **HSWA I.6.***	Within fifteen (15) calendar days of discovery
CS Work Plan for SWMUs or AOCs identified in **Appendix A.3** *Specific Condition **HSWA II.2***	Within forty-five (45) calendar days after effective date of permit
CS Work Plan for SWMUs identified under Condition ***HSWA I.5.***, or AOCs identified under Specific Condition ***HSWA I.2.*** *Specific Condition **HSWA II.2.***	Within forty-five (45) calendar days of notification by the Department
CS Report *Specific Condition **HSWA II.5.***	In accordance with the approved CS Work Plan
RFI Work Plan for SWMU(s) and AOC(s) identified under Specific Condition **HSWA I.1.a.** *Specific Condition **HSWA III.1.***	Within ninety (90) calendar days from effective date of permit
RFI Work Plan for SWMU(s) and AOC(s) Identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6.** *Specific Condition **HSWA III.2.***	Within ninety (90) calendar days after receipt of notification by the Department which SWMUs or AOCs require an RFI

Schedule of Compliance	Due Date
Draft RFI Report *Specific Condition **HSWA III.6.***	In accordance with the approved RFI Work Plan
Final RFI Report *Specific Condition **HSWA III.8.***	Within thirty (30) calendar days after receipt of Department's final comments on Draft RFI Report
RFI Progress Reports *Specific Condition **HSWA III.9.***	Quarterly, beginning ninety (90) calendar days from the start date specified by the Department*
IM Work Plan *Specific Condition **HSWA IV.1.***	Within thirty (30) calendar days of notification by the Department
IM Progress Reports *Specific Condition **HSWA IV.8.***	In accordance with the approved IM Work Plan ** or semi-annually for Permittee-initiated IM
IM Report *Specific Condition **HSWA IV.9.***	Within ninety (90) calendar days of completion
CMS Work Plan *Specific Condition **HSWA V.1.***	Within ninety (90) calendar days of notification by the Department that a CMS is required
Implementation of CMS Work Plan *Specific Condition **HSWA V.4.***	Within fifteen (15) calendar days after receipt of the Department approval of Plan
Draft CMS Report *Specific Condition **HSWA V.5.***	In accordance with the schedule in the approved CMS Work Plan
Final CMS Report ***Specific Condition HSWA V.5.***	Within thirty (30) calendar days of the Department's final comments on Draft CMS Report
Demonstration of Financial Assurance *Specific Condition **HSWA VI.3.***	Within one hundred twenty (120) calendar days after permit modification for remedy

Schedule of Compliance	Due Date
Noncompliance/Imminent Hazard Report ***General Condition 8.***	Oral within 24 hours and written within fifteen (15) calendar days of becoming aware of the hazardous circumstances
Written report of noncompliance of tanks, surface impoundments or containers with 40 CFR 264.1082(c)(1) or (c)(2) (Subpart CC).	Within fifteen (15) calendar days of becoming aware of noncompliance

The above reports must be signed and certified in accordance with 40 CFR 270.11 and Rule 62-730.220(6), (7) and (8), F.A.C.

* This applies to Work Plan execution that requires more than one hundred-eighty (180) calendar days

** This applies to Work Plan execution that requires more than one year.

Appendix E

Screening Levels

I. Definition

Screening Levels are the Department's conservative risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health or the environment. Screening Levels shall be set for all hazardous constituents, a subset of hazardous wastes, identified in the RFI Report(s) or for those hazardous constituents that the Department has reason to believe may have been released from a solid waste management unit (SWMU) or Area of Concern (AOC) at the facility. Should the concentration of a hazardous constituent(s) in an aquifer, surface water, soils, or air exceed its Screening Level for any environmental medium, the Department may require that the Permittee conduct a Corrective Measure Study (CMS) to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101. If the Department determines that a constituent(s) released from a SWMU or AOC in quantities below its respective Screening Level(s) may pose a threat to human health or the environment, given site-specific exposure conditions, cumulative effects, ecological concerns, *etc.*, then the Department has the authority to require a CMS to meet the requirements of HSWA Part V, Appendix C, and 40 CFR 264.101.

Screening Levels shall be concentration levels, which satisfy the following criteria:

A. 1. Is derived in a manner consistent with Department guidelines for assessing human and environmental health risks from hazardous constituents; and

2. Is based on scientifically valid studies conducted in accordance with the Toxic Substances Control Act (TSCA) Good Laboratory Practice Standards, or equivalent; and

3. For human health Screening Levels to address carcinogens, represents a concentration associated with an excess upper bound lifetime cancer risk of 1×10^{-6} for carcinogens due to continuous constant lifetime exposure; and

4. For human health Screening Levels to address systemic toxicants, represents a concentration to which the human population (including sensitive subgroups) could be exposed on a daily basis that is likely to be without appreciable risk of deleterious effects during a lifetime in accordance with Department procedures.

B. For constituent(s) detected in groundwater, air, surface water, or soils, for which a concentration level that meets the criteria specified in section I.A.1 through I.A.4 of this appendix is not available or possible, the Screening Level for the constituent(s) shall be the background concentration of the constituent(s).

II. Groundwater

A. Screening Levels for constituents in groundwater shall be concentrations specified as:

1. MCLs; or

2. For constituents for which MCLs have not been promulgated, a concentration, which satisfies the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents for which MCLs have not been promulgated, the recommended equations/assumptions shall be developed using the Department's Groundwater Cleanup Target Levels. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves the right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

III. Surface Water

A. Screening Levels for constituents in surface water shall be concentrations specified as:

1. Water Quality Standards established pursuant to the Clean Water Act by the Department, where such standards are expressed as numeric values; or

2. Numeric interpretations of Department narrative water quality standards where water quality standards expressed as numeric values have not been established by the Department; or

3. MCLs for constituents in surface water designated by the Department for drinking water supply, where numeric values, or numeric interpretations described in paragraphs 1 and 2 immediately above, are not available; or

4. For constituents in surface waters designated by the Department for drinking water supply for which numeric values, numeric interpretations, or MCLs are not available, a concentration which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated assuming exposure through consumption of the water contaminated with the constituent; or

5. For constituents in surface waters designated for use or uses other than drinking water supply and for which numeric values or numeric interpretations have not been established, a concentration established by the Department which meets the criteria specified in section I.A.1 through I.A.4 of this appendix shall be calculated.

B. In deriving human health Screening Levels for constituents in surface water, the recommended equations/assumptions shall be developed using Department guidance.

IV. Air

A. Air emissions shall not exceed the Department's conservative risk-based concentrations.

V. Soils

A. Screening Levels for constituents in soils shall be concentrations which meet the criteria specified in section I.A.1 through I.A.4 of this appendix.

B. The calculation of human health Screening Levels for soil includes several specific exposure routes which must be evaluated individually: 1) ingestion, 2) inhalation and 3) leachability to groundwater. In deriving Screening Levels to address ingestion, inhalation and leaching, the methodology/assumptions shall be those in Department guidance. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

VI. Sediment

A. Screening Levels for constituents in sediment shall be based on whether human health or ecological health is the major concern. If ecological concerns are deemed to predominate, then Screening Levels for constituents in sediment shall be concentrations based on the latest sediment screening values as calculated by the Department. Because the science of risk assessment is in flux and technical criteria/opinion of today (*e.g.*, content of standardized equations, use of default exposure assumptions, *etc.*) may change, the Department reserves that right to revise the above recommended equations/assumptions as needed to meet the criteria listed in section I.A.1 through I.A.4 of this appendix.

If an ecological sediment screening value for a constituent of concern has not been generated by the Department and cannot be generated using the criteria in sections I.A.1 and I.A.2 of this appendix, then the ecological Screening Level for sediment shall be background. If human health is the prevailing concern, then the human health Screening Level for sediment shall address all applicable exposures.

Issued 4/25/03

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

John M. Ruddell

JOHN M. RUDDELL, DIRECTOR
DIVISION OF WASTE MANAGEMENT

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Filing and Acknowledgment

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

Kim Thursby 4-28-03
CLERK DATE

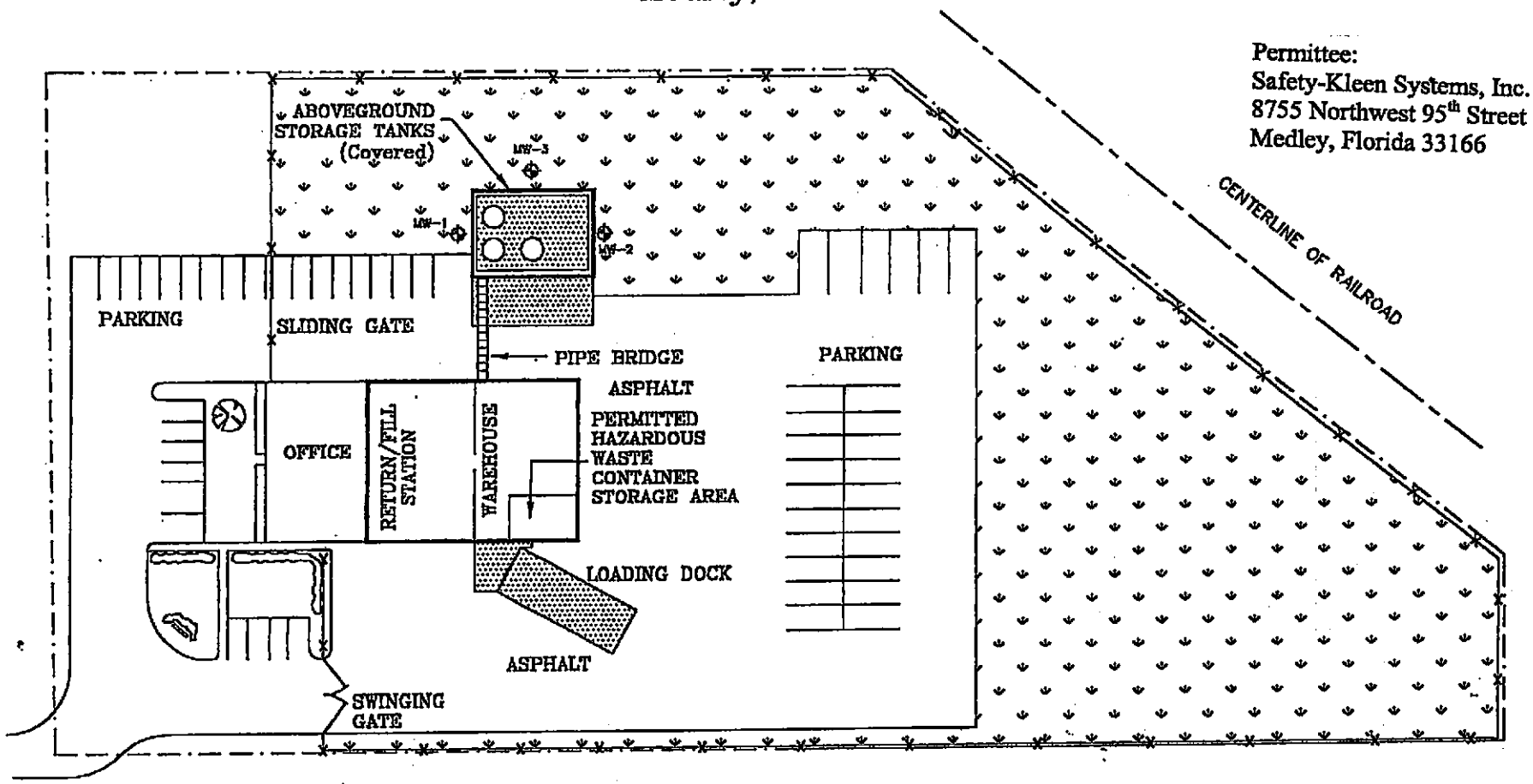
This is to certify that this Notice of Permit was mailed before
close of business on April 28, 2003.

311.21 31121-PM 042897-1

Revision 0 – 08/08/02

Figure 5.1–1
Facility Layout and Access Control Features
Safety-Kleen Systems, Inc. Facility
Medley, Florida

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166



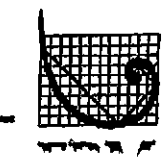
LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- ABOVEGROUND STORAGE TANKS
- GROUND WATER MONITORING WELL (MW–1)

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

N

0 APPROXIMATE SCALE 80 FEET



Attachment A

base,border,mw,fig2–1–1

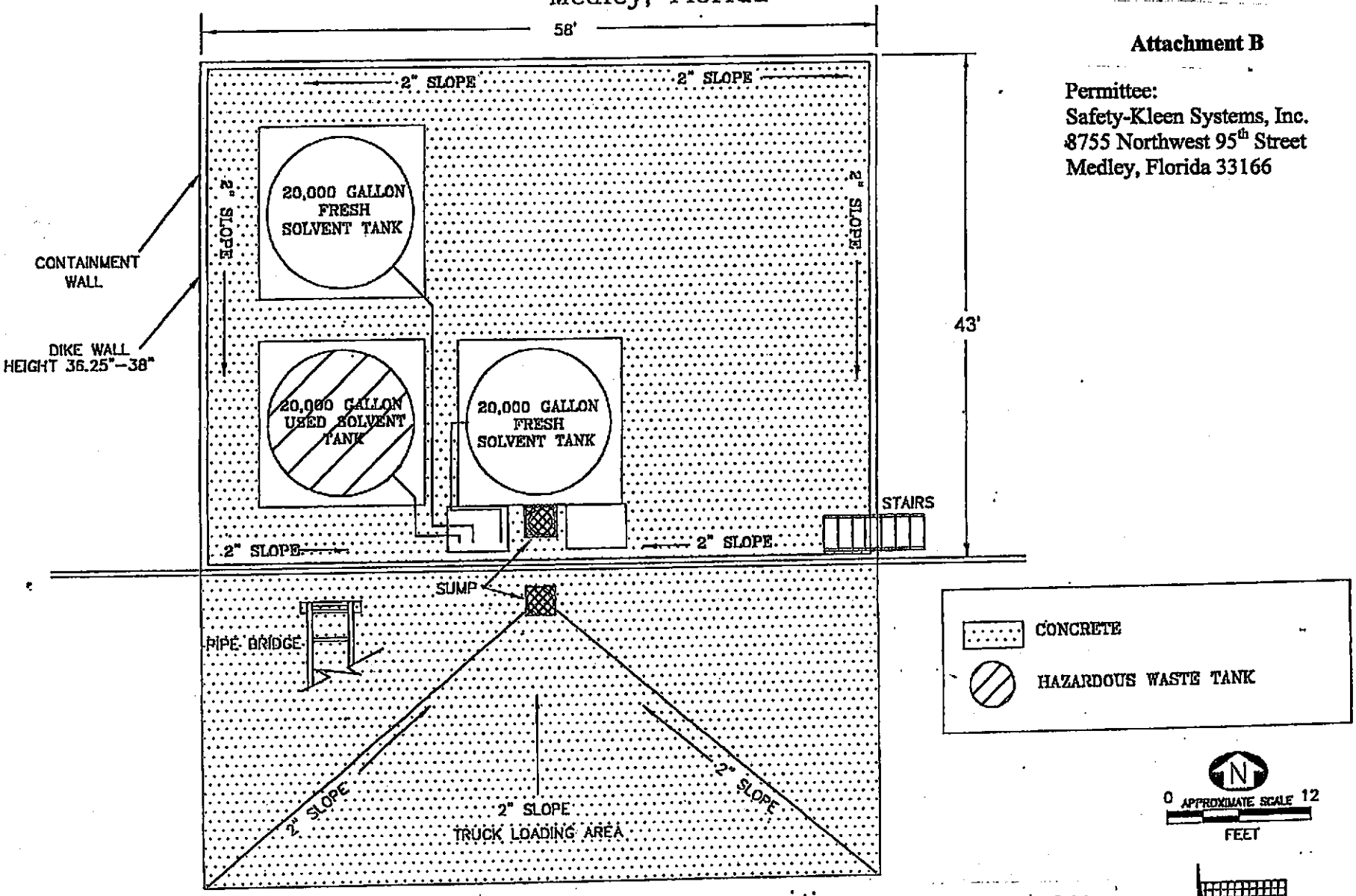
PERMIT

Figure 5.6–5
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Attachment B

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

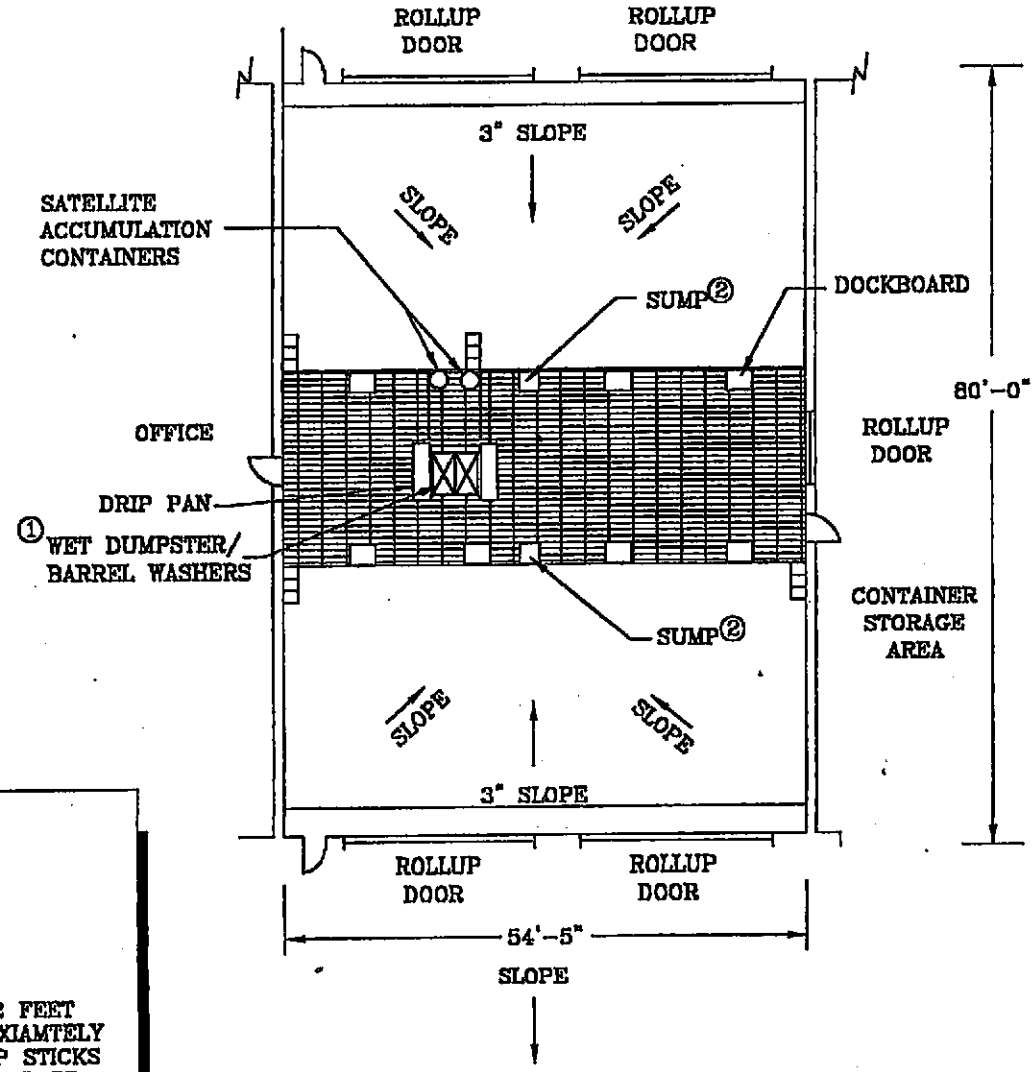


ERM

311.21 31121-PM 042897-1 PERMIT

Figure 5.6-4
Return/Fill Station
Safety-Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008



LEGEND

STEPS

GRATE

Notes:

1. WIDTH APPROXIMATELY 2 FEET
2. SUMPS MEASURE APPROXIAMTELY 2'x2'; THE NORTH SUMP STICKS OUT FROM UNDER THE GRATE BY APPROXIMATELY 6"

Attachment C

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

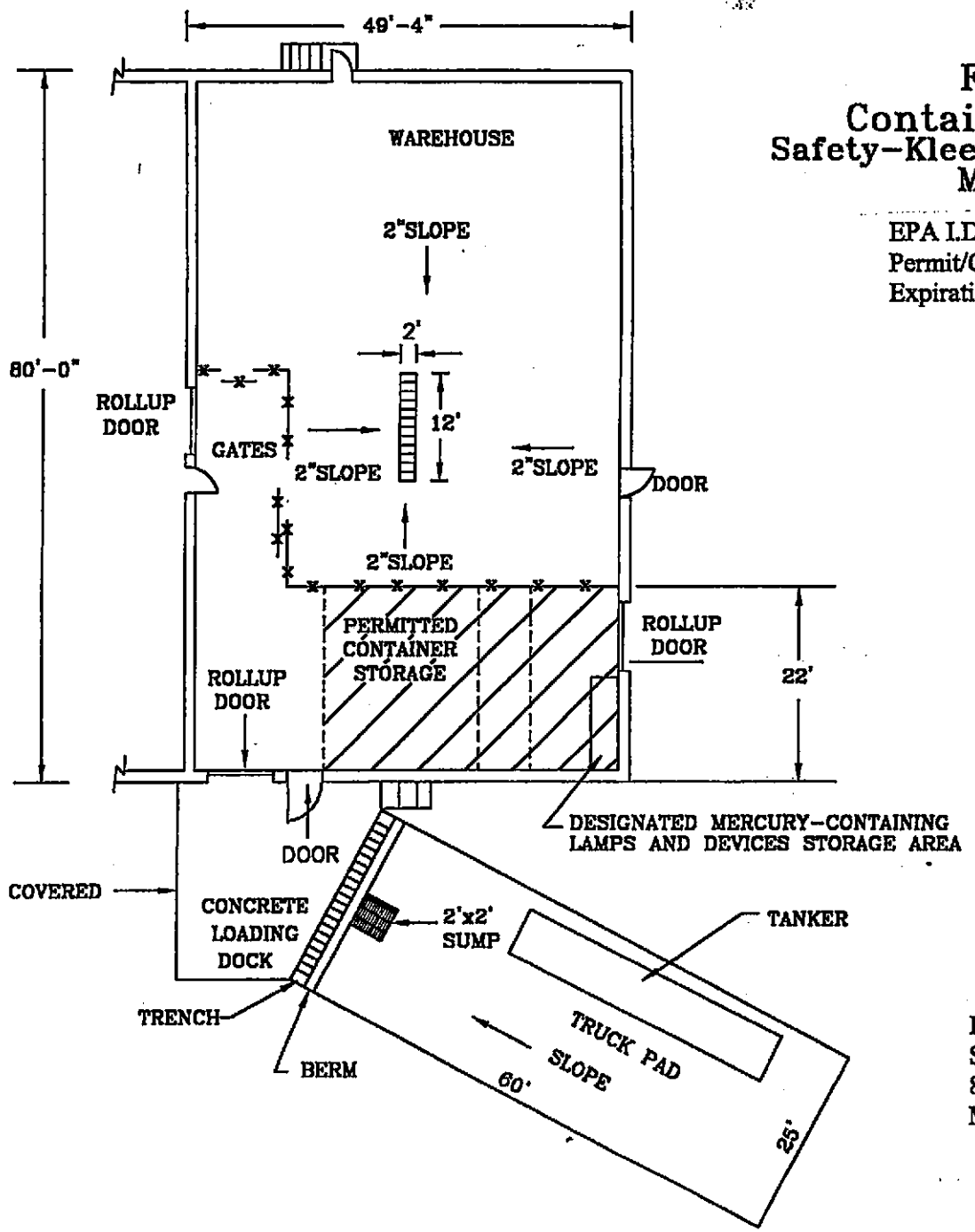
N

0 APPROXIMATE SCALE 20
FEET

ERM

Figure 8.1–1
Container Storage Area
Safety–Kleen Systems, Inc. Facility
Medley, Florida

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008



LEGEND

- CONCRETE
- AREA USED FOR WASTE TRANSFER
- GRATING
- FENCE

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

N
0 APPROXIMATE SCALE 20
FEET

TABLE 5.1-1
PERMITTED AND TRANSFER WASTES

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	D009

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

*** This waste will be held for transfer in containers in the transfer area.

Environmental Resources Management

3913 Riga Boulevard
Tampa, FL 33619-1345
(813) 622-8727
(813) 621-8504 (Fax)

May 24, 2004
Project No. AIS 17432

RECEIVED
MAY 25 2004
DEPT OF ENV PROTECTION
WEST PALM BEACH

ERM

Mr. William Parker
Environmental Administrator
Hazardous Waste Regulation Section
M.S. 4560
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Safety-Kleen Systems, Inc. Medley Facility
8755 Northwest 95th Street; FLD 984 171 694; Permit Application HO13-216311; Operating Permit Renewal Application Notice of Deficiencies

Dear Mr. Parker:

On behalf of Safety-Kleen Systems, Inc. (Safety-Kleen), Environmental Resources Management (ERM) is submitting this permit modification for the above-referenced facility. The permit modification addresses an additional used oil tank at the facility, the storage quantity for which will result in the facility being classified as a used oil processor. This permit modification involves appending a used oil processor permit application form to the existing Part B RCRA permit application, as well as several other changes, as listed below.

- The Table of Contents (Page iv) has been revised to add Appendix K;
- Figures 2.1-1, 2.1-2, 2.2-4. 2.2-6, 5.1-1, 5.1-2, 5.6-1, 5.6-5, and 9.2-1 have been modified to show the used oil tanks;
- Page 9-1 of Section 9.2 has been modified to remove the a reference to a 19,000 gallon empty tank; and
- Creation of Appendix K (Used Oil Processor Application)

Please replace Page iv of the table of contents, the referenced figures, and Page 9-1 with the enclosed pages, and add the Appendix K to the document.

If you have any questions or comments, please contact either Matt Hedrick, Environmental, Health & Safety Manager for Safety-Kleen, at 813-626-1203, or me at 813-622-8727.

Sincerely,

Michael J. Starks, P.G.
Principal

cc: Brian Dick - AIS
Matt Hedrick – Safety-Kleen (w/enclosure)
Rolando Arevalo - Safety-Kleen (w/enclosure)
Hazardous Waste Supervisor - FDEP West Palm Beach District Office (w/enclosure)
Chief, RCRA Programs Branch - U.S. EPA Region 4 (w/enclosure)

APPENDICES

Appendix A *Site Photographs*

Appendix B *Chemical Analysis Reports*

Appendix C *Engineering Assessment of Tank System*

Appendix D *Information on Sikagard® 62*

Appendix E *Information on Chem Tech® One*

Appendix F *Engineering Drawings of Barrel Washers*

Appendix G *Engineering Specification Drawings for Tank System*

Appendix H *Containment Calculations for Tank Containment Area*

Appendix I *Subpart BB and CC Information*

Appendix J *Information Regarding Solid Waste Management Units – Appendix A from USEPA's RCRA Facility Assessment*

Appendix K *Used Oil Processing Facility Permit Application*

Revision 1 – 05/15/04

Figure 2.1–1
Facility Layout & Access Control Features
Safety–Kleen Systems, Inc. Facility
Medley, Florida

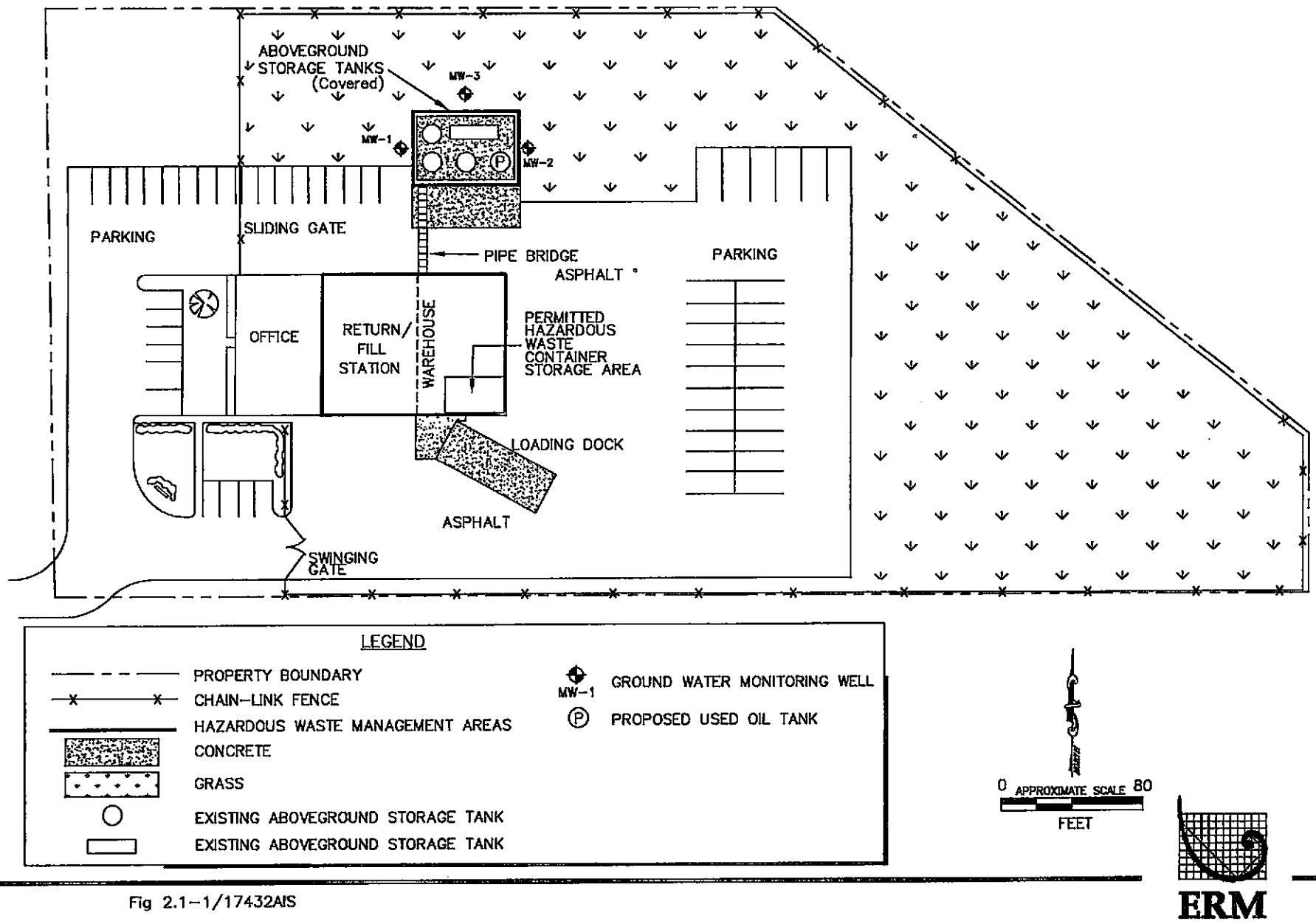
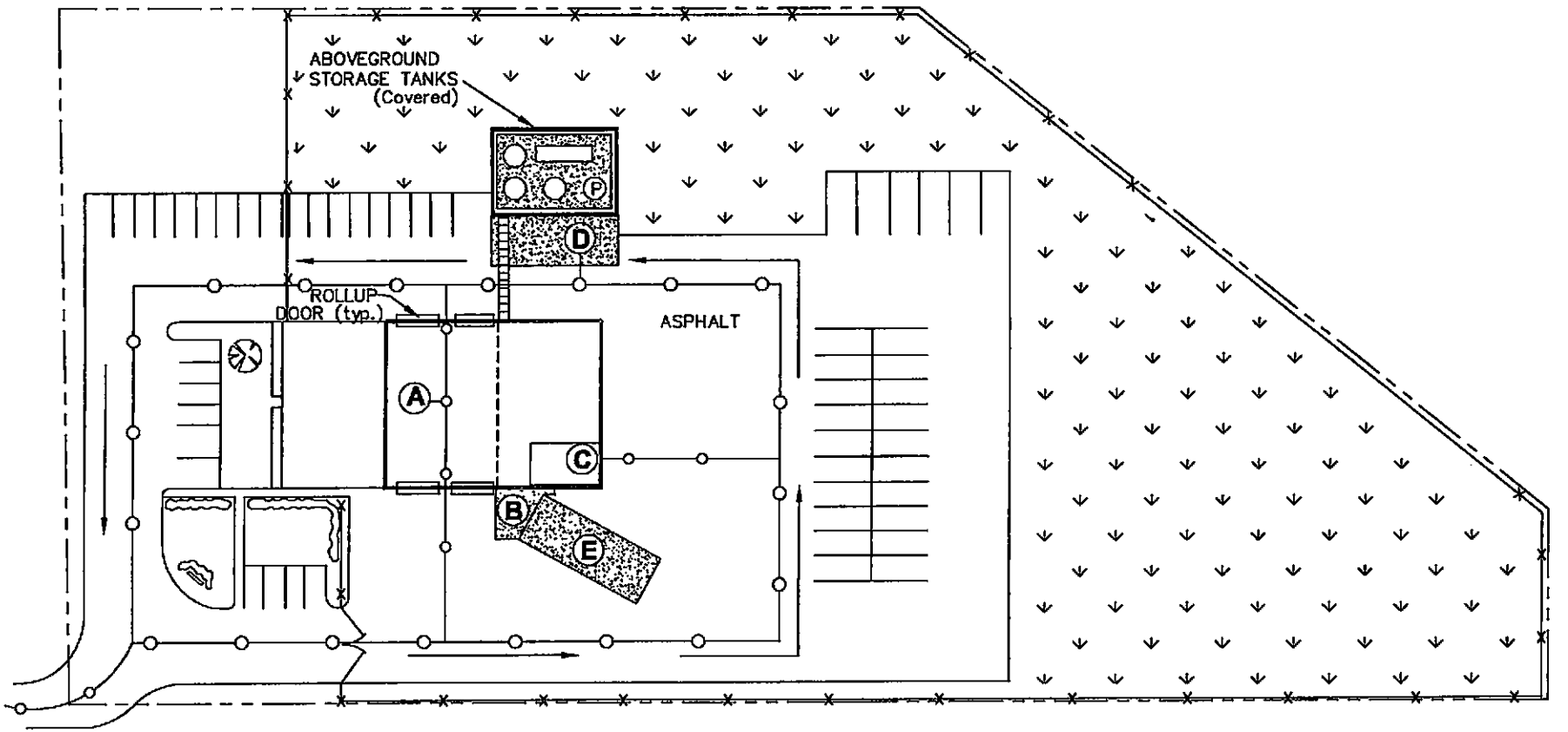


Fig 2.1–1/17432AIS

ERM

Revision 1 - 05/15/04

Figure 2.1-2
Truck Traffic Patterns
Safety-Kleen Systems, Inc. Facility
Medley, Florida



LEGEND

- PROPERTY BOUNDARY
- CHAIN-LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- EXISTING ABOVEGROUND STORAGE TANK
- (P) PROPOSED USED OIL TANK
- EXISTING ABOVEGROUND STORAGE TANK
- ENTRANCE/EXIT ROUTE

(A) PARTS WASHER SOLVENT DRUM DUMP/BARREL WASH/REFILL (TRUCKS DO NOT DRIVE THROUGH BUILDING)

(B) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTES FRS (TRANSFER) FROM TRUCKS

(C) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTE FROM LOCAL AREA VANS & TRUCKS

(D) LOADING & UNLOADING OF PARTS WASHER SOLVENT (COVERED DRIVEWAY) AND ETHYLENE GLYCOL, USED OIL, AND OILY WASTEWATER

(E) TANK TRUCK TO TANK TRUCK TRANSFER OF USED OIL

0 APPROXIMATE SCALE 80
FEET

ERM

Fig 2.1-2/17432AIS

Revision 1 – 05/15/04

Figure 2.2–4
Legal Boundaries
Safety–Kleen Systems, Inc. Facility
Medley, Florida

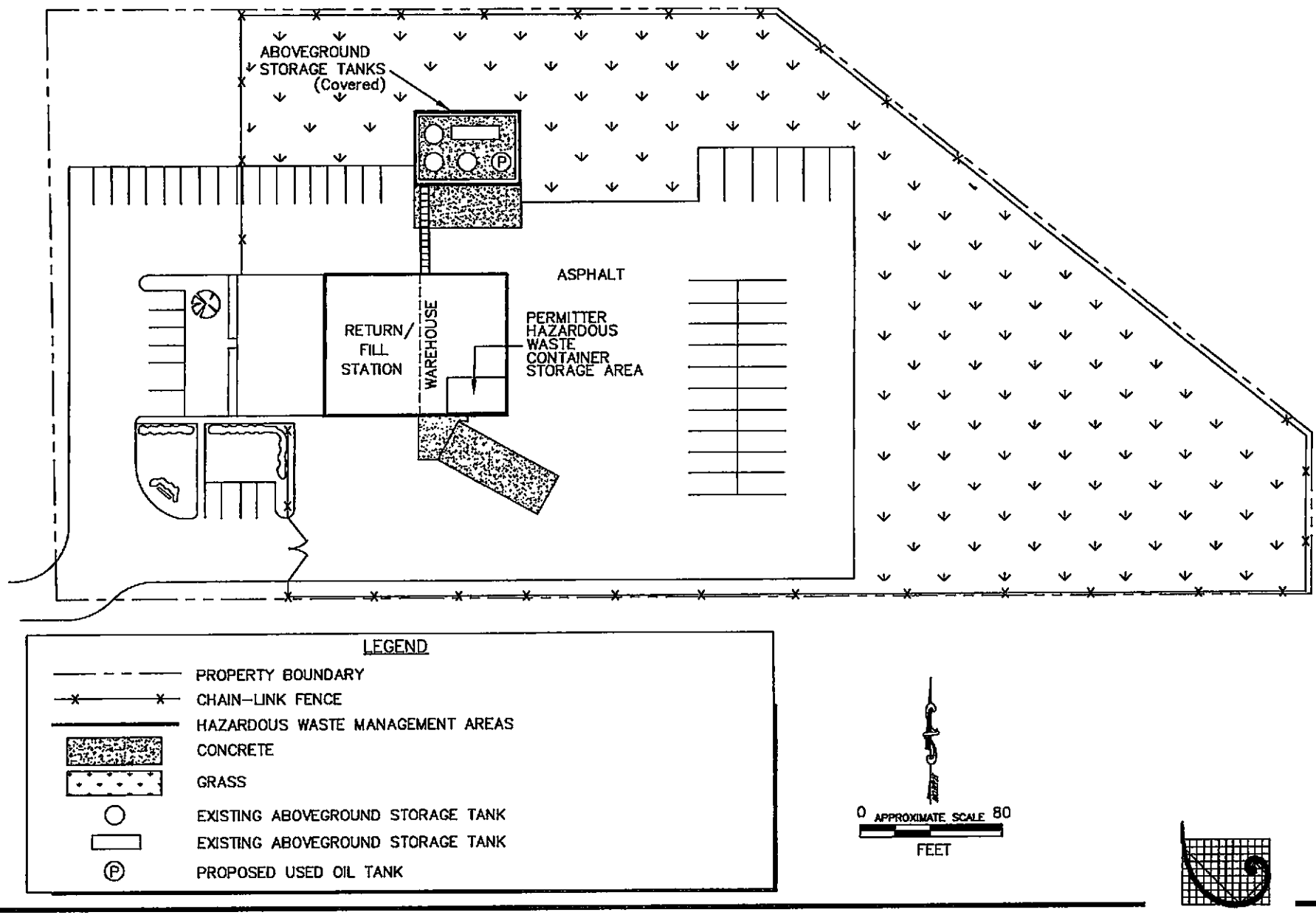
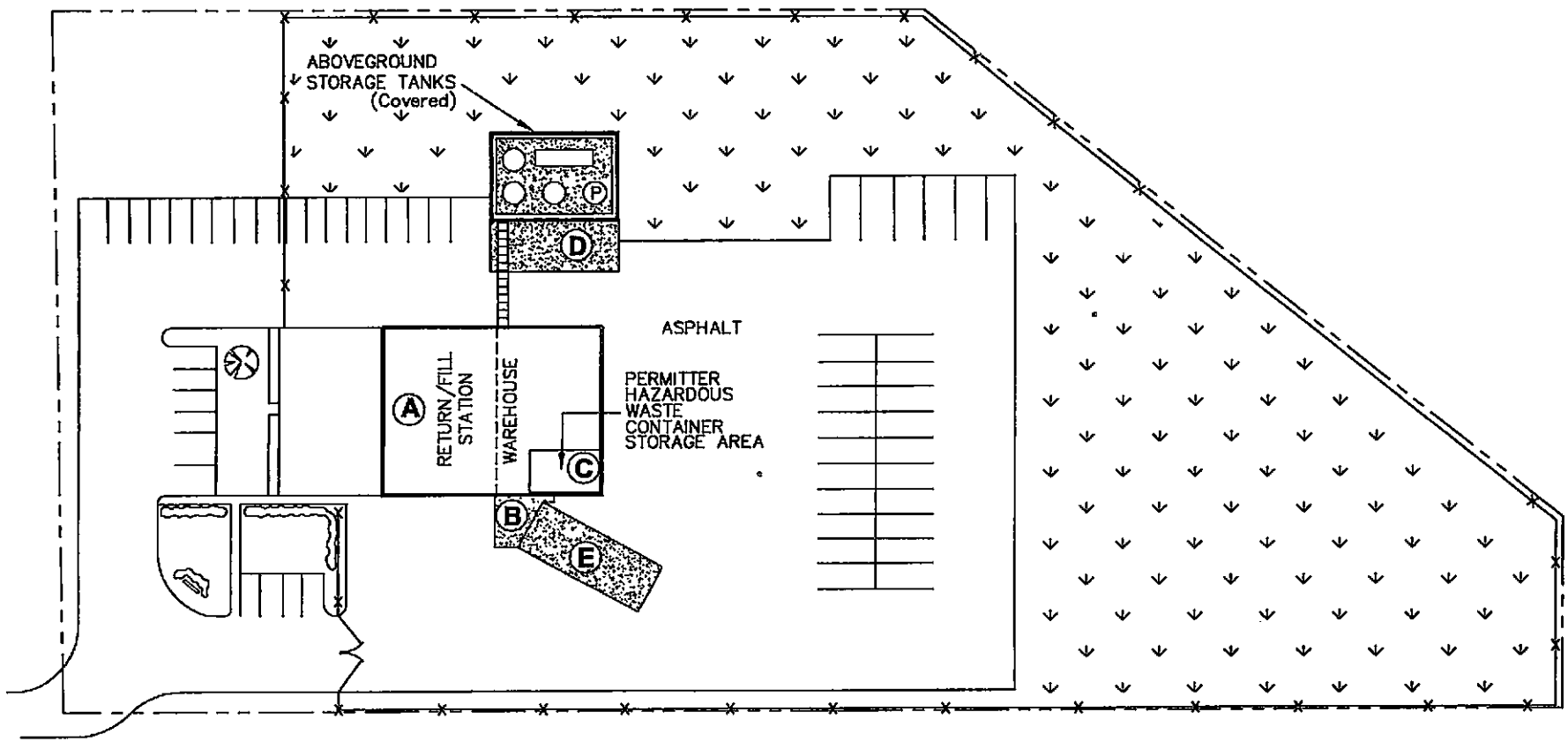


Fig 2.2–4/17432AIS

ERM

Revision 1 - 05/13/04

Figure 2.2–6
Locations of Hazardous Waste Storage Areas
Safety–Kleen Systems, Inc. Facility
Medley, Florida



LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- EXISTING ABOVEGROUND STORAGE TANK
- EXISTING ABOVEGROUND STORAGE TANK
- (P) PROPOSED USED OIL TANK

- (A) PARTS WASHER SOLVENT DRUM DUMP/BARREL WASH/REFILL (TRUCKS DO NOT DRIVE THROUGH BUILDING)
- (B) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTES FRS (TRANSFER) FROM TRUCKS
- (C) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTE FROM LOCAL AREA VANS & TRUCKS
- (D) LOADING & UNLOADING OF PARTS WASHER SOLVENT (COVERED DRIVEWAY) AND ETHYLENE GLYCOL, USED OIL, AND OILY WASTEWATER
- (E) TANK TRUCK TO TANK TRUCK TRANSFER OF USED OIL

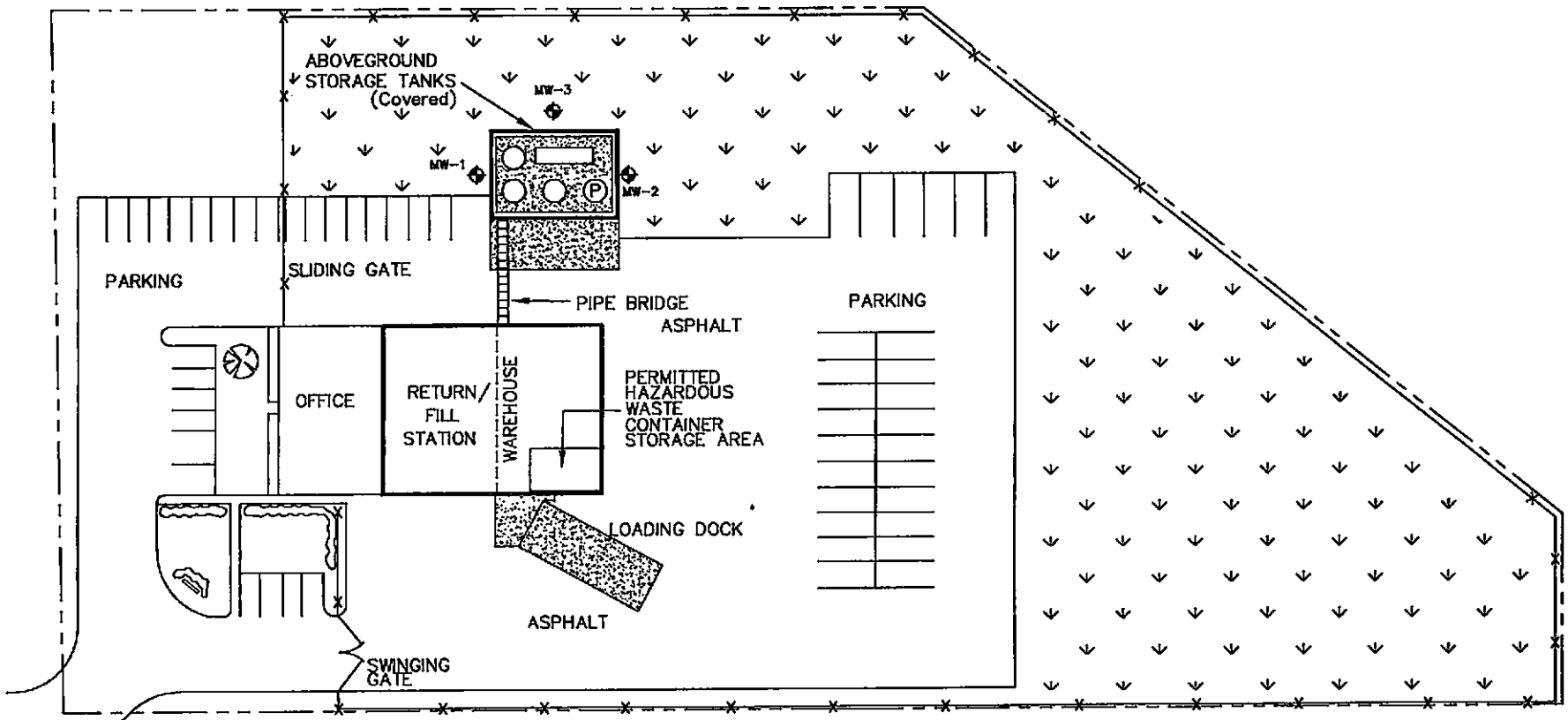
0 APPROXIMATE SCALE 80
FEET

ERM

Fig 2.2–6/17432AIS

Revision 1 – 05/15/04

Figure 5.1–1
Facility Layout & Access Control Features
Safety–Kleen Systems, Inc. Facility
Medley, Florida



LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- EXISTING ABOVEGROUND STORAGE TANK
- EXISTING ABOVEGROUND STORAGE TANK
- MW–1 GROUND WATER MONITORING WELL
- (P) PROPOSED USED OIL TANK

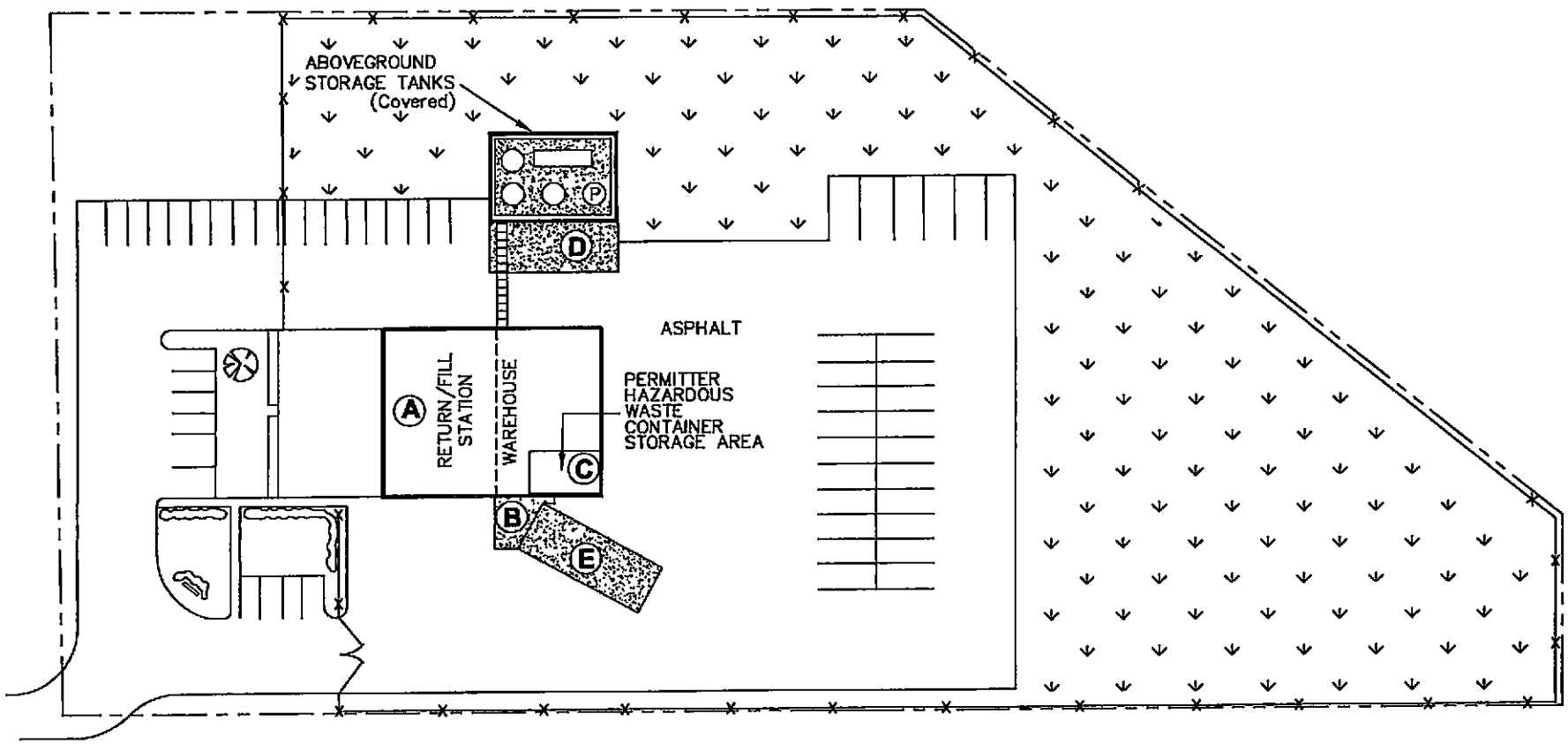
0 APPROXIMATE SCALE 80
FEET

ERM

Fig 5.1–1/17432AIS

Revision 1 - 05/15/04

Figure 5.1–2
Locations of Hazardous Waste Storage Areas
Safety–Kleen Systems, Inc. Facility
Medley, Florida



LEGEND

- PROPERTY BOUNDARY
- CHAIN–LINK FENCE
- HAZARDOUS WASTE MANAGEMENT AREAS
- CONCRETE
- GRASS
- EXISTING ABOVEGROUND STORAGE TANK
- EXISTING ABOVEGROUND STORAGE TANK
- (P) PROPOSED USED OIL TANK

- (A) PARTS WASHER SOLVENT DRUM DUMP/BARREL WASH/REFILL (TRUCKS DO NOT DRIVE THROUGH BUILDING)
- (B) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTES FRS (TRANSFER) FROM TRUCKS
- (C) LOADING & UNLOADING OF DRUMS CONTAINING SOLVENTS AND WASTE FROM LOCAL AREA VANS & TRUCKS
- (D) LOADING & UNLOADING OF PARTS WASHER SOLVENT (COVERED DRIVEWAY) AND ETHYLENE GLYCOL, USED OIL, AND OILY WASTEWATER
- (E) TANK TRUCK TO TANK TRUCK TRANSFER OF USED OIL

0 APPROXIMATE SCALE 80
FEET

ERM

Fig 5.1–2/17432AIS

Revision 1 - 05/15/04

Figure 5.6-1
Locations of Emergency Equipment
Safety-Kleen Systems, Inc. Facility
Medley, Florida

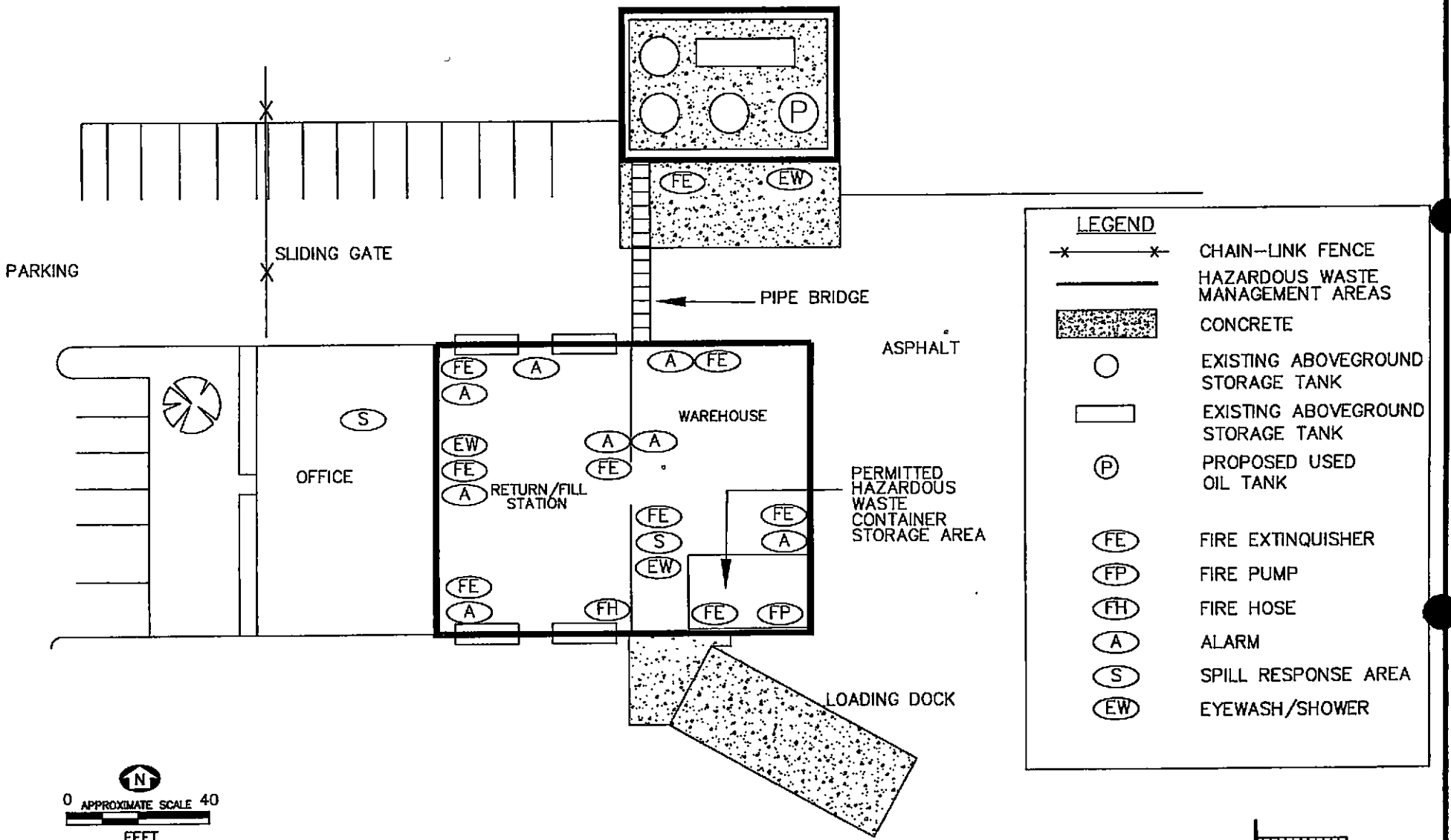
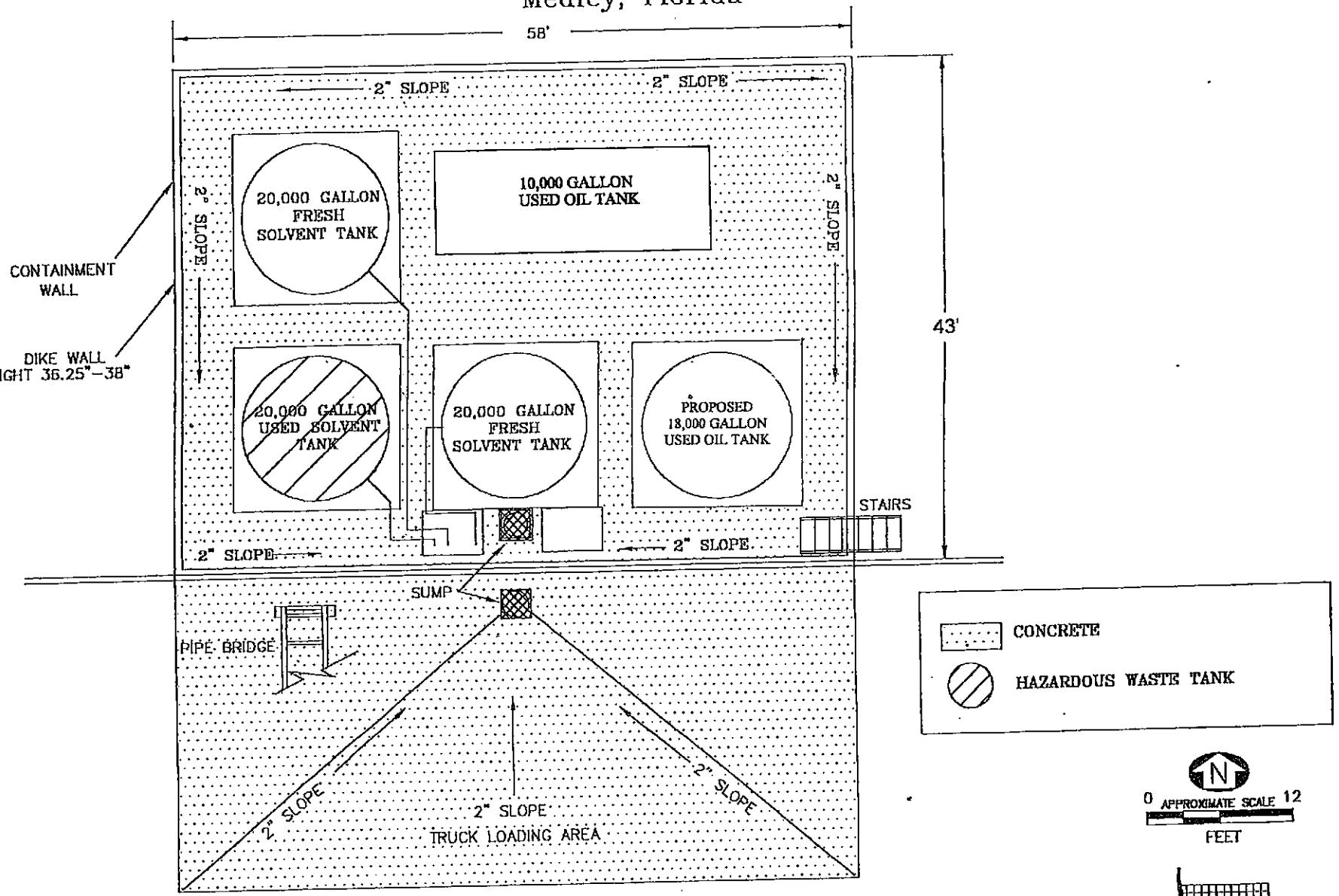


Fig 5.6-1/17432AIS

ERM

Revision 1 - 05/15/04

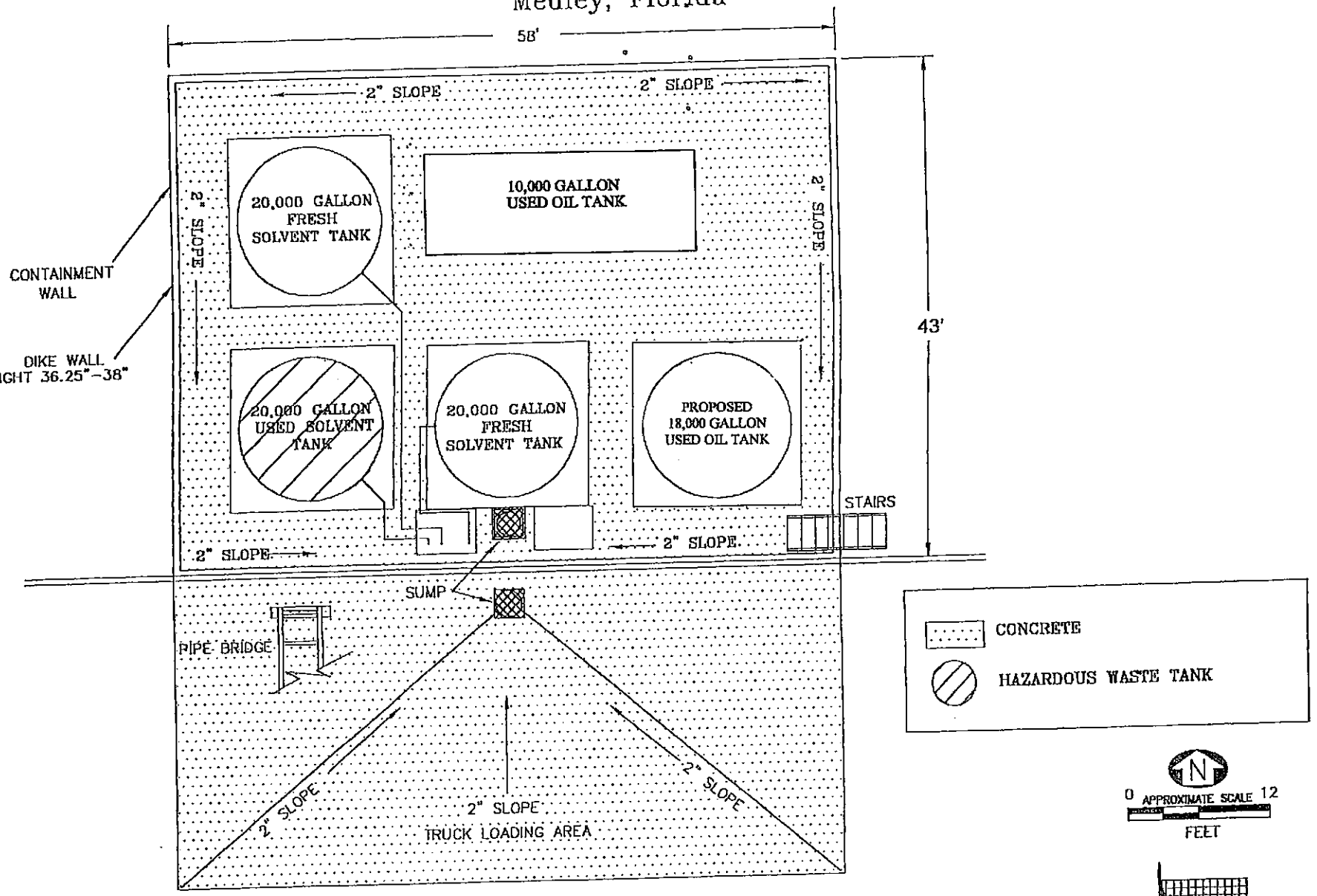
Figure 5.6-5
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida



ERM

Revision 1 - 05/15/94

Figure 9.2-1
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida



ERM

9.0 TANK SYSTEM

9.1 ENGINEERING ASSESSMENT OF TANK SYSTEM

An engineering assessment of the various components of the tank system and the container storage area at the Medley facility was completed in July 1992 by W.O. Heyn. A copy of the engineering assessment report is included in Appendix C. A metal canopy has been installed at the tank farm to cover the three aboveground storage tanks and associated containment structure, as well as the truck loading area.

9.2 TANK SYSTEM SPECIFICATIONS

The facility includes three vertical aboveground steel tanks (Figure 9.2-1). Used parts washer solvent is returned from Safety-Kleen's customers in containers and the solvent is transferred via the wet dumpsters into a 20,000-gallon tank (12' diameter x 23½' in length), prior to bulk shipment to a Safety-Kleen recycle center. The other two tanks, both 20,000-gallon tanks, are used to store fresh parts washer solvent and are, therefore, not considered RCRA hazardous waste tanks.

Material Compatibility

Waste stored in the RCRA tank at this facility is used parts washer solvent. The parts washer solvent is compatible with the mild steel tank structure. As with all petroleum storage vessels, water will accumulate over time due to condensation and the addition of aqueous parts washer solvent and aqueous brake cleaner. The aqueous parts washer solvent and aqueous brake cleaner have a specific gravity less than water and the water will accumulate in the bottom of the tank.

Appendix K
Used Oil Processing Facility Permit Application

APPLICATION FORM FOR A USED OIL PROCESSING FACILITY PERMIT

Part I

TO BE COMPLETED BY ALL APPLICANTS (*Please type or print*)

A. General Information

1. New____ Renewal _____ Modification _X_ **Date old permit expires** 03/19/08

2. Revision number _1_

3. NOTE: Processors must also meet all applicable subparts, **(describe compliance in process description for applicable standards)** if they are:
   - ____ generators (Subpart C)
   - _X_ transporters (Subpart E)
   - ____ burners of off-spec used oil (Subpart G)
   - _X_ marketers (Subpart H)

   or
   - ____ are disposing of used oil (Subpart I)

4. Date current operation began: July 16, 1992

5. Facility name: Safety-Kleen (3-097-02)

6. EPA identification number: FLD 984 171 694

7. Facility location or street address: 8755 Northwest 95th Street, Medley, Florida 33166

8. Facility mailing address:
   1301 Gervais Street, Suite 300, Columbia SC 29201
   Street or P.O. Box City State Zip Code

9. Contact person: Matt Hedrick Telephone: (813) 626-1203
   Title: Environmental, Health & Safety Manager
   Mailing Address:
   5309 24th Avenue South Tampa FL 33619
   Street or P.O. Box City State Zip Code

10. Operator's name: Safety-Kleen Systems, Inc. Telephone: (803) 933-4200
    Mailing Address:
    1301 Gervais Street, Suite 300, Columbia SC 29201
    Street or P.O. Box City State Zip Code

11 Facility owner's name: Safety-Kleen Systems, Inc. Telephone: (803) 933-4200
    Mailing Address:
    1301 Gervais Street, Suite 300, Columbia SC 29201
    Street or P.O. Box City State Zip Code

12 Legal structure:
   - _X_ corporation (indicate state of incorporation) Delaware
   - ____ individual (list name and address of each owner in spaces provided below)
   - ____ partnership (list name and address of each owner in spaces provided below)
   - ____ other, e.g. government (please specify) _____

If an individual, partnership, or business is operating under an assumed name, enter the county and state where the name is registered: County_____ State _____

Name: N/A
Mailing Address:
Street or P.O. Box City State Zip Code

Name: N/A
Mailing Address:
Street or P.O. Box City State Zip Code

Name: N/A
Mailing Address:
Street or P.O. Box City State Zip Code

Name: N/A
Mailing Address:
Street or P.O. Box City State Zip Code

13 Site ownership status: [X]owned [ ]to be purchased [ ]to be leased ____ years
[ ]presently leased; the expiration date of the lease is:_____

If leased, indicate:
Land owner's name: N/A
Mailing Address:
Street or P.O. Box City State Zip Code

14 Name of professional engineer Warren S. Snyder Registration No. 48542
Mailing Address:
4215 Southpoint Blvd., Suite 260, Jacksonville FL 32216
Street or P.O. Box City State Zip Code
Associated with: Environmental Resources Management

B. SITE INFORMATION

1. Facility location:
County: Miami-Dade
Nearest community: Medley
Latitude: 25° 51' 90" North Longitude: 80° 20' 25" West
Section: 4 Township: 53S Range: 40E
UTM # 17 /604610/2211660

2. Facility size (area in acres): 4.5

3. Attach a topographic map of the facility area and a scale drawing and photographs of the facility showing the location of all past, present and future material and waste receiving, storage and processing areas, including size and location of tanks, containers, pipelines and equipment. Also show incoming and outgoing material and waste traffic pattern including estimated volume and controls.

Please see Section 2.2

C. OPERATING INFORMATION

1. Hazardous waste generator status (SQG, LQG) LQG

2. List applicable EPA hazardous waste codes:
   Please see Table 7.1-1

3. Attach a brief description of the facility operation, nature of the business, and activities that it intends to conduct, and the anticipated number of employees. No proprietary information need be included in this narrative.

   A brief description of the facility operation is labeled as Attachment Please see Section 2.0 Anticipated number of employees is 25.

4. Attach a detailed description of the process flow should be included. This description should discuss the overall scope of the operation including analysis, treatment, storage and other processing, beginning with the arrival of an incoming shipment to the departure of an outgoing shipment. Include items such as size and location of tanks, containers, etc. A detailed site map, drawn to scale, should be attached to this description. (See item 4, page 4).

   The facility's detailed process description is labeled as Attachment Please see Section 2, 7, 8 and 9 for description of current operations. Please see Attachment U0-1 for a description of the as it relates to used oil.

5. The following parts of the facility's operating plan should be included as attachments to the permit application. (See item 5 on pages 4 and 5):

   a. An analysis plan which must include:
      (i) a sampling plan, including methods and frequency of sampling and analyses;
      (ii) a description of the fingerprint analysis on incoming shipments, as appropriate; and
      (iii) an analysis plan for each outgoing shipment (one batch/lot can equal a shipment, provided the lots are discreet units) to include: metals and halogen content.

   The analysis plan is labeled as Attachment Please see Section 7.0 for Analysis Plan as it relates to current operation. Please see Attachment U0-2 for Analysis Plan as it relates to used oil.

   b. A description of the management of sludges, residues and byproducts. This must include the characterization analysis as well as the frequency of sludge removal.

   Sludge, residue and byproduct management description is labeled as Attachment U0-3

   c. A tracking plan which must include the name, address and EPA identification number of the transporter, origin, destination, quantities and dates of all incoming and outgoing shipments of used oil.

   The tracking plan is included as Attachment Please see Section 2.4 and 7.0 for current operations. Please see Attachment U0-4 as it relates to used oil.

6. Attach a copy of the facility's preparedness and prevention plan. This requirement may be satisfied by modifying or expounding upon an existing SPCC plan. Describe how the facility is maintained and operated to minimize the possibility of a fire, explosion or any unplanned releases of used oil to air, soil, surface water or groundwater which could threaten human health or the environment. (See item 6, page 5).

   The preparedness and prevention plan is labeled as Attachment Please see Section 5.0

7. Attach a copy of the facility's Contingency Plan. This requirement should describe emergency management personnel and procedures and may be met using a modifiying or expounding on an existing SPCC plan or should contain the items listed in the Specific Instructions. (see item 7 on pages 5 and 6).

The contingency plan is labeled as Attachment Please see Section 5.0

8. Attach a description of the facility's unit management for tanks and containers holding used oil. This attachment must describe secondary containment specifications, inspection and monitoring schedules and corrective actions. This attachment must also provide evidence that all used oil process and storage tanks meet the requirements described in item 8b on page 6 of the specific instructions, and should be certified by a professional engineer, as applicable.

The unit management description is labeled as Attachment U0-5

9. Attach a copy of the facility's Closure plan and schedule. This plan may be generic in nature and will be modified to address site specific closure standards at the time of closure. (See item 9, pages 6 and 7).

The closure plan is labeled as Attachment U0-6

10. Attach a copy of facility's employee training for used oil management. This attachment should describe the methods or materials, frequency, and documentation of the training of employees in familiarity with state and federal rules and regulations as well as personal safety and emergency response equipment and procedures. (See item 10, page 7).

A description of employee training is labeled as Attachment Please see Section 6.0

DEP Form#	62-710.901(a)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	December 23, 1996

APPLICATION FORM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

TO BE COMPLETED BY ALL APPLICANTS

Form 62-710.901(a). Operator Certification

Facility Name: SAFETY-KLEEN SYSTEMS, INC. EPA ID# FLD 984 171 694

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment or knowing violations. Further, I agree to comply with the provisions of Chapter 403, Florida Statutes, Chapters 62-701 and 62-710, F.A.C., and all rules and regulations of the Department of Environmental Protection

Signature of the Operator or Authorized Representative*

Marc Mason, Florida Market Manager
Name and Title (Please type or print)

Date: 5/11/04 Telephone: (305) 884-0123

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(b)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	December 23, 1996

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(b). Facility Owner Certification

Facility Name: SAFETY-KLEEN SYSTEMS, INC. EPA ID# FLD 984 171 694

This is to certify that I understand this application is submitted for the purpose of obtaining a permit to construct, or operate a used oil processing facility. As the facility owner, I understand fully that the facility operator and I are jointly responsible for compliance with the provisions of Chapter 403, Florida Statutes, Chapters 62-701 and 62-710, F.A.C. and all rules and regulations of the Department of Environmental Protection.

Signature of the Facility Owner or Authorized Representative*

Marc Mason, Florida Market Manager
Name and Title (Please type or print)

Date: 5/11/04 Telephone: (305) 884-0123

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(c)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	December 23, 1996

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(c) Land Owner Certification

Facility Name: SAFETY-KLEEN SYSTEMS, INC. EPA ID# FLD 984 171 694

This is to certify that I, as land owner, understand that this application is submitted for the purpose of obtaining a permit to construct, or operate a used oil processing facility on the property as described.

Signature of the Land Owner or Authorized Representative*

Marc Mason, Florida Market Manager
Name and Title (Please type or print)

Date: 5/11/04 Telephone: (305) 884-0123

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(d)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	December 23, 1996

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(d) P. E. Certification [Complete when required by Chapter 471, F.S. and Rules 62-4.050, 62-761, 62-762, 62-701 and 62-710, F.A.C.]

Use this form to certify to the Department of Environmental Protection for:

1. Certification of secondary containment adequacy (capacity), structural integrity (structural strength), and underground process piping for storage tanks, process tanks, and container storage.
2. Certification of leak detection.
3. Substantial construction modifications.
4. Those elements of a closure plan requiring the expertise of an engineer.
5. Tank design for new or additional tanks.
6. Recertification of above items.

Please Print or Type

X Initial Certification _____ Recertification

1. DEP Facility ID Number: FLD 984171694 2. Tank Numbers: 1A

3. Facility Name: Safety-Kleen

4. Facility Address: 8755 Northwest 95th Street, Medley, FL 33166

This is to certify that the engineering features of this used oil processing facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgment, this facility, when properly constructed, maintained and operated, or closed, will comply with all applicable statutes of the State of Florida and rules of the Department of Environmental Protection.

Warren Snyder
Signature

Warren Snyder
Name (please type)

Florida Registration Number: 0048542

Mailing Address: 4215 Southpoint Blvd, Suite 260
Street or P. O. Box

Jacksonville, FL 32216
City State Zip

Date: 05-12-04 Telephone ( )904-296-0434

[PLEASE AFFIX SEAL]

ATTACHMENT UO-1

USED OIL PROGRAM DESCRIPTION

The Safety-Kleen used oil program is described in Section 7.1.7. Additional information regarding the handling of used oil at the Medley facility is described here.

Safety-Kleen's program begins when the used oil generator signs a service agreement and a Safety-Kleen representative collects certification samples from each of the generator's used oil tanks. Safety-Kleen analyzes these samples at an approved and properly certified laboratory. At the discretion of the Safety-Kleen representative they can chose to use a field screening method and a customer profile to also certify the customer for collection. In the case of laboratory certification, these samples are analyzed according to EPA SW-846 methods to verify the used oil is non-hazardous according to 40 CFR 279.11 and to determine they meet the on-specification used oil fuel standards.

After the generator's used oil has been tested in this manner, the generator can be set up as a customer and their used oil collected by Safety-Kleen. The collection truck driver will again check the customer's used oil for chlorinated solvents and flash point before loading the used oil into the truck. A photoionization detector (PID) is used for this screening analysis. The PID is capable of sensing a wide variety of solvents, chlorinated and non-chlorinated, and typically registers false positive readings for contamination rather than false negatives. If the screening analysis shows that the used oil may contain hazardous waste solvents, Safety-Kleen does not collect the used oil, but takes another sample and sends it to an approved laboratory. If the screening test indicates the oil is not hazardous, the driver can pick up the used oil and completes a manifest for the shipment.

The used oil is transported to the Safety-Kleen Medley facility (or another Safety-Kleen facility if appropriate), where the truck is sampled and retained then transferred to an outbound oil storage tank. The outbound tank is sampled and analyzed according to the analysis plan to on-

specification parameters. Once the sample clears, the tank containing on-specification used oil fuel is sold and shipped to the on-specification fuel market.

Material not meeting the requirements for on-specification used oil fuel will be documented and disposed at a RCRA-permitted facility or managed as off-specification used oil fuel in accordance with applicable regulations. Safety-Kleen retains samples of all used oil that is shipped from its facilities, and retains these samples for at least three years.

Safety-Kleen does not process used oil by chemical addition, heating, or other means. Nevertheless, the state of Florida requires the facility to obtain a used oil processing permit due to the total capacity of the storage tank used to store the used oil while it is managed at the Safety-Kleen Medley facility regardless of whether processing occurs by chemical addition, heating, or other means. The facility utilizes two (2) tanks for incoming used oil. One tank has a capacity of 10,000 gallons, and the other tank has a capacity of 15, 000 gallons. Used oil may be filtered during transfer operations into or out of the tank. Some used oil may be stored at the facility for short periods of time in 55-gallon drums, in spill pans and in buckets.

Figure B-1 below provides a schematic representation of the procedure described above.

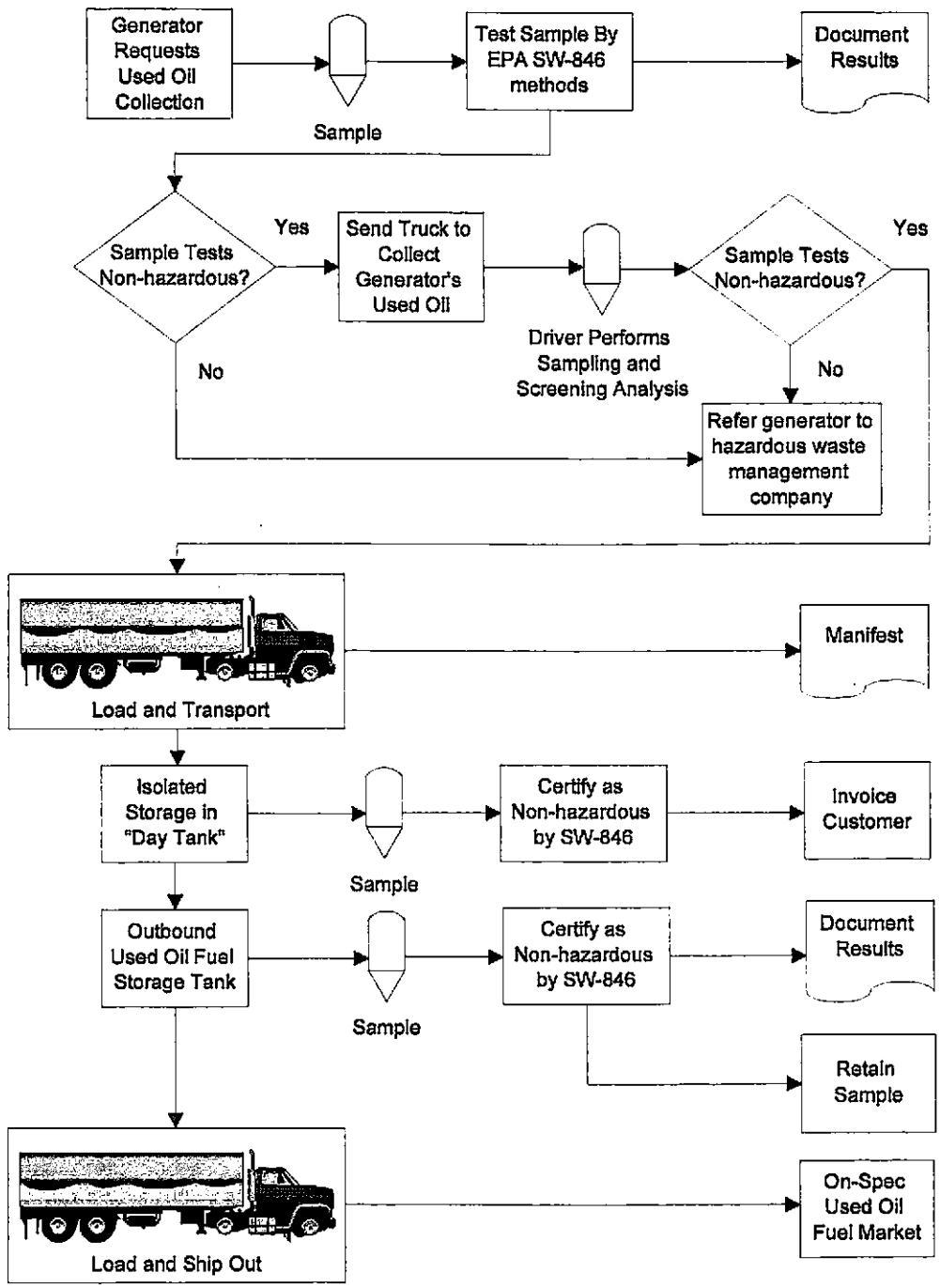


Figure B-1. Used Oil Management Schematic

A description of Safety-Kleen's used oil management procedures is provided below.

Customer Certification

Safety-Kleen pre-certifies customers' used oil by obtaining a certification sample from the each customer's used oil tank and analyzing this sample according to EPA SW-846 parameters for the presence of hazardous waste or via field screening methods and a customer profile sheet. The sample is acceptable if it meets the standards at 40 CFR 279.11 for non-hazardous used oil fuel. Analysis results and samples are retained for at least three (3) years.

Customers whose used oil passes the testing are assigned an account number and included in a used oil collection schedule. If a customer's sample fails, the used oil represented by this sample is rejected.

Management of On-Specification Used Oil

Safety-Kleen operates tank and box trucks to collect used products, including used oil, from approved accounts on a route basis. Safety-Kleen uses an individually numbered manifest for each customer's shipment of used oil.

Each Safety-Kleen driver uses a photoionization detector (PID), also known as a sniffer, to test the used oil for hydrocarbon solvents that may cause the used oil to be classified a hazardous waste either because it has been mixed with chlorinated hazardous waste solvents, or because it has been mixed with ignitable hazardous waste such that the flash point of the mixture is in the range for ignitable hazardous waste. If the PID alarm sounds, the used oil is not collected. Instead, Safety-Kleen samples the oil, codes it as a "check sample," and sends it to an approved laboratory for further testing. If the sample passes the laboratory's tests, the customer's used oil can be collected.

Drivers segregate each day's collected used oil into tanks. They collect a sample of the used oil from each route truck and retain it at the facility. When the outbound tank is filled, another sample is taken and tested according to SW-846 methods. Additionally, all used oil sold from outbound tanks is sampled and tested by an approved laboratory and certified to meet non-

hazardous, on-specification used oil fuel requirements at 40 CFR 279.11 prior to sale to a fuel vendor.

When analytical results from the laboratory are completed and show the used oil meets the on-specification used oil fuel standards, Safety-Kleen personnel will transfer the contents of that outbound tank to be sold as an on-specification used oil fuel. The outbound tank may contain as much as 15,000 gallons.

All tanks used to store used oil are clearly labeled "Used Oil."

Safety-Kleen maintains records of all product collections and sales for at least three years.

Management of Off-Specification Used Oil Safety-Kleen May Inadvertently Collect

If any used oil Safety-Kleen brings to the Medley facility does not meet the on-specification used oil standards at 40 CFR 279.11, it is handled as off-specification used oil. A truck retain sample will be obtained and sent to an approved laboratory for analysis to confirm the used oil represented by the sample does not meet the on-specification standards.

If the reanalysis confirms the used oil is off-specification, Safety-Kleen isolates the oil in the suspect tank, resamples it, and sends the sample to the laboratory for analysis. Concurrently, Safety-Kleen takes samples from all of the generators who contributed to the tank or tank truck of used oil and sends these samples for analysis.

If all of the listed generators' samples are found to be on-specification, the source of the off-specification shipment is confirmed to be from a public used oil collection facility, if such a generator was part of the tank truck shipment.

If the tank resample confirms the used oil is off-specification or hazardous, and it is not due to a public used oil collection facility or conditionally exempt small quantity generator, the used oil in the tank will be managed and disposed of at a permitted, off-specification used oil burner;

alternatively, if it is hazardous waste it handled as hazardous waste as the Safety-Kleen facility. Additionally, the tank and piping will be flushed and the flush will be managed in the same manner.

If the generator samples confirm a contributor to the contamination, Safety-Kleen may bill the customer(s) for the cost of disposing of the entire volume of the material in the tanker in which his used oil was collected, and Safety-Kleen will resample and recertify the customer(s) used oil prior to any future collections.

If the tank resample passes the 40 CFR 279.11 criteria, the used oil will be sold as on-specification used oil fuel.

ATTACHMENT UO-2

ANALYSIS PLAN

Purpose/Scope

In the event that Safety-Kleen leases the 15,000-gallon used oil tank to a used oil processor, the waste analysis procedures described in this plan will be utilized by the leasee of the 15,000-gallon tank. This plan is designed to satisfy the requirements of 40 CFR 279.53 and 279.72 as specified in 40 CFR 279.55. This procedure outlines the decision making processes used in determining the disposition of any individual load of used oil analyzed in anticipation for acceptance for resale or processing prior to resale.

Sampling Plan

The sampling method complies with ASTM D-4057 and the requirements of 40 CFR 261 Appendix I. Sampling is conducted in the container-specific procedures described therein and incorporated in subsequent test methods. Sampling equipment and methods will vary between individual locations. The lessee will use sample cocks, tank taps, coliwasa, and extended-tube sampling that comply with the approved methods for sampling petroleum products. Random sampling per ASTM D-4057 and SW-846 will be used for determination of frequency for sample lots. Sample containers used to contain sample media will be either glass or plastic bottles as outlined in the above referenced standards.

Sampling Intervals and Frequency

A sample will be taken from each container at each new customer location. The leasee representative will use the combustible gas meter (PID) to screen the sample for flammable or combustible constituents. If the combustible gas meter (PID) indicated the presence of flammable/combustible materials by alarming the lessee representative will pull a representative sample to be sent to the lessee laboratory for analysis as a customer certification. The lessee representative will then perform a field halogen screening

that consists of the use of a Dexil Chlor-D-Tect <1000 ppm kit. If the chlorine (halogens) field screening fails the lessee representative will pull a representative sample to be sent to the lessee laboratory for analysis as a customer certification. If the customer sample passes both field screening methods the lessee representative will then assist the customer in the completion of the lessee Customer Profile Sheet (See Appendix A for an example profile sheet). The customer is required to complete each section and sign the document. The lessee representative will then mark the field screening sections appropriately and send to the customer service department to establish the new account. It is at the discretion of the lessee representative to either approve the field methodology and paper profile for the customer or to sample the customer and send to the laboratory to have a certification sample completed. If the lessee representative decides to utilize the laboratory testing procedure the customer may not be collected until the laboratory results have been recorded. For current or prior customers from whom the lessee has not collected used oil during a 12 month period, the lessee will re-certify them under this process before a used oil collection is made. Customer's who have generated used oil that has contaminated lessee tanks or tankers will be re-certified also before routine collections resume.

Subsequently, each time a driver picks up used oil from a certified customer, they will use a combustible gas detector (sniffer) as a screening device to detect the presence of contaminates that may result in an unacceptable flash point or possible halogenated compounds that may be carried by flammable or combustible materials in accordance with 40 CFR 279 regarding used oil fuel and hazardous waste mixing. If the detector alarm sounds, possibly indicating that a hazardous waste has been mixed into the used oil, the driver will not load the fluid, and will take a sample and forward it to the laboratory for testing. This sample will be identified as a Check Sample.

After daily collections, each driver will take a sample of the contents of the truck as he/she off-loads into lessee tanks/tankers. These retain samples will be held at the lessee facility until the outbound sample clears laboratory testing. If the facility utilizes transfer tanks then each will be sampled and retained at the facility until the outbound tank clears. Contents of the transfer tanks may be transferred to and commingled with the contents of other transfer tanks into Outbound Tanks. In some cases the lessee may lease railcars for transportation purposes. In these cases, the driver will pull individual daily truck retain samples and load the railcar until it is properly loaded for capacity requirements. Once the railcar is loaded the driver will pull a sample or composite retain samples (i.e. the railcar is equivalent to an

outbound tank). The Outbound Sample will be taken from each batch (outbound tank/tanker or railcar) and analyzed to ensure that the used oil can be marketed as on-specification used oil fuel in accordance with 40 CFR 279.11 and 279.72, and also to provide the purchasing customer with the physical properties of the fluid.

Records Retention

The lessee will retain records and results of the used oil analysis and hazardous waste determinations (if applicable) described in the written analysis plan for a minimum of three years.

Methods of Analysis

The lessee will use their laboratory for most used oil analysis as described in this plan. However, on some occasions an outside laboratory may be used for rebuttable presumption studies and/or for verification of results through quality control studies.

The methods used by the lessee Laboratory to determine the properties of the fluids at the various points in the process are as follows by type of sample:

Certification Samples;

Ignitability.....EPA SW846-1010
Water..... ASTM D-1744
Arsenic..... EPA SW846-6010
Cadmium.....EPA SW846-6010
Chromium.....EPA SW846-6010
Lead..... EPA SW846-6010
Total Chlorine (Halogens)... EPA SW846-9075
Sulfur..... EPA SW846-9075
PCB.....EPA SW846-8082

Check Samples;

Ignitability.....EPA SW846-1010
Total Chlorine (Halogens)... EPA SW846-9075

Outbound Samples;

Ignitability.....EPA SW846-1010
Water..... ASTM D-1744
Arsenic..... EPA SW846-6010
Cadmium.....EPA SW846-6010
Chromium.....EPA SW846-6010
Lead..... EPA SW846-6010
Total Chlorine (Halogens)... EPA SW846-9075
Sulfur..... EPA SW846-9075
PCB..... EPA SW846-8082
Total Ash..... ASTM D-482

Viscosity..... ASTM D-445

API Gravity.....ASTM D-1298 or D-4052

Water by BS&W.....ASTM D-1796

Sediment by BS&W..... ASTM D-1796

When samples are sent to outside laboratories for analysis of halogenated hazardous constituents for Rebuttable Presumption purpose, laboratory methods are as follows:

Volatile Organic Compounds.....EPA SW846-8260B
By GC/MS

Semi Volatile Organic Compounds...EPA SW 846-8270C
By GC/MS

Rebuttable Presumption

To satisfy the Rebuttable Presumption requirements of 40 CFR 279.53, if a tank, tanker truck or container of used oil is sampled, analyzed and found to exceed 1000 ppm total halogens, the following procedures will be used:

In the event that sufficient knowledge of the source of the used oil is available to ascertain that halogenated hazardous waste has not been added to the used oil, then the lessee will document this knowledge using the form in Appendix B or similar, and will use it as the basis to rebut the presumption that the used oil contains significant concentrations of hazardous halogenated waste. Knowledge of the source or process is gained through customer certification, periodic recertification, site visits, and/or customer analysis of samples.

If sufficient generator knowledge is not available to rebut the presumption, then outside laboratory analyses will be performed and documented to determine if significant concentrations of hazardous

halogenated constituents are present in the used oil. These analyses will be EPA SW846-8260B Volatile Organic Compounds by GC/MS, and EPA SW846-8270C Semi-volatile Organic Compounds by GC/MS. Acceptance of used oil containing greater than 100 ppm of a halogenated hazardous constituent listed in Appendix VIII will be determined by the lessee on a case-by-case basis, but in no case will used oil be accepted with analytical results that show a halogenated hazardous Appendix VIII constituent present at a concentration of 1000 ppm or greater (Ref. 50 FR 49176-49177 regarding use of the rebuttable presumption and the evaluation of "significant levels" of halogenated hazardous constituents). If found to be rebuttable, then the lessee will direct the used oil into the on-specification fuel oil or used oil processing streams only if total halogens are below 4000 ppm. However, if the used oil is found to contain significant concentrations of halogenated hazardous constituents, the lessee will handle it as hazardous waste in accordance with subpart H of 40 CFR 266.

In all cases in which the presumption is to be rebutted, a lessee senior official or a designated representative will approve all final determinations.

Determination of Used Oil Specifications

If the used oil is analyzed and found to be outside the specification tolerances for parameters other than halogens, as listed in 40 CFR 279.11, the used oil will be handled in accordance with applicable regulations. In the case of detectable PCB concentrations, as listed in 40 CFR 761.20(e), the provisions of 40 CFR 761.1(b) (5) and 40 CFR parts 261 and 279 will be complied with.

On all occasions when a load of used oil exceeds on-specification requirements in accordance with 40 CFR 279.11, a review of all contributors to that load will be conducted to determine the source of the nonconforming load. An Exception Report such as that shown in Appendix B (or similar) will be generated and a file established for that customer found to contribute the off-specification load. A significant number of incidents of nonconforming loads by that customer will lead to a review of the customer's procedures and operations to determine if a change has lead to the introduction of hazardous waste into the used oil stream. The term "significant number" is a subjective distinction determined by lessee generator knowledge, frequency of pick up and number of loads over a given time frame,

percentage of the total of customers used oil flow that exceeds on-specification requirements, and other factors that may be relevant to the case at hand.

Analysis Plan Review

The plan will be reviewed periodically or whenever necessary to reflect new or modified tasks, procedures, and processes, which affect the items in this analysis plan.

Appendix A

Customer Profile Sheet

Atlantic Industrial Services, Inc.
Form – CPS 4/03

Customer Profile Sheet

Used Oil, Used Oil Filter, and Used Antifreeze

Revision 0-4/03

1. Generator Information
Generator Name _____
Generator Address _____
City/State/Zip _____
Point of Contact _____
Phone Number _____ Ext. _____

2. Generator Billing Information
Generator Name _____
Generator Address _____
City/State/Zip _____
Point of Contact _____
Phone Number _____ Ext. _____

Generator Status
☐ Accepts Used Oil from the public
☐ Non-Generator of Hazardous Waste
☐ Conditionally Exempt Small Quantity Generator (CESQG)
☐ Small Quantity Generator (SQG)
☐ Large Quantity Generator (LQG)

EPA Identification Number _____

Determining Generator Status
Public Collection Point
Does not generate hazardous waste
Generates less than 220lbs of Hazardous Waste per month
Generates between 220 lbs -2200lbs of Hazardous Waste per month Generates more than 2200 lbs of Hazardous Waste per month
Please note that Hazardous Waste generation totals do not include Used Oil or Used Oil Filters. Common sources for hazardous waste generation in automotive service may include but not limited to parts washer solvents, brake cleaners, aerosol paint cans, waste paints, paint filters, paint contaminated rags, and waste gasoline.

3. General Material Characteristics – Used Oil
(complete only if using field screening method)
Color/Appearance _____
Odor
☐ None ☐ Mild ☐ Strong : Describe _____
Layers
☐ Single ☐ Bi-Layered ☐ Multiple
Water Content
☐ <3% ☐ 3-5% ☐ 5-10% ☐ >10%
Viscosity
☐ Low ☐ Medium ☐ High
pH
☐ 0-2 ☐ 2.1-4 ☐ 4-10 ☐ 10.1 -12.5 ☐ >12.5
BTU/Lb.
☐ <5000 ☐ 5000-10000 ☐ >10000
Flash Point (Liquids Only)
☐ <73°F ☐ 73°F - 140°F ☐ 141° F - 200°F ☐ >200°F
Metals
Check Either: ☐ Total Analysis ☐ TCLP Method ☐ Generator Knowledge

	Reg. Limit	Below	Above
Arsenic	5 ppm	☐	☐
Cadmium	2 ppm	☐	☐
Chromium	10 ppm	☐	☐
Lead	100 ppm	☐	☐

Total Halogens
Check Either: ☐ Total Analysis ☐ TCLP Method ☐ Generator Knowledge
☐ Less than 1000 ppm ☐ 1000 -4000 ppm ☐ >4000 ppm
PCB's
Check Either: ☐ Total Analysis ☐ TCLP Method ☐ Generator Knowledge
☐ **None** ☐ **<2ppm** ☐ **2-50 ppm** ☐ **>50 ppm**

4. Source of Material Generation -

Generator Operation Description
☐ Automotive Only
☐ Public Collection of Used Oil
☐ Industrial – Please describe below
Describe Process Generating Materials (Include copies of MSDS or additional information)
_____
_____
_____
_____
_____

5. Anticipated Volume and Storage

Non-Bulk Containers
Quantity **Frequency** **Type**
_____ _____ **month** ☐ **Drum** ☐ **Tote** ☐ **Other**

Bulk Containers
Quantity **Frequency** **Type**
_____ _____ **month** ☐ **Tank (<200 gallons)**
_____ _____ **month** ☐ **Tank (200-500 gallons)**
_____ _____ **month** ☐ **Tank (500-1000gallons)**
_____ _____ **month** ☐ **Tank (>1000 gallons)**
_____ _____ **month** ☐ **Tanker Trailer**

Atlantic Industrial Services, Inc.
Form – CPS 4/03

Customer Profile Sheet (continued)

Revision 0-4/03

6. Generator Certification and Service Agreement

This is an agreement providing for the collection of used oil, and other related non-hazardous used products (collectively the "Used Product Streams"). Upon the terms and conditions set forth in this agreement, Atlantic Oil Collection Services, Inc. (d.b.a. Atlantic Industrial Services) or Atlantic Industrial Services, Inc., a Florida corporation (collectively "AIS") shall provide collection services for the non-hazardous used product streams described herein at the locations specified on the customer profile sheet. The customer agrees to utilize AIS during the term herein as the exclusive collector of such used product streams and to pay the fees, costs, and other expenses described herein.

Used oil and non-hazardous antifreeze shall mean used oil and antifreeze when each is destined for recycling, and shall contain no substance of a nature or in an amount which causes such used oil or antifreeze to be classified as a hazardous waste or hazardous matter under any applicable federal, state, or local statute, law regulation, court decision or agency interpretation, or any additives or substance such as solvents, radioactive materials, pesticides, gasoline, ink or PCBs.

Used oil filters for purposes of this agreement shall mean only used oil filters enclosed in a non-terne plated steel casing destined for recycling that have been drained or crushed to remove excess oil. The customer hereby certifies that oil has been sufficiently drained from the filters and is being recycled, qualifying the filters as non-hazardous under the scrap metal recycling exemption [40 C.F.R. 261.6(a) (3) (iv)] and 40 C.F.R. 261.4(b) (13) solid wastes that are not hazardous wastes.

This agreement shall commence on the effective date of the agreement stated on the front page of this agreement, and shall continue thereafter until terminated by either party giving the other party thirty (30) days' written notice of termination. It is further provided, however, that AIS may immediately terminate the agreement in the event of a breach of the customer's warranty regarding the non-hazardous classification of their used products.

shall accept title to a used product only upon completion of AIS profiling of the used product and generator determination that it is non-hazardous. In the event that any product collected is found not to comply with the herein stated definition of non-hazardous used products, AIS may, at its discretion have such materials (and all used products and other materials contaminated by it) properly disposed of, and the customer shall be responsible for all expenses incurred in the proper disposal of such materials, and all other materials contaminated thereby, and agrees to indemnify and hold harmless AIS, its employees, agents, officers, directors and affiliates from any and all expenses, claims, damages, costs, settlements, or judgments, including attorney's fees and expert witnesses incurred in connection with or arising, directly or indirectly, out of the collection, transportation, or eventual disposal thereof. In order to minimize customer's liability for the disposition of commingled waste streams, the customer's liability shall be limited to the disposition of the total gallonage of the collection vehicle, per incident, for non-conforming used oil, and limited to the disposition of 3,000 gallons per incident in the case of non-conforming used antifreeze.

The customer's obligations with respect to the payment of expenses, fees and costs, as well as its obligations to indemnify, as set forth hereinabove, shall survive the termination of this agreement. This agreement shall be construed under the laws of the State of Florida. All notices to be given by one party to the other may be given by delivery in person, by means of a recognized delivery service, telecopy or by certified or registered mail, to the addresses set forth on the preceding page. Each notice that is mailed, delivered, or transmitted in the manner described above shall be deemed sufficiently given and received, in the case of mailed notices, on the third business day following the date on which it is mailed and, in the case of notices delivered by hand, courier service, or telecopy, at such time as it is delivered to the addressee (with the delivery receipt or the affidavit of messenger being conclusive evidence of delivery) or at such time as delivery is refused by the addressee upon presentation. This agreement shall be binding on the successors and assigns of the parties hereto. This agreement represents the entire agreement between the parties hereto, supersedes all prior agreements or understandings and may not be amended or modified except by a written instrument signed by AIS and the customer.

I herby certify that the above and attached description is complete and accurate to the best of my knowledge and ability to determine that no deliberate or willful omissions of composition properties exist and that all known or suspected hazards have been disclosed. I certify that the materials are representative of the material described by the profile. I herby certify that I am an authorized agent of the generator. I hereby declare that every effort will be made to collect used oil in a separate collection vessel in order to maintain the status under 40 CFR 279 Subpart C. In the event that this material is found to be hazardous waste I accept the responsibility for proper disposal under Local, State and Federal regulations.

Generators Authorized Signature	Printed Name and Title	Date
		/ /

7. Atlantic Industrial Services Representative Use Only

AIS Representative Name _____ AIS Employee Number _____ AIS Division _____

7a. Field Testing Results Section – Used Oil

Halogen Screening Results – Dexil Chlor-D-Tect ☐ Pass ☐ Fail

Combustible Gas Detector (PID) Results ☐ Pass ☐ Fail

Comments _____

7b. Price Structure

Service Provided	Type of Price Structure	Amount	Frequency
Used Oil Recycling	☐ Per Gallon		
Used Oil Recycling	☐ Per Stop		
Used Oil Recycling	☐ Cycle Bill		
Used Antifreeze (Non-Hazardous)	☐ Per Drum		
Used Antifreeze (Non-Hazardous)	☐ Per Gallon		
Used Oil Filters	☐ Per Drum		
Used Oil Filters	☐ Per Bin/Tote		
Used Oil Filters	☐ Per Roll-Off		
Used Oil Absorbents	☐ Per Drum		

* all other services provided by AIS should have separate profile and certification

_____ _____ _____/_____/_____

AIS Representative Authorized Signature Printed Name and Title Date

8. Atlantic Industrial Services Customer Service Use Only

This customer has been approved by customer service for immediate collection.

☐ Yes ☐ No; Explain _____

Customer Account Number _____

Customer Service Representative Information

Name _____ Customer Service Location _____

_____ _____ _____/_____/_____

AIS Customer Service Authorized Signature Printed Name and Title Date

Appendix B

Used Oil Exception Report

Atlantic Industrial Services, Inc.

Used Oil Exception Report

DATE: _____

GENERATOR: _____

GENERATOR ADDRESS/LOCATION: _____

_____

DRIVER/SAMPLER: _____

DATE SAMPLED: _____

TANK OR TANKER NUMBER _____

TOTAL HALOGENS RESULT: _____ ppm

REANALYSIS RESULT (if appropriate): _____ ppm

USED OIL SHIPMENT IS:

ə Rejected ə Return to Generator
Ship for disposal at _____

Charge disposal to:
AIS Division: _____
Other: _____

ə Accepted Reason: _____
_____
_____

Date AIS Last Evaluated Generator: _____

AUTHORIZED BY:

Regional Vice-President	**EHS Staff**
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____

Note – both signatures must appear on this form to release the load

* PLEASE ATTACH ALL SUPPORTING DOCUMENTS TO THIS FORM SUCH AS LABORATORY ANALYSIS, CUSTOMER SERVICE AGREEMENTS, LETTERS, MEMO'S, MSDS, ETC.

Appendix C

Flow Chart

Chart 1

Customer Certification – Field Screening and Profile Method

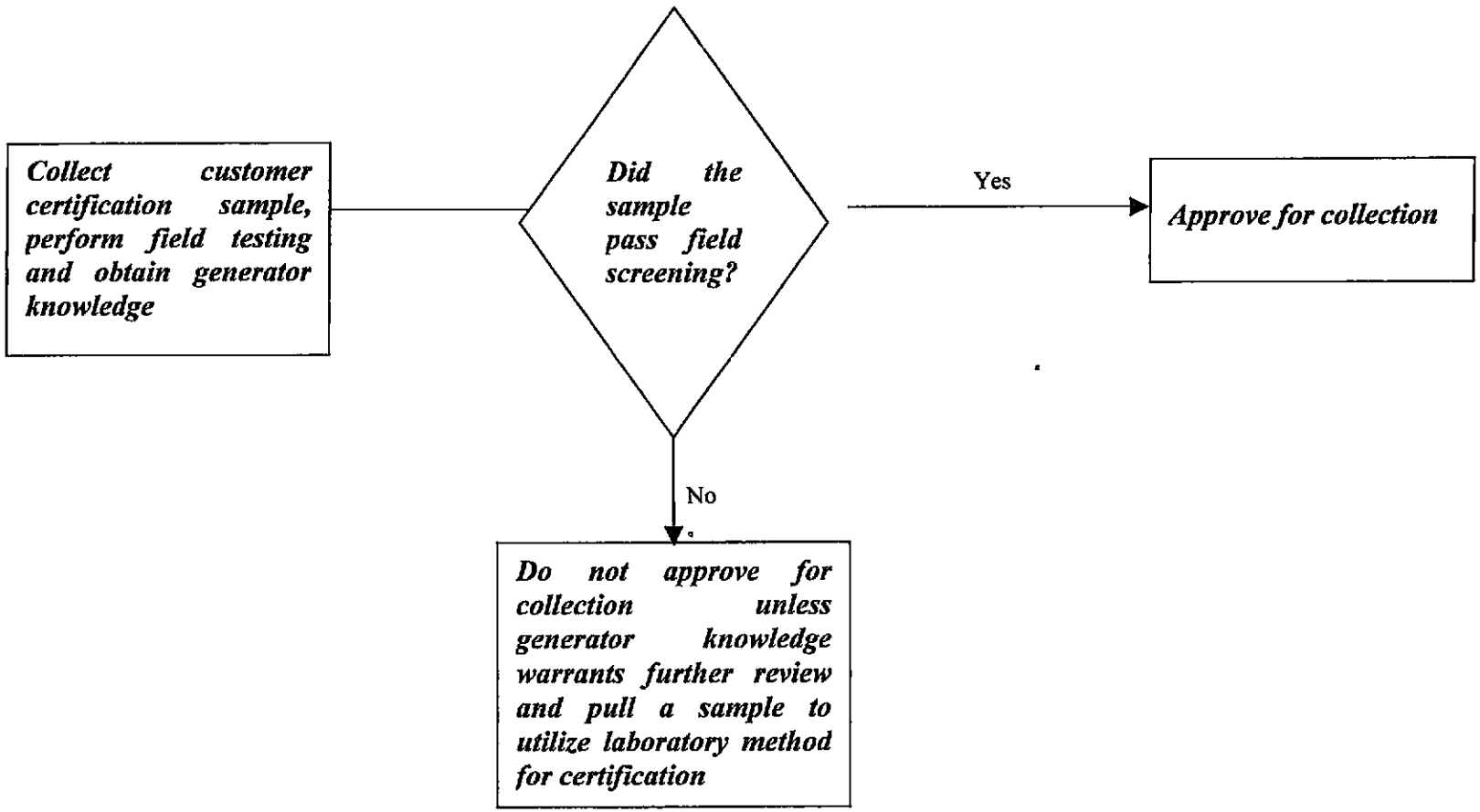


Chart 2
Customer Certification – Laboratory Method

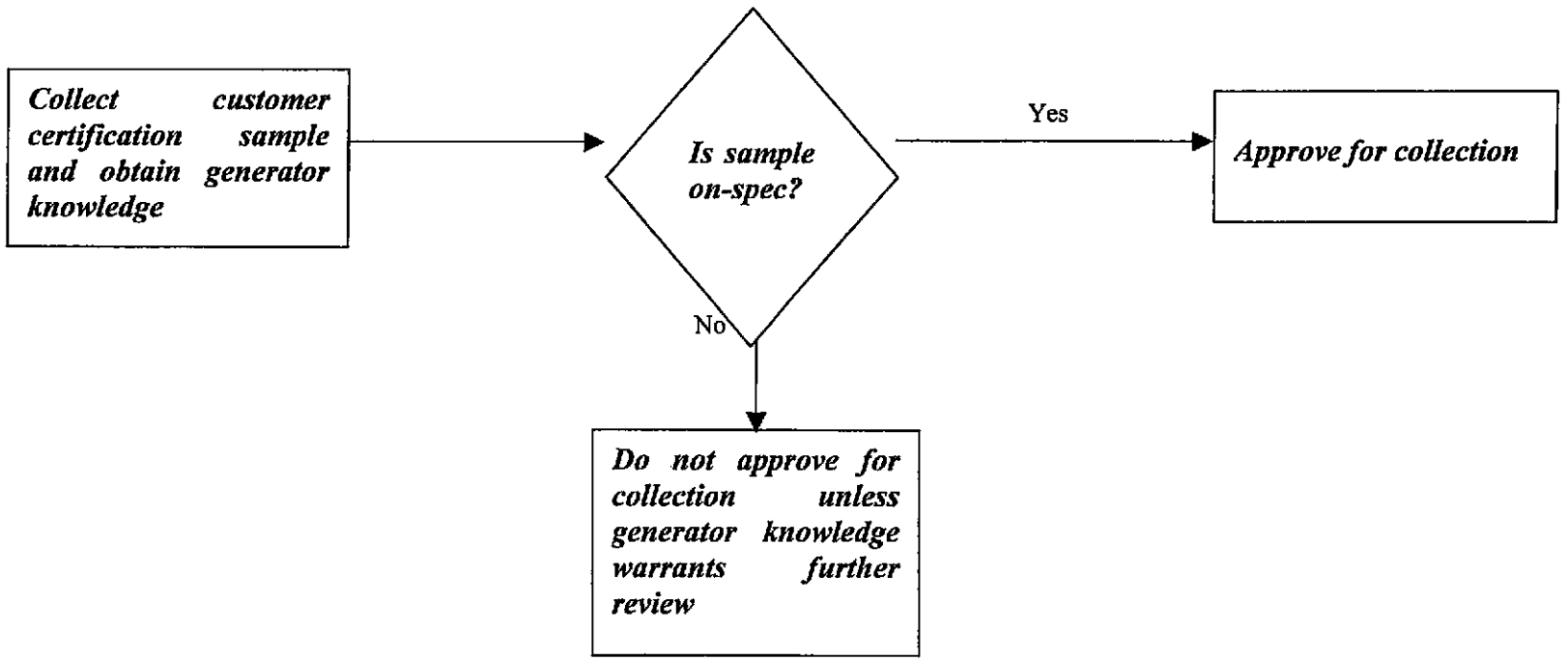


Chart 3

Used Oil Load Acceptance Procedure Post Certification

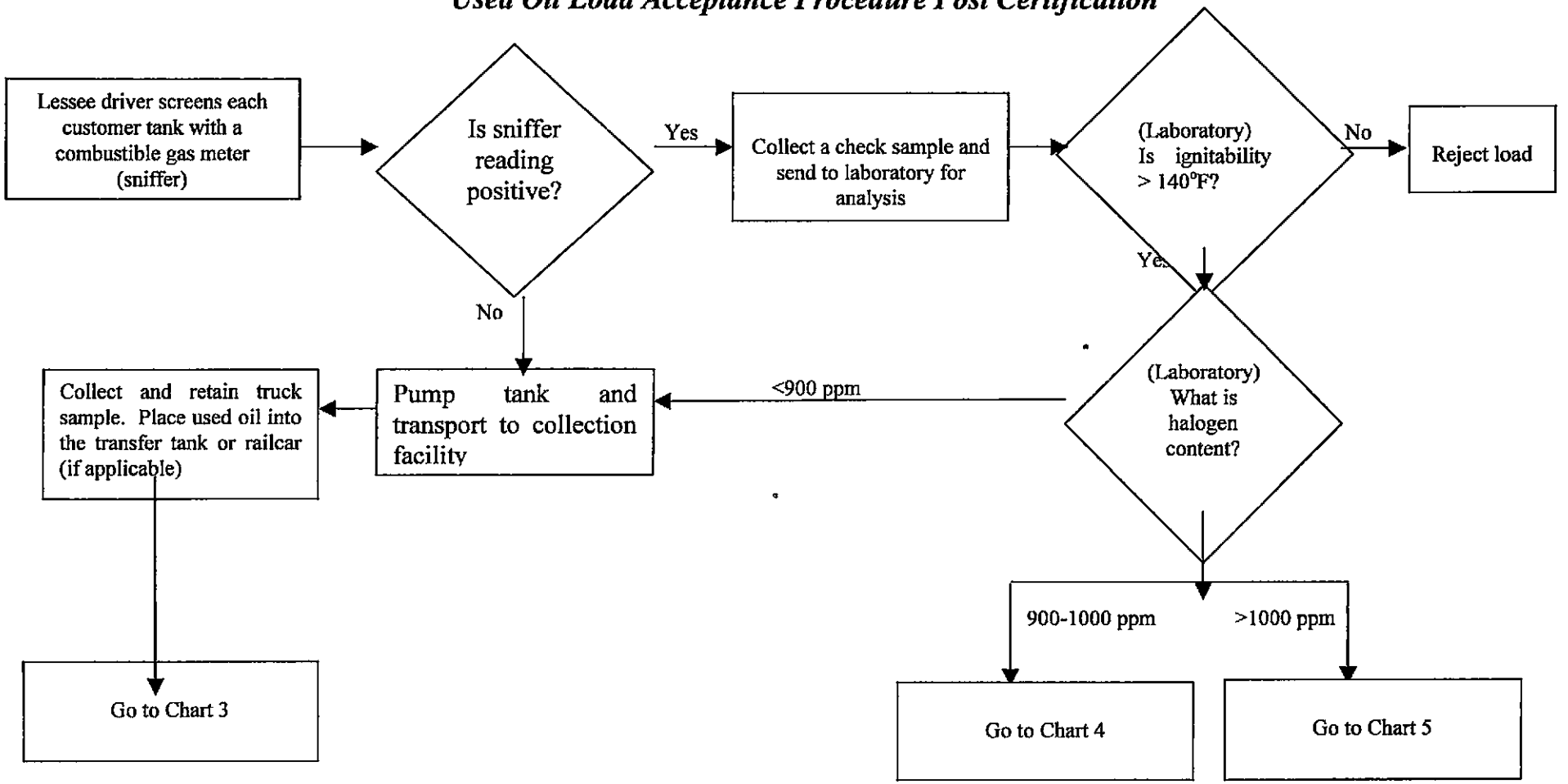


Chart 4

Ongoing Used Oil Marketing Analytical Procedure

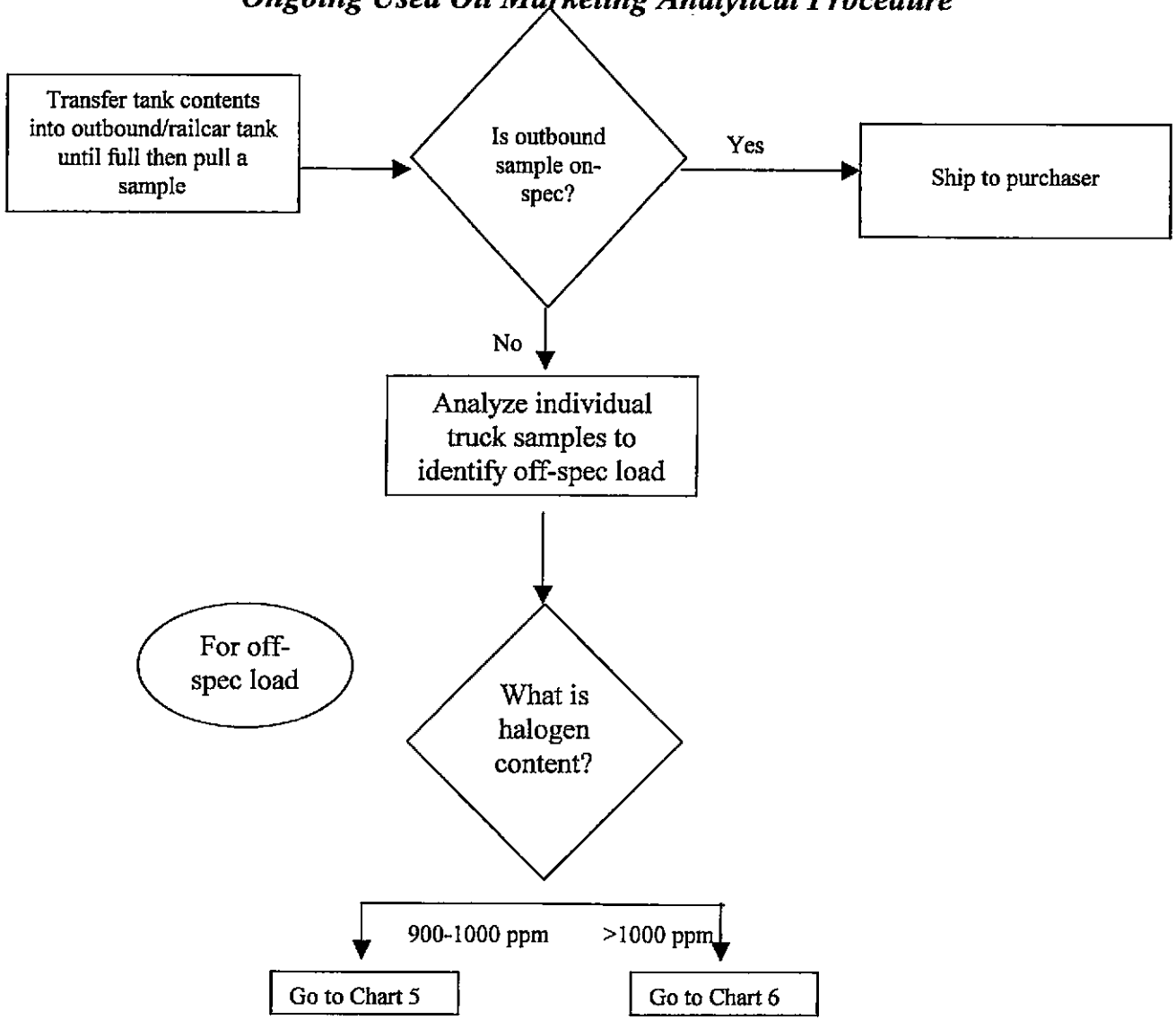


Chart 5
Halogen Content Between 900-1000 ppm

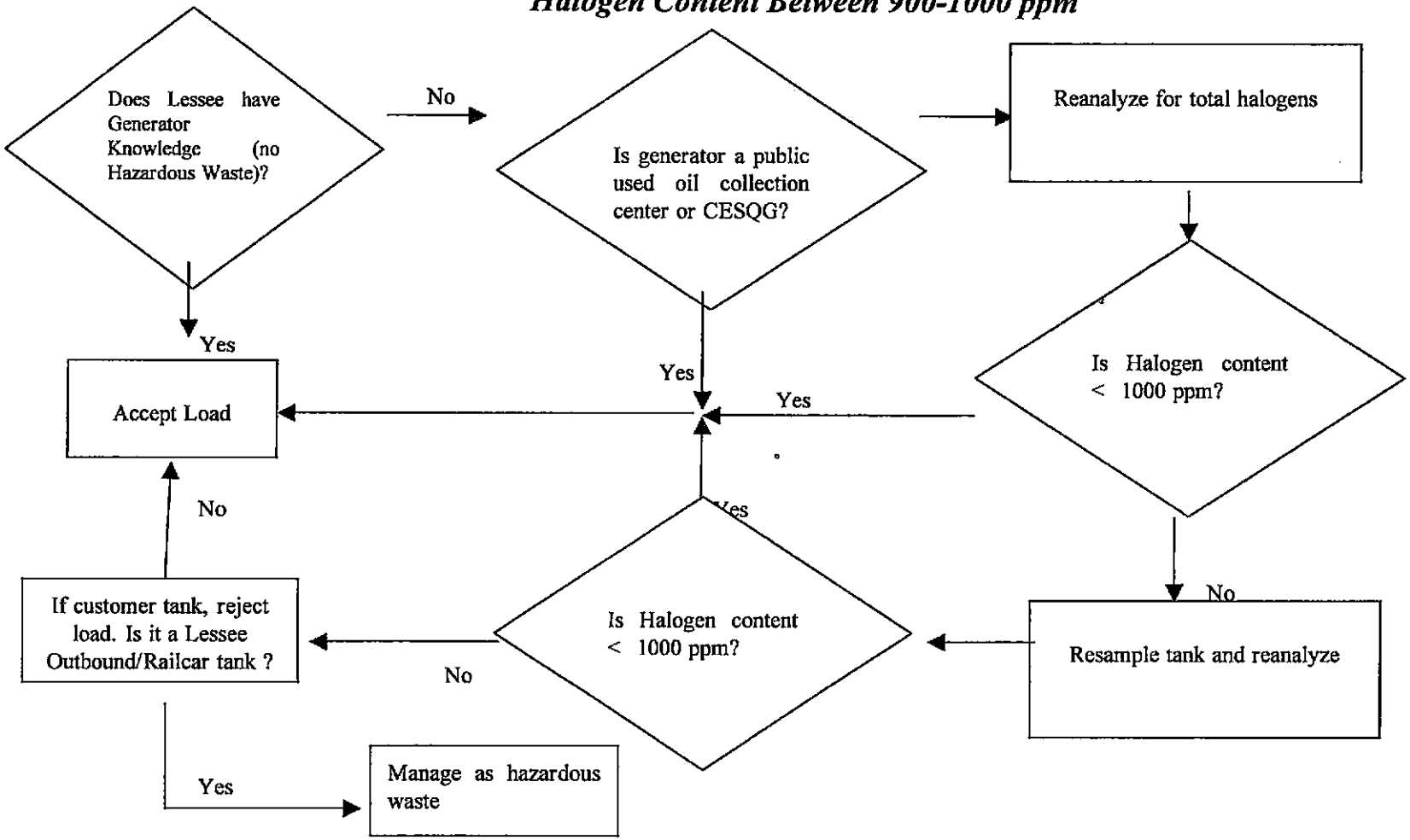
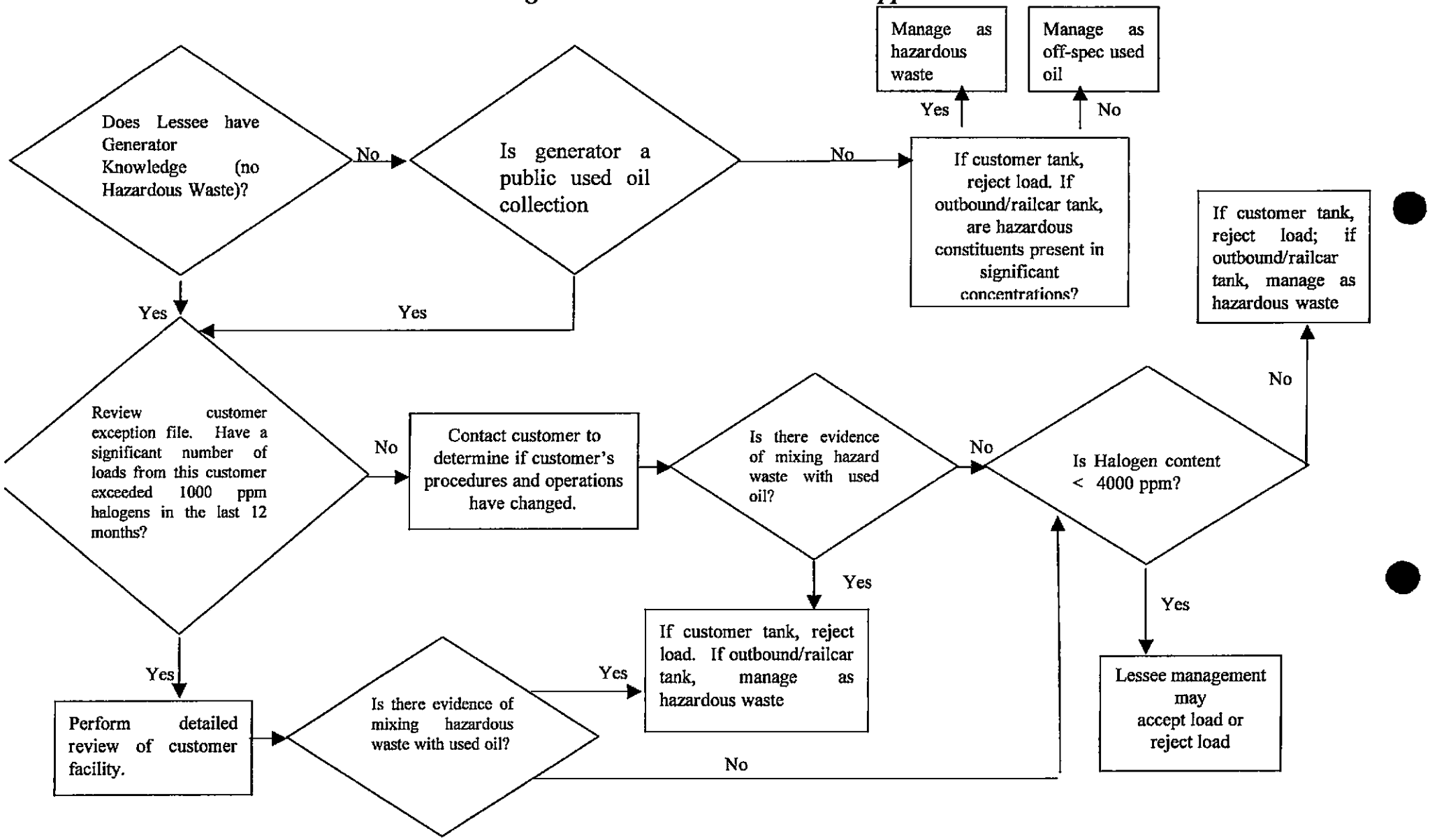


Chart 6

Halogen Content Greater Than 1000 ppm



ATTACHMENT UO-3

SLUDGE, RESIDUE AND BYPRODUCT MANAGEMENT

When there is any tank sludge or other sludge to dispose of, Safety-Kleen encloses it in a sealed drum, isolates the drum on a pallet on the concrete floor inside the warehouse building, and Safety-Kleen then makes arrangements with a permitted company to profile the sludge, and ship it with a manifest to a recycling or disposal facility where it and the drum would be appropriately recycled or disposed.

ATTACHMENT UO-4

TRACKING PLAN

Safety-Kleen trucks are used to transport all shipments to the Safety-Kleen facility. Safety-Kleen documents the collection and transportation of non-hazardous used oil with an individually numbered manifest that includes the customer's name, address, phone number and number of gallons of used oil collected.

The Used Product Manifest form is used to document the name of the generator, the type and quantity of the used product, the container in which the used product is packaged, and other relevant information concerning the shipment of used products to Safety-Kleen. A manifest is used for each stop at a generator's facility, and the same form can be used to document shipment of bulk used oil, drummed used oil filters, and drummed used antifreeze. The Safety-Kleen driver fills in the generator information section, the description of the used products to be transported, and indicates the destination facility by checking the appropriate box on the right side of the form. Before he leaves with the shipment, he and the generator sign their respective sections of the form. After the driver returns to the Safety-Kleen facility and pumps the shipment into one of the day tanks and measures the volume of the shipment, he will record this volume in the bottom section of the form, along with the number of the tank into which the used oil was pumped.

Once in the facility, the used oil is tracked using a daily inventory form, which not only indicates the amount of oil in each tank, but also the movement of oil from one tank to another (thus, the movement of oil through the tank farm). Additionally, the facility maintains records showing when the used oil is transferred, the identity of the delivery and receiving tanks for each of these transfers.

Outbound used oil shipments are made using an individually numbered manifest or a bill of lading and a certificate of analysis verifying that the used oil is on-specification used oil fuel. A list of transporters for incoming and outbound shipments is provided below.

TRANSPORTERS FOR INCOMING USED OIL SHIPMENTS

Atlantic Industrial Services
1400 NORTH WEST 13TH AVENUE
POMPONO BEACH, FL 33069
FED EPA I.D. # FLD984247882

Safety-Kleen Services, Inc.
8755 Northwest 95th Street
Medley, Florida 33178
EPA I.D. #FLD984171694

TRANSPORTERS FOR OUTBOUND USED OIL SHIPMENTS

Atlantic Industrial Services, Inc.
359 CYPRESS ROAD
OCALA, FL 34472
EPA I.D. # FLR000060301

Atlantic Industrial Services, Inc.
1400 NORTH WEST 13TH AVENUE
POMPONO BEACH, FL 33069
FED EPA I.D. # FLD984247882

IPC/ US Filter
105 South Alexander Street
Plant City, FL 33566
EPA # FLD065680613

Safety-Kleen Services, Inc.
8755 Northwest 95th Street
Medley, Florida 33178
EPA I.D. #FLD984171694

ATTACHMENT UO-5

UNIT MANAGEMENT PLAN

The piping and tanks used to transfer and store used oil at the facility are built aboveground and are compatible with used oil. The storage tanks are marked with the works "Used Oil." Likewise, containers used to hold used oil filters and used antifreeze are compatible with these materials and marked to identify their contents. The tanks and piping are painted to inhibit exterior corrosion, as are steel containers. The tanks have a high level alarm and tank level gauge to determine the level of used oil in the tanks and prevent overflows.

Facility personnel conduct inspections monthly, and not more than 35 days between inspections, of the integrity of the pipes, tanks and containers at the facility as described in the facility SPCC place, and record deficiencies so they can be communicated and corrected in a timely manner. The tank and piping are adequately spaced to facilitate inspections.

The design of the concrete secondary containment system for the tank farm is addressed in Section 9.0. Other than the tank trucks that enter and exit the tank truck loading/unloading area, there is no traffic in either the tank storage area or the tank truck loading/unloading area that could hit and possibly damage a pipe, a pipe connection, or a tank.

As part of the periodic inspections that are part of the SPCC plan, the secondary containment system will be inspected so cracks or gaps can be promptly identified and patched. Additionally, the tank system will be inspected in accordance with API 653 standards, as required by F.A.C 62-761.510(3) (b). These inspections will be documented in the facility's internal inspections records. The 15,000-gallon tank was inspected in December 2003 and passed the inspection.

The total capacity of the used oil tank farm is 25,000 gallons, and consists of one (1) 10,000-gallon horizontal tank and one 15,000-gallon vertical tank. The tanks are not within 500 feet of

community water supply system or any existing non-transient non-community water supply system, nor within 100 feet of any other existing water supply well.

ATTACHMENT UO-6

CLOSURE PLAN

The facility closure plan is provided in Section 10.0. Additional closure activities not described in Section 10.0 will include those activities associated with the used oil tanks (i.e., emptying, cleaning, and removing the used oil tanks).

The used oil storage tanks are used to store used oil, a marketable commodity. However, in accordance with the regulatory constraints for closure plans, the used oil will be assumed to have a net value, including transportation costs to empty the tanks, of zero. Five 6500-gallon tankers would be required to empty both tanks, a process that will be assumed to require two man-days of laborer/technician time.

After the tanks, pipes and pump have been emptied of used oil, the pipes and pump will be taken apart, and the tank connections fitted with screw-on caps or plugs so that all pipe connections are sealed. After the inner surfaces of the tanks are steam cleaned in the next step, the inner and outer surfaces of the pipes and pump will be steam cleaned and the water collected and accumulated with the tank rinse water in the storage tanks. This activity is expected to require one man-day of laborer/technician time. The piping and pump have a marketable value, but will be assumed to be picked up and hauled away for a net value of zero.

The tank interiors will be steam cleaned. The manhole for the tanks will be removed; the inner surface of the tanks cleaned with one gallon of water for each 100 gallons of tank capacity, and the water and removed oil allowed to drain to the bottom of the tanks for disposal as petroleum-contaminated water (PCW). This activity is expected to require two man-days of laborer/technician time, including time for a person in the tanks and a monitoring person immediately outside of the tanks during the entire process. The rinse water will be left in the tanks until the rest of the Safety-Kleen operating areas of the facility have been cleaned, and the water can be picked up and removed in a single shipment.

Summary of Closure Activities and Costs

Table UO-6-1 below summarizes the costs for the closure activities described above.

Closure Cost Summary

Storage Tank	**Cost ($)**
Recycling of used oil in tank	0.00
Recycling/disposal of pump and piping	0.00
Disposal of petroleum-contaminated water (PCW)	
From pump and piping: (100 gal * $0.30/gal)	30.00
From tanks: (25,000 gal x 1 gal/100 gal x $0.30/gal)	75.00
Labor: Laborer/techrfician (5 man-days x 8 hr/man-day x $25/hr)	1000.00
Labor: Supervisor (3 man-days x 8 hr/man-day x $50/hr)	1200.00
TOTAL	$2,305.00

DOCUMENT APPROVAL SLIP

(Attach to Document File Copy)

PROJECT: Safety-Kleen - Medley

LOCATION: Dade County

PERMIT or CASE NO: HO-13-307336

SUBJECT: Haz. Waste Storage Permit

DATE: 12/2/97

DOCUMENT ORIGINATOR SIGNATURE: Vincent Pelisso

APPROVED BY: Jon Jones

APPROVED BY:

APPROVED BY:

FOR SIGNATURE BY DISTRICT MANAGER/ASST. DISTRICT MANAGER

File/Application No.: HO-13-307336
Applicant Name: Safety-Kleen, Medley Facility

I hereby state that the environmental engineering features described in the referenced application and its additional information submittals, if any, provide/do not provide reasonable assurance of compliance with the applicable provisions of Chapter 403, Florida Statutes and Florida Administrative Code Title 62. The review was limited to the 40 CFR 260-270 + Rule 62-730, F.A.C. aspects of the proposed project. In addition, I have not evaluated aspects of the project outside my area of expertise (including but not limited to electrical, mechanical, and structural features).

This review was conducted by John M. Jones.
NAME

John M Jones
JOHN M. JONES, P.E. (SEAL)

12/2/97
DATE

Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

DEC 4 1997

CERTIFIED MAIL P 182 109 881
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Safety-Kleen Corporation
Medley Branch Service Center
One Brinckman Way
Elgin, IL 60123
Attn: Della Ridley,
Southeast Region Env. Manager

DEP File No. FLD 984 171 694
Permit File: HO 13-307336
Dade County

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its Intent to Issue a permit (draft copy attached) for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Issue for the reasons stated below.

The applicant, Safety-Kleen Corporation, applied on June 2, 1997, to the Department of Environmental Protection to renew a permit to Operate a Hazardous Waste Storage Facility. The project is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.), to issue or deny permits for Hazardous Waste Treatment, Storage, and Disposal Facilities. The project is not exempt from permitting procedures. The Department has determined that a hazardous waste operating permit is required for the proposed work.

The Department intends to issue this permit based on Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.), and believes reasonable assurances have been provided to indicate the proposed project will not adversely impact the environment.

Pursuant to Section 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 Notice of Intent to Issue a Permit and to broadcast over a local radio station the enclosed radio announcement. The notice shall be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place.

The applicant shall provide an original copy of the proof of publication to the Department, at F.D.E.P., Southeast District, P.O. Box

15425, West Palm Beach, Florida 33416, within fourteen (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 thirty (30) days on a licensed commercial radio station of sufficient power to be clearly received in an area which may be affected by the permit. Broadcast of the notice shall occur between 8:00 AM and 10:00 PM. The applicant shall provide proof of broadcast to the Department, at F.D.E.P., Southeast District, P.O. Box 15425, West Palm Beach, Florida 33416, within fourteen (14) days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in denial of the permit. The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or all parties reach a written agreement on mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within forty-five (45) days of receipt of this notice of intent. Petitions filed by any other person must be filed within forty-five (45) days of publication of the public notice or within forty-five (45) days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number, and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

(a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
(c) The agreed allocation of the costs and fees associated with the mediation;
(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
(f) The name of each party's representative who shall have authority to settle or recommend settlement; and
(g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
(h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the

agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within forty-five (45) days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

DONE AND ENTERED this 4TH day of December 1997, in the City of West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Carlos Rivero-deAguilar
Director of District Management
Southeast District

VK
CRA/VK/JJ/vp

attachments

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before the close of business on December 4th, 1997 to the listed persons.

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 _____ Date 12/4/97

Copies furnished to:

Kent Williams, USEPA - Atlanta
Doug Outlaw, FDEP - Tallahassee
Dade County, ERM
File, West Palm Beach

Radio Announcement:

PUBLIC NOTICE OF PROPOSED AGENCY ACTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Southeast District Office

The Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a permit under the Resource Conservation and Recovery Act (RCRA), Section 403.722, Florida Administrative Statutes, and Chapters 62-4 and 62-730 of the Florida Administrative Code to Safety-Kleen Corporation for the operation of a hazardous waste storage facility. The project site is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166.

A person who is substantially affected by the DEP's proposed permitting decision may request a hearing in accordance with Section 120.57, Florida Statutes. If a petition on the DEP's permit is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the DEP's final agency action may be different from the position taken in this preliminary statement. Therefore, persons who support the proposed agency action may also wish to intervene in the process.

For more information concerning the applicable requirements of the petitioning process and the necessary time frames for filing, please contact the Office of General Counsel at (850) 488-9730. The application and a copy of the draft State permit are available for public inspection during normal business hours, 8:00 AM to 5:00 PM, Monday through Friday, except legal holidays, at the Department's Hazardous Waste Section, Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401.

Newspaper Notice:

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit, number HO 13-307336, to Safety-Kleen Corporation, to operate a hazardous waste storage facility. The project site is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166. This permit is issued under the Resource Conservation and Recovery Act (RCRA), Section 403.722, Florida Statutes (F.S.), and Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.).

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for 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 within forty-five (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.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5, F.A.C.

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at the above address by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following information: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference. (h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within forty-five (45) days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Southeast Florida District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401.

PERMITTEE: **DRAFT**

Safety-Kleen Corporation
Medley Branch Service Center
One Brinckman Way
Elgin, IL 60123

Attn.: Della Ridley,
Southeast Region Env. Manager

I.D. Number: FLD 984 171 694
Permit/Cert Number: HO 13-307336
Date of Issue:
Expiration Date:
County: Dade
Lat/Long: 25°51'90" N/80°20'25" W
Section/Township/Range: 4/53S/40E
Project: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, (F.S.) and Rule(s) 62-4 and 62-730, 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 and 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 Hazardous Waste Storage Facility, consisting of a container storage area, aboveground tank storage area, and a return/fill area. (Hereinafter referred to as "Facility")

The container storage area will be equipped with the following features: impervious floors with slopes toward spill containment areas, fire suppression system and controlled access (inside fenced area with locked gate). The capacity of the container storage area will be 6,912 gallons total of permitted and transfer hazardous waste (432 16-gallon containers, or the equivalent) with a maximum volume of 29,400 gallons for product and waste combined.

The capacity of the above-ground hazardous waste storage tank is 20,000 gallons. The waste to be stored in the tank is spent parts washer solvent/waste mineral spirits. The tank will have a secondary containment/leak detection system.

A summary of wastes handled at the Facility with corresponding RCRA Waste Codes is included in the permit application as Table 7.1-1, a copy of which is included with this permit. The Facility is also operating a transfer Facility in accordance with Rule 62-730.171, F.A.C. The Facility is surrounded by a chain link fence. Gates are locked after normal working hours. Operation of the Facility will be in accordance with the permit application. This permit replaces the expired Permit No. HO 13-216311.

IN ACCORDANCE WITH: Application DEP Form 62-730.900(2) dated June 2, 1997 and with additional information submitted September 5, 1997 and Newspaper Public Notice dated _____ and Radio Public Notice dated _____.

LOCATED AT: Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166.

SUBJECT TO: General Conditions (1-16) and Specific Conditions, PART I (1-3), PART II (1-17), PART III (1-7), PART IV (1-15), PART V (1-2), and PART VI (1-4).

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GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the Permittee, its agents, employees, servants or representatives.

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 Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute 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 the 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, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the Facility and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit, as 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
   a. Having access to and copying any records that must be kept under the conditions of the permit;
   b. Inspecting the Facility, equipment, practices, or operations regulated or required under this permit; and
   c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

GENERAL CONDITIONS (Continued):

8. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the Permittee shall immediately notify and provide the Department with the following information:
   a. a description of and cause of non-compliance; and
   b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S.

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.

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, 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.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:
   ( ) Determination of Best Available Control Technology (BACT)
   ( ) Determination of Prevention of Significant Deterioration (PSD)
   ( ) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
   ( ) Compliance with New Source Performance Standards

14. The Permittee shall comply with the following monitoring and record keeping requirements:
   a. Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
   b. The Permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
      - the date, exact place, and time of sampling or measurements;
      - the person responsible for performing the sampling or measurements
      - the date(s) analyses were performed;
      - the person responsible for performing the analyses;
      - analytical techniques or methods used; and
      - results of such analyses.

GENERAL CONDITIONS (Continued):

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware that 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 submitted or corrected promptly.

16. The following conditions shall also apply to the hazardous waste facility permit:
    a. The following reports shall be submitted to the Department:
        (1) Manifest Discrepancy Report. If a significant discrepancy in a manifest is discovered, the permittee shall attempt to rectify the discrepancy. If not resolved within fifteen (15) days after the waste is received, the permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
        (2) Unmanifested Waste Report. The permittee shall submit an unmanifested waste report to the Department within fifteen (15) days of receipt of unmanifested waste.
        (3) Biennial Report. A biennial report covering Facility activities during the previous calendar year shall be submitted to the Department pursuant to Rule 62-730, F.A.C.
    b. Notification of any noncompliance which may endanger human 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 twenty-four (24) hours, and a written report shall be provided within five (5) days. The verbal report within twenty-four (24) hours shall contain the name, address, I.D. number, and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        (1) A description of cause of the noncompliance.
        (2) If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    c. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than fourteen (14) days after each schedule date.
    d. All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

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SPECIFIC CONDITIONS:

PART I - STANDARD REQUIREMENTS:

1. Submittals in response to these conditions shall be submitted as follows:

   (a) Two (2) copies shall be submitted to:

   Hazardous Waste Program Manager
   Department of Environmental Protection
   Southeast District
   400 North Congress Avenue
   P.O. Box 15425
   West Palm Beach, Florida 33416-5425

   (b) One (1) copy shall be submitted to:

   Environmental Administrator
   Hazardous Waste Regulation Section
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   (c) One (1) copy shall be submitted to:

   Chief, RCRA Branch
   Waste Management Division
   United States Environmental Protection Agency
   Region IV
   100 Alabama Street, SW
   Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Management Section, MS-4560
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399 2400

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All submittals modifying the approved Closure Plan shall be certified by the owner and operator and signed, sealed, and certified by an independent Professional Engineer registered in the State of Florida, in accordance with Rule 62-730.220(7), F.A.C.

SPECIFIC CONDITIONS: (Continued)

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PART II - FACILITY OPERATION

1. The Permittee shall comply with the following conditions concerning required notices:

   a. The Permittee shall notify the Department in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source, in accordance with 40 CFR 264.12(a). Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

   b. When the Permittee is to receive hazardous waste from an off-site source (except when the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record [40 CFR 264.12(b)]

   c. Before transferring ownership or operation of this Facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR 264 and Rule 62-730.900(2), F.A.C. [40 CFR Part 264.12(c)]. The Permittee shall also submit an application for transfer of the permit on DER Form 62-1.201(1), in accordance with Rule 62-730.300, F.A.C.

2. Prior to acceptance of hazardous wastes other than those specified in Tables 5.1-1 and 7.1-1 of the permit, the Permittee shall submit to the Department a request for permit modification. This request shall include a complete waste analysis of the proposed new waste stream. This analysis must be incorporated in the general waste analysis plan and retained on site. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. [40 CFR 264.13]

3. The permit shall follow the procedures described in the "Waste Analysis Plan," Section 7 of the permit application. [40 CFR 264.13(b)]

4. The Permittee shall comply with the security provisions of 40 CFR 264.14(b)(2) and (c).

5. The Permittee shall inspect the Facility operating, emergency and safety equipment, including equipment listed in Tables 5.6-1 and 5.8-1 and located as described in Table 5.6-1, in accordance with the procedures described in Table 5.2-1 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record of the Facility. [40 CFR 264.15]

SPECIFIC CONDITIONS: (Continued)

6. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within 6 months of employment or assignment to a Facility or to a new position at the Facility. Verification of this training must be kept with the personnel training records and maintained on-site. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by Facility personnel at least annually. Facility shall maintain an updated list of personnel handling hazardous waste and their respective job titles, matching requirements specified in Tables 6.1-1 through 6.1-9, at the site.

7. The Permittee shall comply with the general requirements of 40 CFR 264.17(a) and (b), and the location requirements of 40 CFR 264.176 and 40 CFR 264.198.

8. The Permittee shall comply with the following conditions concerning preparedness and prevention:
   a. 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 constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 264.31.
   b. At a minimum, the Permittee shall equip the Facility with the equipment required by 40 CFR 264.32.
   c. The Permittee shall test and maintain the equipment as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.
   d. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34
   e. At a minimum, the Permittee shall maintain aisle space as required by 40 CFR 264.35.
   f. The Permittee shall maintain arrangements with state and local authorities as required by 40 CFR 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.

9. The Permittee shall comply with the following conditions concerning the Contingency Plan:
   a. The Permittee shall immediately carry out the provisions of the "Preparedness, Prevention, Contingency Plan, and Emergency Procedures for Daily Business Operations," Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 15 days must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).
   b. The Permittee shall comply with the requirements of 40 CFR 264.53.
   c. Within seven days of meeting any criteria listed in 40 CFR 264.54, the Permittee shall amend the plan and submit the amended plan for the Department approval. All amended plans must be distributed to the appropriate agencies.
   d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.
   e. The Department of Environmental Protection's 24-hour emergency telephone number is (904) 413-9911. During normal business hours, the Department's Southeast District office may be contacted at (561) 681-6600.

SPECIFIC CONDITIONS: (Continued)

10. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72, 264.76, and 264.77 including the following:
    a. The manifest system prescribed in 40 CFR 264.71 must be followed for all hazardous wastes received at the Facility.
    b. Within three working days of receipt of a shipment subject to 40 CFR Part 262, Subpart H, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the FDEP, the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, and to competent authorities of other concerned countries.
    c. 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 manifest discrepancy report, including a copy of the manifest, to the Department.
    d. The Permittee shall submit an unmanifested waste report to the Department with 15 days of receipt of unmanifested waste.
    e. The Permittee must submit all additional reports required in 40 CFR 264.77. This includes notification of any noncompliance 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. A verbal report shall be made to the Department within 24 hours, and a written report shall be provided within 15 days. The verbal report shall contain the name, address, ID number and telephone number of the Facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
        1. A description of cause of the noncompliance.
        2. If not corrected, the expected time of correction and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
    f. Reports of compliance with, or any progress reports on, requirements contained in any compliance schedule shall be submitted no later than 14 days after each schedule date.
    g. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS: (Continued)

11. The Permittee shall maintain a written operating record at the Facility, as required in 40 CFR 264.73, which includes:
    - the description and quantity of each hazardous waste received
    - the location of each hazardous waste within the Facility, and the quantity at each location
    - the results of the waste analyses
    - a summary report and details of incidents that require implementation of the Contingency Plan
    - the results of inspections (for 3 years)
    - Monitoring, testing or analytical data, and corrective action incidents, as required in 40 CFR 264.73(b)(6)
    - manifest numbers
    - notices to generators as specified in 40 CFR 264.12(b)
    - the Closure Plan and cost estimates
    - annual certification of waste minimization
    - biennial reports

    These records must be maintained at the Facility until completion and Certification of Closure, pursuant to 40 CFR 264.73.

12. The Permittee must meet the requirements in 40 CFR 264.74 regarding the availability, retention, and disposition of records.

13. A Biennial report covering Facility activities during the previous calendar year shall be submitted to the Department by March 1, of each even numbered year pursuant to 40 CFR 264.75 and Rule 62-730, F.A.C.

14. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances 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 CFR Part 268. When the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

17. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

PART III - CONTAINER STORAGE AREA

1. The Permittee is allowed to store the hazardous waste(s) listed in Tables 5.1-1 and 7.1-1 of the permit application in the approved storage area only. Containers must conform to DOT specification or UN performance criteria and be managed in accordance with the approved operation plan. Containers shall be kept closed, except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak, per 40 CFR 264.173. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in that is in good condition, per 40 CFR 264.171.

SPECIFIC CONDITIONS: (Continued)

2. The Permittee shall use only those containers made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored in them and managed as indicated in Section 8 of the permit application. [40 CFR 264.172]

3. The Permittee shall conduct daily visual inspections, in accordance with Section 8 and Figure 8.4-1 of the permit application (the inspection schedule), to detect leakage in the hazardous waste areas or their associated loading/unloading zones, per 40 CFR 264.174. If, in spite of the daily inspections, a significant deterioration of the concrete pad or joint sealant material (due to occasional spills) is noted, the need for a protective coating/more resistant seal material will be re-evaluated.

4. Spilled or leaked waste and accumulated precipitation must be removed from the collection area within 24 hours, then analyzed and disposed of in accordance with the requirements of 40 CFR 264.175.

5. The Permittee shall comply with the waste compatibility requirements of 40 CFR 264.177.

6. The Permittee shall comply with the following conditions concerning operation of the container storage area:
   a. The Permittee shall maintain and operate the Facility as required by 40 CFR 264.175 and in accordance with Section 8 of the permit application.
   b. The Permittee shall store a maximum of 6,912 gallons total of permitted and transfer wastes combined. (432 16-gallon containers, or the equivalent).
   c. The Permittee shall notify the Department if the volume of waste in the container storage area exceeds the permitted capacity.
   d. The Permittee shall not stack containers more than two high or six feet, whichever is higher in the container storage area.
   e. The Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire equipment, spill control equipment, and decontamination equipment to any area of the Facility operation in an emergency.

7. The Permittee shall manage all hazardous waste placed in a container or tank in accordance with the applicable requirements of 40 CFR 264 Subparts AA, BB and CC. [40 CFR 264.179]

SPECIFIC CONDITIONS: (Continued)

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PART IV - TANK STORAGE AREA

1. The Permittee is allowed to store hazardous waste in the 20,000 gallon above-ground storage tank, as shown in Figure 9.2-1 of the permit application, a copy of which is included with this permit.

2. The Permittee shall notify the Department of any leak, spill, or release to the environment as required in 40 CFR 264.196(d).

3. The Permittee shall pump the liquid in the spill collection trench into a compatible container or tank within 24 hours of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations. [40 CFR 264.193(c)(4)]

4. The Permittee must keep on file at the Facility the written statements certifying the design of the tank system in accordance with 40 CFR 264.193(b) and (f) which attest that the tank system has been designed, installed and maintained as per 40 CFR 264.193(b) and (d).

5. The Permittee shall prevent the release of hazardous waste or hazardous constituents to the environment. The secondary containment system should be maintained according to Section 9.3 of the permit application and shall comply with the requirements of 40 CFR 264.193. Ancillary equipment shall be provided with secondary containment, except as provided for in 40 CFR 264.193(f).

6. The Permittee shall, as part of the general operating requirements of 40 CFR 264.194:
   (a) Not place hazardous wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail.
   (b) Use appropriate controls and practices to prevent spills and overflows.
   (c) Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.

7. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank storage units in accordance with 40 CFR 264.194.

8. The Permittee must inspect daily the tank and ancillary equipment documenting the daily inspections in the operating record of the Facility in accordance with Section 9.4 and Figure 9.4-1 of the permit application. [40 CFR 264.195(b) and (d)]

9. The Permittee shall satisfy the requirements of 40 CFR 264.196 when a tank system or secondary containment system produces a leak or spill, or is determined to be unfit for use. These requirements include, as they are made applicable by 40 CFR 264.196:
   a. Cessation of use; prevent flow or addition of waste.
   b. Removal of waste from tank system or secondary containment system.
   c. Containment of visible releases to the environment.
   d. Notifications, reports.
   e. Provision of secondary containment, repair or closure.
   f. Certification of major repairs.

SPECIFIC CONDITIONS: (Continued)

10. For new tank components which may be required by the repair options of 40 CFR 264.196(f) the Permittee must submit a written assessment, reviewed and certified by an independent registered professional engineer, which attests to the component's structural integrity. This assessment shall include the requirements of 40 CFR 264.192. As required in 40 CFR 264.192(b), an independent qualified inspector or independent registered professional engineer must inspect the installation.

11. The Permittee shall not place ignitable or reactive waste in the tank system unless the waste is stored in such a way that it is protected from any material or conditions that may cause the waste to ignite or react. [40 CFR 264.198(a)]

12. The Permittee shall comply with the protective distance requirements for the tank placement as set forth in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981). [40 CFR 264.198(b)]

13. The Permittee shall handle incompatible wastes in accordance with the requirements of 40 CFR 264.199, by not introducing hazardous waste into unwashed tank systems which previously held incompatible waste or material.

14. The Permittee is authorized to operate the drum washers, located in the Return and Fill areas, as part of the tank systems and follow the operation procedures specified in Section 9 of the permit application.

15. The Permittee shall comply with the following conditions for the operation of the drum washers:
    a. Remove the liquids and the sludge from the sump in the bottom of drum washers, upon completion of each working day, and
    b. Process drums in the drum washers upon receiving and shall not accumulate drums in Return and Fill area for more than 24 hours.

PART V - CLOSURE

1. The Permittee shall comply with the following conditions concerning closure:
    a. The Permittee shall close the Facility as required by 40 CFR 264.111, and in accordance with the Closure Plan, Section 10 of the permit application.
    b. The Permittee shall amend the Closure Plan in accordance with 40 CFR 264.112(b) whenever necessary.
    c. In accordance with 40 CFR 264.112(d)(1), the Permittee shall notify the Department at least forty-five (45) days prior to the date he expects to begin closure of any units.
    d. The Permittee shall notify the Department at least one hundred thirty-five (135) days prior to the date he expects to begin closure and submit a complete Closure Permit Application. [Rule 62-730.260, F.A.C.]
    e. Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plan, Section 10 of the permit application, and in accordance with 40 CFR 264.113(a).
    f. The Permittee shall decontaminate and/or dispose of all Facility equipment as required by 40 CFR 264.114, 264.178, 264.197, and the Closure Plan, Section 10 of the permit application.

SPECIFIC CONDITIONS: (Continued)

g. The Permittee shall certify that the Facility has been closed in accordance with the specifications in the Closure Plan, as required by 40 CFR 264.115.

2. Within ninety (90) days of determining that all contaminated soils can not be practically removed or decontaminated from the tank systems as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the tank system(s) as a landfill and perform post closure care as required by 40 CFR 264.310. [40 CFR 264.197(b)]

PART VI - GENERAL

1. All submittals modifying engineering features of the hazardous waste storage areas shall be worded, signed and certified by a qualified, professional engineer (P.E.) registered in the State of Florida in accordance with Rule 62-730.220(7), F.A.C.

2. This permit may be reopened if additional information becomes available indicating that the provisions of Section 3004(u) of the Hazardous and Solid Waste Amendments (HSWA) of 1984 apply to this Facility. At that time, this permit may be modified to address the requirements of Section 3004(u) of HSWA if the State has been authorized for the provisions, or alternately, the Environmental Protection Agency (EPA) would issue a separate federal permit to address Section 3004(u) requirements.

3. The Department may modify, revoke and reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-730.290, F.A.C. The filing of a request for a permit modification, revocation and 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 revisions to the Department for approval. Should these revisions constitute a major modification to the permit, the Permittee shall meet the requirements of Rule 62-730.290, F.A.C.

4. Prior to one hundred thirty-five (135) days before the expiration of this permit, the Permittee shall submit a complete application for renewal of the permit on forms and in a manner prescribed by the Department, unless the Facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-730.300(1), F.A.C.

Issued this_____day of_____, 1997

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____
Carlos Rivero-deAguilar
Director of District Management
Southeast District

RCRA/VK/JJ/vp

TABLE 7.1-1

PERMITTED AND TRANSFER WASTES
SAFETY-KLEEN CORP.
MEDLEY, FLORIDA

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent*	S01** S02***	813	D001 and D-Codes Listed in Note Below
Dumpster Sediment	S01**	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01**	Included Above	D001 and D-Codes Listed in Note Below
Spent Immersion Cleaner (New Formula) IC699	S01**	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01**	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01****	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Waste	S01**	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ****	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A****	Less than 2.2	Not applicable - handled as nonhazardous transfer wastes.

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* Spent parts washer solvents are transported from the customer to the Branch in accordance with the generator's hazardous waste determination.

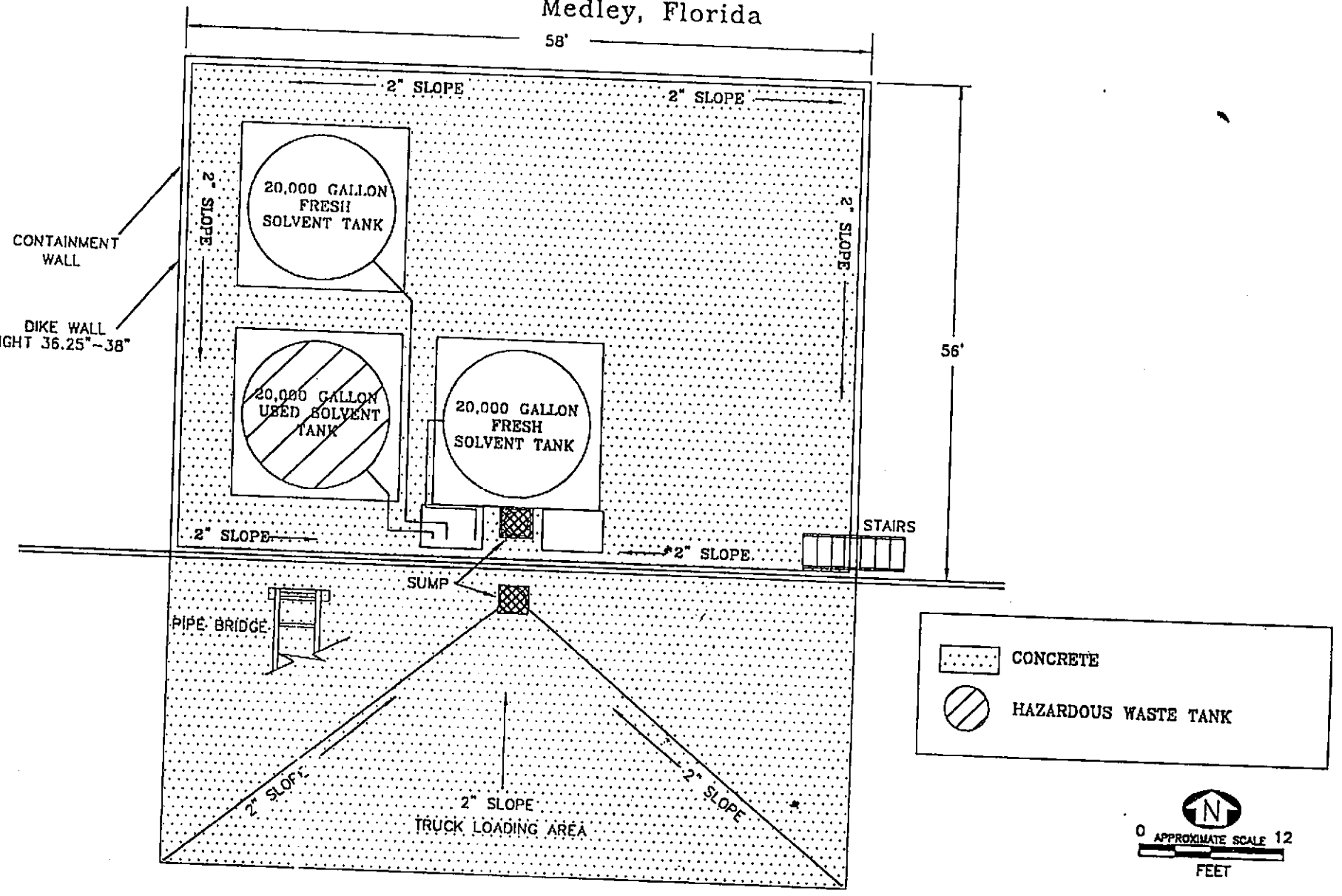
** This waste will be stored in containers in the container storage area. The maximum drum capacity in the container storage area for hazardous waste and product is 29,400 gallons with 6,912 gallons being waste.

*** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

**** This waste will be held for transfer in containers in the transfer area.

N/A Process code not applicable.

Figure 9.2-1
Tank Storage Area
Safety-Kleen Corp. Facility
Medley, Florida



ERM

.21 3:12:1-PM 042897-1 PERMIT

Department of Environmental Protection

AUG 1 1997

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Della Ridley
Safety-Kleen Corporation
4800 S. Old Peachtree Road
Norcross, GA 30071

Dear Ms. Ridley:

Safety-Kleen Corporation
First Notice of Deficiency
HO 13-307336
Dade County - Hazardous Waste

Your application for a hazardous waste operation permit, received on June 6, 1997, has been reviewed and found to be incomplete. The required information to complete your application is itemized in the attached Notice of Deficiency (NOD).

When a permit application is incomplete, all processing of the application is suspended. You are advised to provide us with the requested additional information pursuant to Rule 62-730.220, Florida Administrative Code (FAC) and Chapter 403.0876, Florida Statutes (FS).

Please provide four (4) copies of your completed response to this office within thirty (30) days of receipt of this letter. If a complete response to each item is not received within the above time frame, the Department may begin formal proceedings to deny the permit, pursuant to Section 120, FS.

You are encouraged to contact this office to discuss the deficiencies noted by the application review. If you have any questions regarding this letter, please contact me at (561)681-6674.

Sincerely,

John M. Jones, P.E.
Supervisor, Hazardous Waste Section

JJ/vp

Attachment

cc: FDEP/WPB Hazardous Waste Section Permit File
Doug Outlaw, FDEP/Tallahassee
Kent Williams, RCRA Permitting, USEPA/Atlanta

Deficiencies
Safety-Kleen (Medley)
Part B Renewal Application received June 4, 1997
Permit Number HO13-307336
EPA Identification Number FLD 984171694

1. Waste Analysis Plan - In Table 7.2-4, in the section labeled "NOTES" it states "In accordance with 40 CFR 264.13(a), Safety-Kleen will also perform physical and chemical analysis of a waste stream when it is notified or has reason to believe that the process or operation generating the waste has changed, or when the result of inspection indicates that the waste to be collected does not match the waste designated." This only satisfies 40 CFR 264.13(a)(3), but does not satisfy the requirements of 40 CFR 264.13(a)(1-2) which includes a provision that "a detailed chemical and physical analysis of a representative sample of the wastes" is required for each waste terminated/generated by the Permittee. An initial waste profile for each account, updated as required under 40 CFR 264.13(a)(3), may be used. This way, each waste stream, for each specific generator's account, will have at least one waste profile. This requirement is for wastes that are received at the Permittee's facility.

2. Pre-Application Meeting - Please include a summary of the pre-application meeting, along with a list of attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under 40 CFR 124.31(c). [40 CFR 270.14(b)(22)]

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

October 15, 2002

CERTIFIED – RETURN RECEIPT
7000 1670 0013 3095 4703

RECEIVED
OCT 21 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

Mr. Matt Hedrick, EHS Manager
Safety-Kleen Systems, Inc.
5309 24th Avenue South
Tampa, FL 33619

Re: Safety-Kleen / Medley Facility FLD 984 171 694
Operating Permit Renewal Application for Permit HO13-307336
Hazardous Waste Container and Tank Storage Facility – Dade County

Dear Mr. Hedrick:

The Florida Department of Environmental Protection (Department) is in receipt of your application for renewal of the operating permit for the referenced facility dated August 28, 2002.

A review of the above submittal shows that it is incomplete. Please provide the information requested in the attached summary. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

When a permit application is incomplete, all processing of the application is suspended. You are hereby advised to provide us with the requested information pursuant to Florida Administrative Code (F.A.C.) Rule 62-730.220 and Chapter 403.0876, Florida Statutes (F.S.). The deficiencies noted in this First Notice of Deficiencies may constitute a violation of Department rules.

Please submit three (3) copies of your written response within 30 days of receipt of this notice. If you cannot submit this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

You are encouraged to contact this office to discuss the deficiencies noted by the application review. If you have any questions regarding this letter, please contact Bill Parker of this office at the letterhead address or by phone at (850) 245-8707.

Sincerely,

Satish Kastury,
Environmental Administrator
Hazardous Waste Regulation

SK/bpp

Attachment

cc: John Harris, FDEP-West Palm Beach (w/Attachment)
Doug McCurry, EPA Region IV (w/Attachment)
Mark Hicks, Safety-Kleen – Medley (w/Attachments)

Safety-Kleen Systems Inc., Medley
First Notice of Deficiency
ATTACHMENT

GENERAL COMMENTS:

1. Please provide a drawing which combines the areas shown in Figures 5.6-3, 5.6-4 and 5.6-5. Show all tanks and equipment, both in use and out of service, at the facility.

2. Please specify which concrete sealant material is used in each area where hazardous waste is handled or stored. As shown on Figure 2.2-6 this would include areas A through E plus the part of the warehouse not included in C and the storage tank area.

3. The Closure Cost Estimate must include disposal of the contents of all tanks and containers and decontamination of the facility, including all loading docks and other areas where waste is handled.

4. Please provide a PE certification with the revised submittal.

SPECIFIC COMMENTS:

1. Figure 2.2-3 Please verify that the map is still current and provide a list of the users of the surrounding land. A radius of ¼ mile is sufficient for this application but note that 403.7211, F.S., would require a radius of 1,500 yards if an expansion or major modification of the facility is planned.

2. Figure 2.2-5 The drawing shows the perimeter fence as 7' 0" total height. Section 4.1, item 1 indicates as an eight-foot-high fence. Please verify and revise as appropriate.

3. Section 3.0 Please note that Safety-Kleen Systems, Inc. is no longer using the financial test for the Medley facility. Financial assurance for the Medley facility will be required in the amount of the approved closure cost estimate.

4. Section 5.1 In the description of dry cleaner waste, there is no mention of separator water. Please explain how is this material is handled?

   Please explain how you detect if hazardous waste has been mixed with the used oil or ethylene glycol that you pick up from your customers.

The mixture of waste ethylene glycol and used oil is transported to a permitted recycling facility. Please describe the process and provide assurance that the ethylene glycol is actually recycled. If this is a Safety-Kleen facility, is there a non Safety-Kleen facility that could receive this material in the event of a closure.

5. Table 5.8-1 Air Purifying Respirators Use/Description states "To be worn by any person..." Please revise the table if the respirators are assigned to individuals.

6. Section 10.2 The closure plans for containers and for tanks state that the contents will be sent to a Safety-Kleen recycle center. The closure cost estimate must use market prices for wastes recycled by Safety-Kleen facilities. For materials going to unrelated companies, please provide letters indicating that they would accept these materials and what they would charge. Please revise the cost estimates to include these changes.

7. Section 10.5 The concrete coring shown in SA-7 should be shown in SA-4.
In reviewing the Closure Cost Estimate, we have noted that there are some discrepancies/arithmetic errors that should be corrected and carried through subsequent pages. These are:

TS-7, Line 2.F
DC-4, Total
SA-6, Total
SA-7, Total
TD-1, Line 1
TD-2, Line 3C
TS-3, Total

Please verify these sheets and revise the cost estimates as appropriate.

8. Section 11.2 Please provide a work process description, employee instruction sheet, or narrative to show that the 15 minute maximum pour to pour time will not be exceeded.

9. Appendix A Photograph 6 shows a horizontal tank not shown elsewhere in the application. Please add this tank to the facility drawing, designate its contents and use and provide for its closure if appropriate.

10. Appendix C Appendix C shows a tank system that is completely different from the tank system shown elsewhere in the application and contains other information that appears to be obsolete. Appendix C is a historic document that should not be changed. Please provide a document that notes the obsolete information in Appendix C and where the current information can be found in the application.

11. Appendix H The calculation provided is for a tank system with a containment area of 58' X 40'. Please provide a containment volume calculation for the tank system shown in Figure 5.6-5 which has a containment area of 58' X 56'. Please revise the document as appropriate.

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

August 26, 2002

CERTIFIED – RETURN RECEIPT
7000 0600 0026 4130 7473

Mr. Matt Hedrick, EHS Manager
Safety-Kleen, Corp.
5309 24th Avenue South
Tampa, Florida 33619

Re: Safety-Kleen Systems, Inc., Medley Facility
Florida EPA I.D. Number FLD 984 171 694
Request for a Time Extension to Submit the Renewal Application for the HSWA Permit and to Combine the RCRA Renewal Application With it. – Dade County

Dear Mr. Connors:

The Florida Department of Environmental Protection (Department) is in receipt of your letter dated August 2, 2002 requesting additional time to submit an application for renewal of the Safety-Kleen, Medley facility, HSWA permit and to combine that application with the RCRA permit renewal application . The Department grants a time extension and the due date is now September 1, 2002.

Please contact Bill Parker at 850-488-0300 if you have any questions or need additional information.

Sincerely,

Satish Kastury,
Environmental Administrator
Hazardous Waste Regulation

SK/bpp

cc:
Doug McCurry, EPA - Region IV
John Harris, FDEP – Southeast District
Mark Hicks, Safety-Kleen - Medley

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

March 1, 2002

RECEIVED
MAR 07 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

Ms. Kathy Hodge
Safety Kleen Corporation
1122 Lady Street
Columbia, South Carolina 29201-3218

Re: FLD 984 171 694
Safety Kleen-Medley
8755 Northwest 95th Street
Medley, Florida 33178-1462

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 25, 2002 adequately covers the closure cost approved by the department. In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC0007099 effective October 15, 2000 providing coverage for sudden and nonsudden accidental occurrences is also adequate.

Therefore, Safety Kleen of Medley is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-488-0300.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
Mr. Lee Hoefert, FDEP/Southeast District Office
FDEP File

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

March 1, 2002

RECEIVED
MAR 07 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

Ms. Kathy Hodge
Safety Kleen Corporation
1122 Lady Street
Columbia, South Carolina 29201-3218

Re: FLD 000 776 757
Safety Kleen-Delray Beach
1855 Southwest 4th Avenue
Delray Beach, Florida 33447-8002

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 25, 2002 adequately covers the postclosure cost approved by the department.

Therefore, Safety Kleen of Delray Beach is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-488-0300.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
Mr. Lee Hoefert, FDEP/Southeast District Office
FDEP File

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

March 1, 2002

RECEIVED
MAR 07 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

Ms. Kathy Hodge
Safety Kleen Corporation
1122 Lady Street
Columbia, South Carolina 29201-3218

Re: FLD 984 167 791
Safety Kleen-Boynton Beach
5610 Alpha Drive
Boynton Beach, Florida 33426-8329

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility and finds it in order. The Indian Harbor Insurance Company certificate of insurance policy # PEC0006594 effective January 25, 2002 adequately covers the closure cost approved by the department. In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC0007099 effective October 15, 2000 providing coverage for sudden and nonsudden accidental occurrences is also adequate.

Therefore, Safety Kleen of Boynton Beach is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-488-0300.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Mr. Jeffrey Pallas, USEPA/Region 4
Mr. Lee Hoefert, FDEP/Southeast District Office
FDEP File

Environmental
Resources
Management

3913 Riga Boulevard
Tampa, FL 33619-1345
(813) 622-8727
(813) 621-8504 (Fax)

RECEIVED
DEC 17 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

December 13, 2002
Project No. SAFKLN 49301

Environmental Administrator
Hazardous Waste Regulation Section
M.S. 4560
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Safety-Kleen Systems, Inc. Medley Facility
8755 Northwest 95th Street; FLD 984 171 694; Permit Application HO13-216311; Operating Permit Renewal Application Notice of Deficiencies

Dear Sir:

On behalf of Safety-Kleen Systems, Inc. (Safety-Kleen), Environmental Resources Management (ERM) has prepared this letter to respond to the permit application Notice of Deficiencies (NOD) issued by the Department in a letter dated October 15, 2002. This response letter also addresses several NOD issues as they were discussed during an October 31, 2002 conference call with the Department. As requested by the Department, we have identified each comment, followed by our response. Revised pages of the application are provided also. As requested, three copies of this response letter are being provided to you.

General Comments

1. Several figures in the application (e.g., Figures 2.1-1 and 2.2-6) show the container storage area, return/fill station, and tank storage area combined in one figure. During the October 31, 2002 conference call, Department personnel indicated that what they are looking for with this request was something similar to what was provided in Safety-Kleen's Boynton Beach application. However, the manner in which the figures are presented in both the Medley and Boynton Beach facility permit applications is virtually identical. Consequently, no additional figures combining the three areas were created.

2. Areas A and C, and the northern portion (i.e., secondary containment area) of Area D (Figure 2.2-6) have concrete sealant material as specified in the permit application. The surface of Areas B, E, and the southern portion of Area D are Portland cement. Any releases to these areas are cleaned up quickly, thereby eliminating the likelyhood of chemicals infiltrating through the concrete.

3. The closure cost estimate addresses decontamination of regulated units. Chemical spills at loading docks and other areas of waste handling outside of the regulated units occur very infrequently. When spills occur, they are cleaned up quickly as indicated in the contingency plan. Consequently, decontamination of these areas at closure is not expected to be required, and the costs for such decontamination are not included in the closure cost estimate.

4. A P.E. certification is provided with this submittal.

Specific Comments

1. Figure 2.2-3

ERM contacted the Miami-Dade County Planning and Zoning Department and personnel there verified that the 1986 land use map is the current map used by the County. As agreed during the October 31, 2002 conference call, a list of adjacent property uses has been provided in lieu of a list of users of all surrounding land. Figure 2.2-3 has been revised to indicate the property uses adjacent to the Safety-Kleen facility.

2. Figure 2.2-5

The reference to an eight-foot-high fence in Section 4.1 was incorrect. Page 4-1 has been revised to indicate the correct fence height.

3. Section 3.0

The required financial assurance documentation is on file with the Department. Page 3-1 has been revised to indicate this.

4. Section 5.1

Separator waste is handled in the same manner as dry cleaner waste.

Regarding how Safety-Kleen detects whether hazardous waste has been mixed with used oil or ethylene glycol picked up from customers, generators who manage used oil, transporters, and used oil processors and re-refiners must determine if their used oil has been mixed with hazardous waste. Mixtures of used oil and hazardous waste must be managed as hazardous waste. If used oil contains more than 1000 ppm total halogen, it is presumed to have been mixed with hazardous waste. Consequently, it has to be managed as hazardous waste.

Safety-Kleen personnel test used oil or ethylene glycol at the customer's premises before taking the material from the customer's premises. Halogen screening is performed first. If the results are positive, the Safety-Kleen representative will use a Chloro-detect test for further accuracy. If the results are less than 1000 parts per million (ppm), Safety-Kleen can pick up the used oil/ethylene glycol. If the test results are greater than 1000 ppm, further testing is required before receiving the material. Testing results are documented by the Safety-Kleen representative. Note that a chlorine test is required for all non-CESQG generators.

The presumption that used oil with greater than 1000 ppm total halogen is mixed with hazardous waste can be rebutted. A rebuttal requires showing that the used oil has not been mixed with hazardous waste. The rebuttal requires a laboratory analysis of the used oil. The analysis must show that the used oil does not contain significant amounts of halogenated hazardous wastes.

Regarding the process of assurance that used oil and ethylene glycol shipped off site are recycled, at the customer's location, Safety-Kleen pumps waste ethylene glycol (antifreeze) and used oil into a Safety-Kleen used oil tanker truck. On a daily basis, the used oil tanker trucks off-load into the used oil tank at the Branch. A common carrier is contracted to transport used oil, waste antifreeze, and oily water in a bulk tanker from the Branch tank to CSX's bulk intermodal distribution system (BIDS) terminus for off-loading into tanker cars. The ethylene glycol/used oil mixture is transferred by rail to the Safety-Kleen re-refinery in East Chicago, Indiana, where the waste ethylene glycol is extracted from the oil by distillation. After separation, the ethylene glycol is shipped to a glycol refinery for

additional purification into a pure product which is then sold on the open market. This procedure is in accordance with FDEP's *Florida Fact Sheet on the Best Management Practices for Managing Antifreeze Destined for Recycling,* dated August 5, 1996.

The text in Section 7.1.7 has been revised to reflect this procedure.

5. Table 5.8-1

The reference to air purifying respirators has been removed from Table 5.8-1.

6. Section 10.2

Upon review of the closure cost estimate, we have determined that the rates used for waste disposal were internal Safety-Kleen rates. The cost estimate has been revised to use the market rates provided in the cost template.

7. Section 10.5

The cost for concrete coring is included in SA-7 because the costs are associated with accessing the soil below for sampling. The intent is not to sample the concrete for analyses.

The math errors pointed out by the Department have been corrected in this submittal.

8. Section 11.2

A narrative addressing the 15-minute maximum pour-to-pour time has been added to page 11-10.

9. Appendix A

The horizontal tank the Department is referring to is out of service and is disconnected. As discussed during the October 31, 2002 conference call, in the event Safety-Kleen decides to utilize the tank, a permit modification will be obtained prior to bringing the tank into service.

10. Appendix C

Please note that the first page in Appendix C, located in front of the

tank assessment report, provides the information the Department is requesting in this comment.

11. Appendix H

The actual dimensions are 58' x 43' (outside wall to outside wall), and the wall thickness is 8 inches. Figures 5.6-1 and 9.2-1 and Appendix H have been revised to indicate these dimensions.

Other Items

Please note that two other items of the permit application have been modified and are included with this response. Those items are:

1. The emergency contact numbers listed on page iii (Section 5) have been revised to indicate changes in cell phone numbers.

2. Figure 11.1-1 has been revised to indicate additional equipment. Similarly, related Figures 9.4-1 and 11.1-2 have been revised to reflect the same information.

If you have any questions or comments, please contact either Matt Hedrick, Environmental, Health & Safety Manager for Safety-Kleen, at 813-626-1203, or me at 813-622-8727.

Sincerely,

Michael J. Starks, P.G.
Principal

cc: Matt Hedrick – Safety-Kleen (w/enclosure)
Mark Hicks - Safety-Kleen (w/enclosure)
Hazardous Waste Supervisor - FDEP West Palm Beach District Office (w/enclosure)
Chief, RCRA Programs Branch - U.S. EPA Region 4 (w/enclosure)

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

RECEIVED
MAR 3 1 2003
DEPT OF ENV PROTECTION
WEST PALM BEACH

February 5, 2003

Ms. Kathy Hodge
Safety Kleen Corporation
164 Frontage Road
Lexington, South Carolina 29073-9141

Re: FLD 984 171 694
Safety Kleen-Medley
8755 Northwest 95th Street
Medley, Florida 33178-1462

Subject: Financial Responsibility Compliance for 2003

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility. The Indian Harbor Insurance Company certificate of insurance policy # PEC000659401 effective January 25, 2003 shows a recently recalculated closure cost of **$361,117.** In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC000709901 effective September 1, 2002 shows the required coverage for sudden and nonsudden accidental occurrences.

Therefore, Safety Kleen of Medley is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-245-8793.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Ms. Elizabeth Sawyer, USEPA/Region 4
Mr. Vivek Kamath, FDEP/Southeast District Office
FDEP File

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 1, 2003

Ms. Kathy Hodge
Safety Kleen Corporation
164 Frontage Road
Lexington, South Carolina 29073-9141

Re: FLD 000 776 757
Safety Kleen-Delray Beach
1855 Southwest 4th Avenue
Delray Beach, Florida 33447-8002

Subject: Financial Responsibility Compliance for 2003

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility. The Indian Harbor Insurance Company certificate of insurance policy # PEC000659401 effective January 25, 2003 shows a total inflation adjusted postclosure and corrective action cost of **$1,212,941.**

Therefore, Safety Kleen of Delray Beach is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-245-8793.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Ms. Elizabeth Sawyer, USEPA/Region 4
Mr. Vivek Kamath, FDEP/Southeast District Office
FDEP File

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

January 30, 2003

Ms. Kathy Hodge
Safety Kleen Corporation
164 Frontage Road
Lexington, South Carolina 29073-9141

Re: FLD 984 167 791
Safety Kleen-Boynton Beach
5610 Alpha Drive
Boynton Beach, Florida 33426-8329

Subject: Financial Responsibility Compliance for 2003

Dear Ms. Hodge:

The department has reviewed the documentation submitted to demonstrate financial responsibility. The Indian Harbor Insurance Company certificate of insurance policy # PEC000659401 effective January 25, 2003 shows an inflation adjusted closure cost of **$142,525.** In addition, the Greenwich Insurance Company certificate of liability insurance policy # PEC000709901 effective September 1, 2002 shows the required coverage for sudden and nonsudden accidental occurrences.

Therefore, Safety Kleen of Boynton Beach is in compliance with the financial assurance requirements of 40 CFR Part 264 Subpart H as adopted by reference in Rule 62-730.180 of the Florida Administrative Code.

If you have any questions, please contact me at 850-245-8793.

Sincerely,

Edgar Echevarría

Edgar Echevarría
Environmental Specialist II
Hazardous Waste Regulation

CC: Ms. Elizabeth Sawyer, USEPA/Region 4
Mr. Vivek Kamath, FDEP/Southeast District Office
FDEP File

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Date	12/13/02
Page 3 of	4

4. **Professional Engineer Registered in Florida** [Complete when required by Chapter 471, F.S. or not exempted by Rule 62-730.220(7), F.A.C.]

This is to certify that the engineering features of this hazardous waste management facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgement, this facility, when properly constructed, maintained and operated, or closed, will comply with all applicable statutes of the State of Florida and rules of the Department of Environmental Protection.

Warren Snyder
Signature

Warren Snyder, P.E.
Name (please type)

Florida Registration Number: 48542

Mailing Address: ERM 4215 Southpoint Blvd., Suite 260
Street or P.O. Box

Jacksonville FL 32216
City State Zip

Date: 12/13/02 Telephone (904)296-0434

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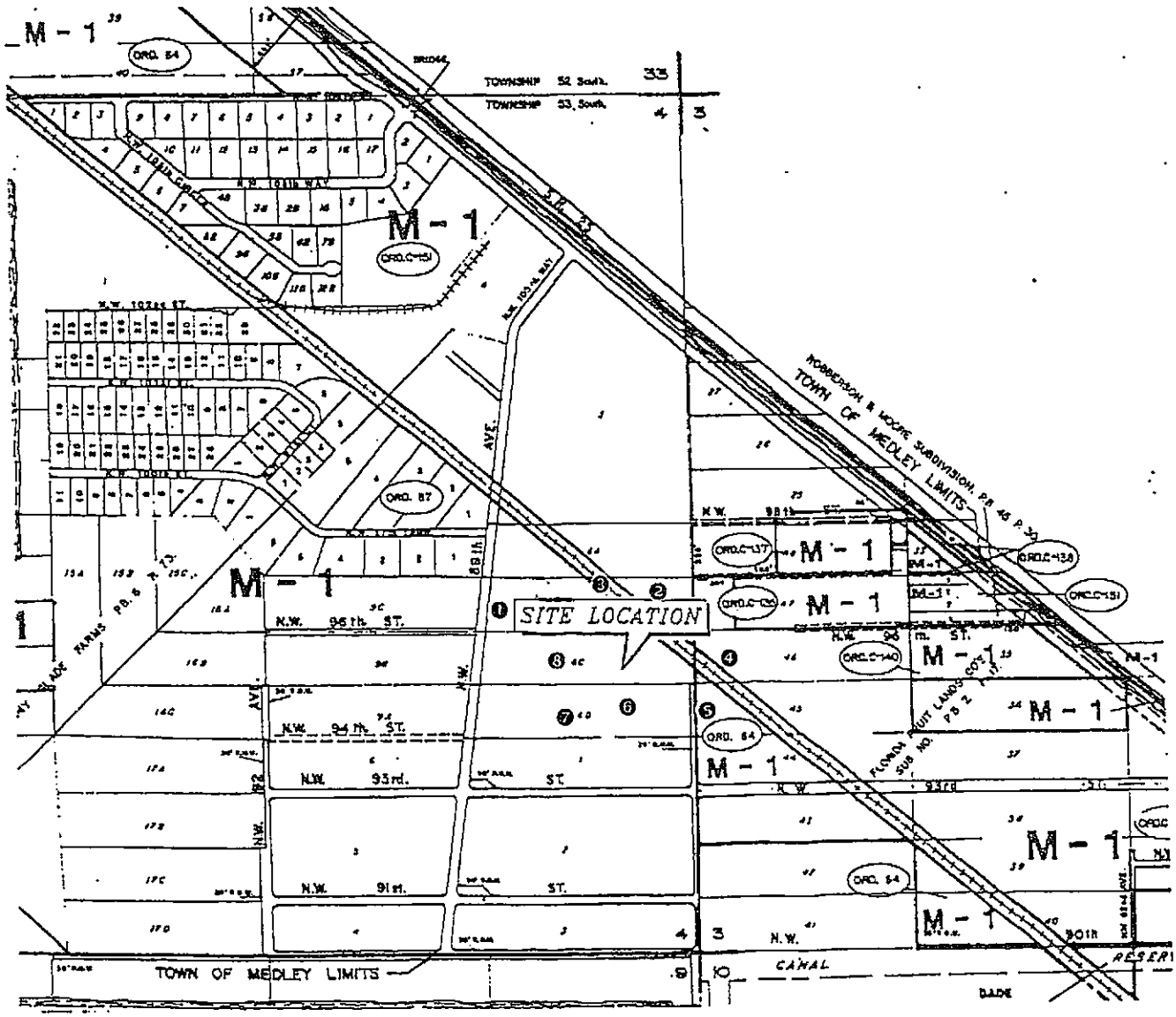
WEST PALM BEACH

[PLEASE AFFIX SEAL]

Figure 2.2-3
Surrounding Land Use Map
Safety-Kleen Systems, Inc. Facility
Medley, Florida



Adjacent Property Owners

1. Florida Wood Recycling
2. John P. Debogory & John Thorsen
3. Florida East Coast RR Company
4. US Assets, Inc. dba UN Foundry Mfg.
5. US Assets, Inc. dba UN Foundry Mfg.
6. Broness Investments
7. Adalberto Hernandez
8. Orlando Otero

LEGEND

M-1 LIGHT MANUFACTURING INDUSTRIAL DISTRICT

N

0 1000
FEET

Source: Howard Needles Tammen & Bergendoff, Miami, Florida, September 1986.

ERM

3.0 FINANCIAL ASSURANCE FOR CLOSURE

Safety-Kleen is the operator of the Medley, Florida Branch. Financial assurance documentation is on file at the Florida Department of Environmental Protection's Tallahassee office. The closure cost estimate is provided in the closure plan (Section 10.5 of this document).

4.0 FACILITY SECURITY

4.1 SECURITY PROCEDURES AND EQUIPMENT

In accordance with 40 CFR 264.14, access to the facility is controlled through the following methods:

1. Entry to the container and return/fill areas will be controlled through gates and doors. All gates and doors will be locked at all times when facility is not in operation. The entire facility is surrounded by an approximately seven-foot-high fence. The fence consists of six feet of chain-link topped by approximately one foot of barbed wire.

2. The combination of doors and signs prevents unknowing entry and minimizes the potential for unauthorized entry of people or livestock into the facility.

3. Signs are posted at the entrance of the facility and additional locations so that they are visible from any approach at 50 feet. Signs are marked "DANGER - UNAUTHORIZED PERSONNEL KEEP OUT."

4. "NO SMOKING" signs are posted in areas where hazardous wastes are handled.

EMERGENCY PHONE NUMBERS

Emergency Coordinators

Primary:
Mark Hicks
677 SW 111th Avenue
Pembroke Pines, FL 33025
Home: (954) 392-1281
Office: (305) 884-0123
Cell: (786) 299-6373

Alternate:
Jennifer Sager
20012 NE 6th Court
North Miami, FL 33179
Home: (305) 770-2696
Office: (305) 884-0123
Cell: (786) 299-6374

Emergency Notification Phone Numbers

3E Company (Safety-Kleen's 24-Hour Emergency Reporting System)
1-800-468-1760

State Warning Point (24 hours)
(850) 413-9911 or 1-800-320-0519

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33401
(561) 681-6600 (Monday-Friday, 8:00 am to 5:00 pm, except Holidays)

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

South Florida Water Management District
(561) 686-8800

Miami-Dade County Environmental Resources Management, Mr. Mike Graham: (305) 375-3376 (24 hrs)

Emergency Team to be Notified

Miami-Dade Fire and RescueDepartment
10200 NW 116th Way
Medley, FL 33178
911

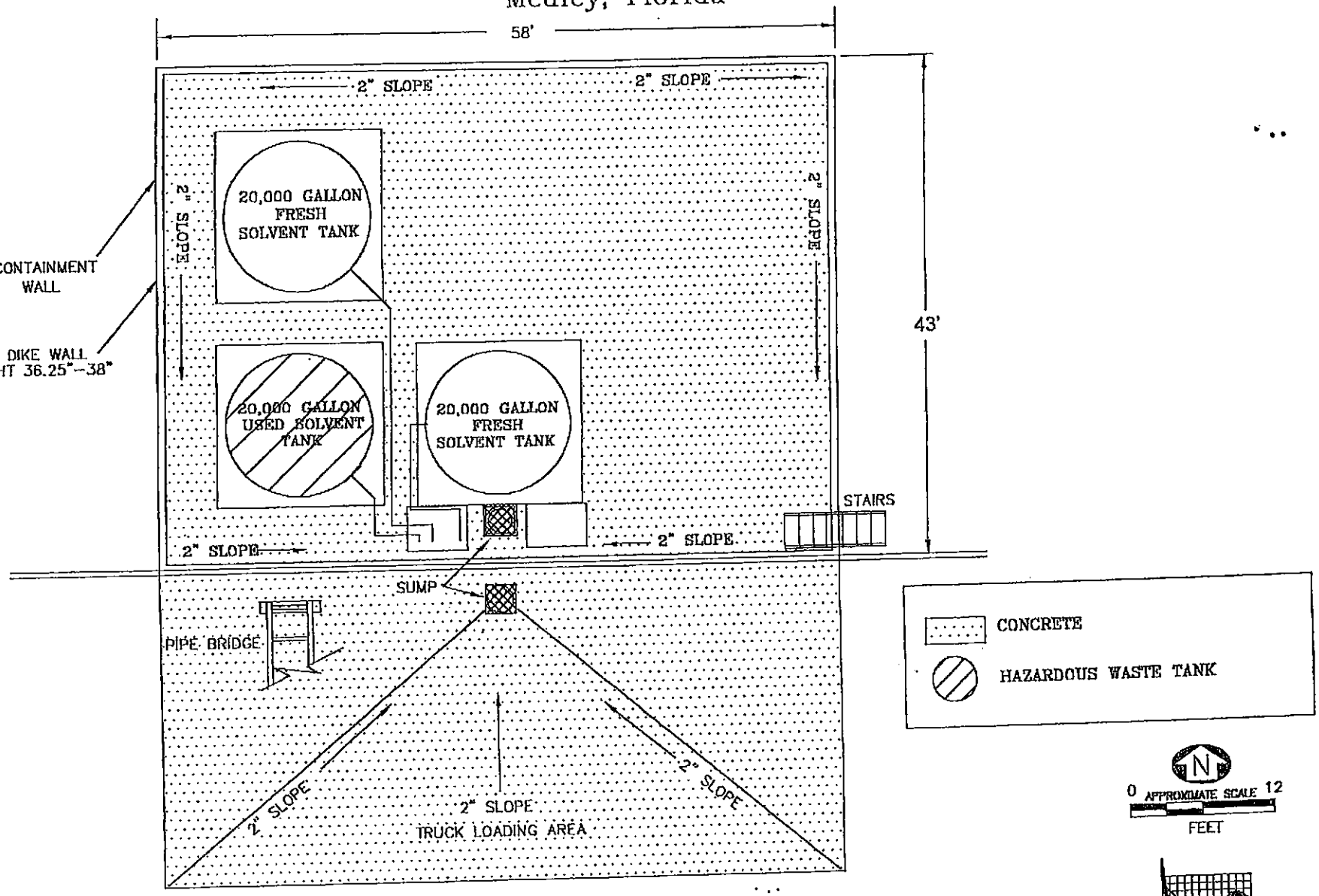
Florida Spill Response
P. O. Box 1847
Cocoa, FL 32923-1847
800-237-7012
Primary Contractor

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 883-2047 or 911

ACT, Inc.
1875 W. Main Street
Bartow, FL 33830-7718
800-226-0911
Secondary Contractor

AMI - Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Figure 5.6–5
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida



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311.21 31121-PM 042897-1 PERMIT

TABLE 5.8-1

DESCRIPTION AND USES OF EMERGENCY EQUIPMENT

Item	Location	Use/Description
Gloves	Locker Room/Emergency Equipment Area	The rubber or plastisol gloves sold by Safety-Kleen are to be used when handling the solvents.
Safety Glasses	Locker Room/Emergency Equipment Area	To be worn when loading or unloading solvent.
Plastic Aprons	Locker Room/Emergency Equipment Area	For situations where a solvent may get on the worker's clothing.
Eyewash Stand	Container storage area and return/fill station	The workers should operate the stand and become familiar with its operation.
Showers	Office to return/fill dock exit	These are used for emergency and routine cleaning of employees.
Fire Extinguisher	Points where solvent is transferred	An ABC extinguisher is a universal system used on paper, wood, and electrical, as well as solvent fires. The extinguishers must be full and carry an inspection tag. The accepted extinguisher is available as S-K Part No. 4009.
Absorbent Material	Loading/Unloading Area and Warehouse	An adequate supply will be on hand to handle small spills. S-K Part No. 8890 A 50-pound bag will also be kept in the warehouse to remediate and prevent the spread of large spills.
Portable Pumps Wet/Dry Vacuum	Warehouse	For use in picking up liquid spills in the container containment area, or other paved areas, and to transfer materials associated with a spill.
Recovery Containers	Warehouse	Emergency storage of spilled product, cleaning fluids, or other materials associated with a spill.
Plastic	Warehouse	To be used for containment of decontamination zones.
Duct Tape	Warehouse	Taping of protective clothing, containment plastic, and other miscellaneous uses.
First-Aid Supplies	Locker Room/Emergency Equipment Area	Minor first-aid needs and health problems.
Shovels and Mops	Warehouse	To be used to collect spills and spill residue.
Communication Equipment	Throughout the Facility	Six telephones with paging/loudspeaker systems are available in the office and warehouse for internal and external communications.
Decontamination Equipment	Warehouse	Two brushes, a box of detergent and cloth rags are available for decontamination of clean-up equipment.
Fire Sprinkler System	Warehouse	An automatic sprinkler system that is activated in case of a fire in the building.

7.1.7 Antifreeze Waste

The spent antifreeze (ethylene glycol) is collected from automobile service stations and is typically mixed with used oil. All antifreeze collected and managed by Safety-Kleen within Florida is recycled. At the customer's location, Safety-Kleen pumps waste ethylene glycol (antifreeze) and used oil into a Safety-Kleen used oil tanker truck. On a daily basis, the used oil tanker trucks off-load into the used oil tank at the Branch. A common carrier is contracted to transport used oil, waste antifreeze, and oily water in a bulk tanker from the Branch tank to CSX's bulk intermodal distribution system (BIDS) terminus for off-loading into tanker cars. The ethylene glycol/used oil mixture is transferred by rail to the Safety-Kleen re-refinery in East Chicago, Indiana, where the waste ethylene glycol is extracted from the oil by distillation. After separation, the ethylene glycol is shipped to a glycol refinery for additional purification into a pure product which is then sold on the open market. This procedure is in accordance with FDEP's *Florida Fact Sheet on the Best Management Practices for Managing Antifreeze Destined for Recycling,* dated August 5, 1996. This waste stream previously was considered hazardous by the state of Florida. However, the Florida Department of Environmental Protection (FDEP) has subsequently determined this waste stream can be handled as nonhazardous as long as it is destined for recycling.

7.1.8 Aqueous Brake Cleaner

The Aqueous Brake Cleaner (ABC) is primarily an aqueous solution with approximately 10% nonorganic additives and detergents. The spent ABC is transported from the customers in containers. Spent ABC from customer's parts washers will be accumulated in the 20,000-gallon used solvent storage tank via the return/fill station. The used aqueous parts washer solvent may be considered characteristic waste by TCLP and may carry the waste codes referred to in Table 7.1-1 for spent parts washer solvent.

Figure 9.2-1
Tank Storage Area
Safety-Kleen Systems, Inc. Facility
Medley, Florida

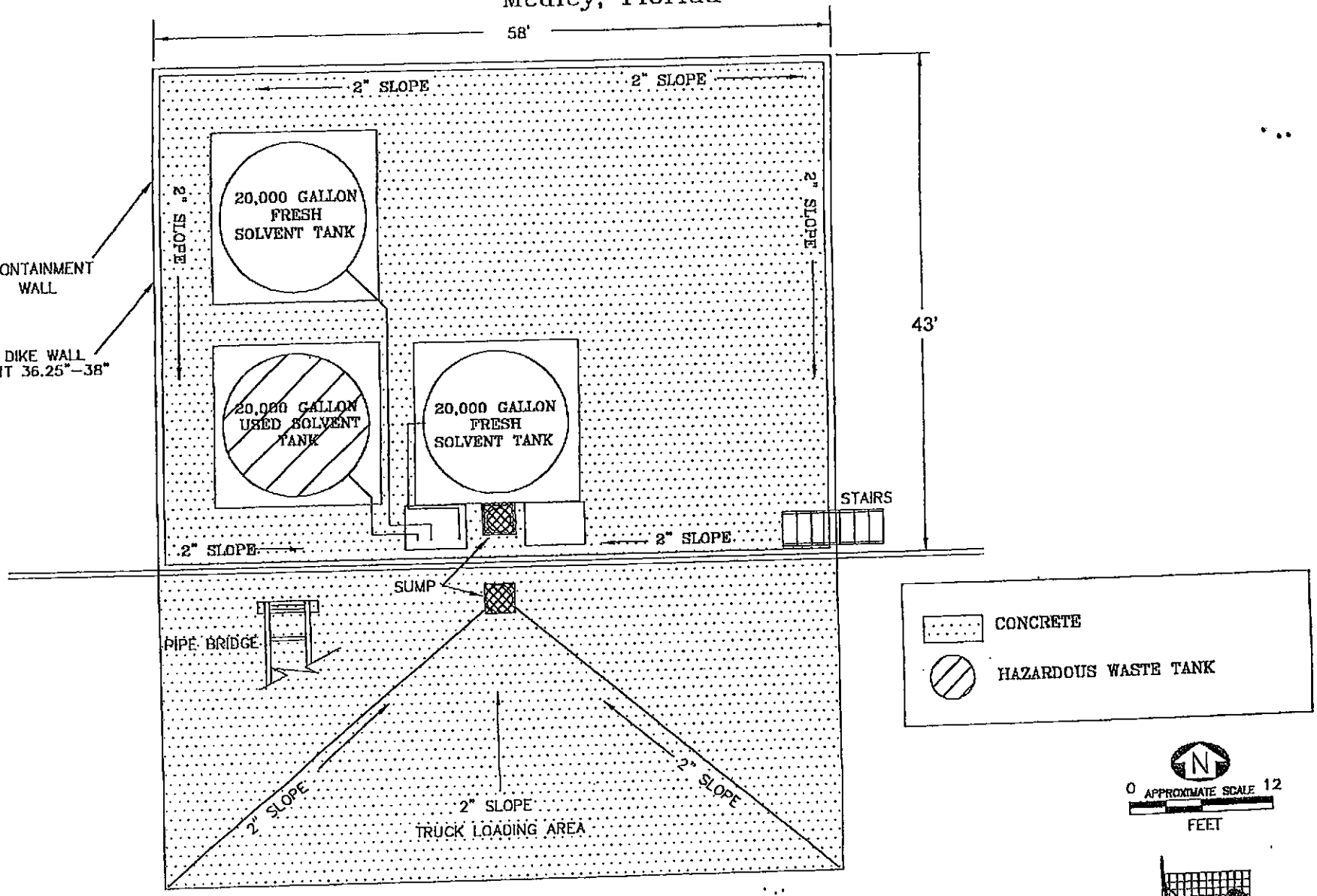

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FIGURE 9.4-1
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of **STORAGE TANK SYSTEM**

INSPECTOR'S NAME/TITLE: Lead Warehouseman _____ Warehouseman _____

INSPECTOR'S SIGNATURE:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY

DATE (MM/DD/YY) _____ _____ _____ _____ _____

TIME _____ _____ _____ _____ _____

STORAGE TANKS: (Tanks must NEVER be more than 95% full!)

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Clean 105 Solvent (in/gl)					
Waste Solvent Tank (in/gl)					
Clean 150 Solvent (in/gl)					
Oily Water					

ank Exterior: A N A N A N A N A N

If "N" circle appropriate problem: rusty or loose anchoring, lack of grounding, wet spots, discoloration, leaks, distortion, or other: _____

High Level Alarms: A N A N A N A N A N

If "N" circle appropriate problem: malfunctioning Power On" light, malfunction siren/strobe light, or other: _____

Volume Gauges: A N A N A N A N A N

If "N" circle appropriate problem: disconnected, sticking, condensation, or other: _____

CONTAINMENT AREA (Tank Dike)
Any material which spills, leaks or otherwise accumulates in the dike including rainwater, must be completely removed within 24 hours.

Bottom and Walls: A N A N A N A N A N

If "N" circle appropriate problem: cracks, debris in dike, open drums in dike, ponding/wet spots, stains, sealant is pitted, cracked or chipped, discoloration, displacement, leaks or other: _____

Rigid Piping and Supports: A N A N A N A N A N

If "N" circle appropriate problem: distortion, corrosion, paint failure, leaks, or other _____

3SERVATIONS, COMMENTS, DATE AND SPECIFIC NATURE OF REPAIRS OF ANY ITEMS INDICATED AS "NOT ACCEPTABLE": _____

A" = Acceptable N = Not Acceptable
(IF AN ITEM IS NOT APPLICABLE, ENTER 'N/A' AFTER IT AND DRAW A LINE THROUGH THE 'ACCEPTABLE/NOT ACCEPTABLE ROW')

FIGURE 9.4-1 (Cont.)
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of **STORAGE TANK SYSTEM**

INSPECTOR'S NAME/TITLE: Lead Warehouseman _____ Warehouseman _____
INSPECTOR'S SIGNATURE:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY

DATE (MM/DD/YY) _____ _____ _____ _____ _____
TIME _____ _____ _____ _____ _____

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
TRANSFER PUMPS & HOSES					
Pump Seals:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Motors:	A N	A N	A N	A N	A N
If "N" circle appropriate problem overheating, other: _____					
Fittings:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Valves:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Hose Connections & Fittings:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Hose Body:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
RETURN AND FILL STATION					
Drum Washer:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Secondary Containment:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					
Loading/Unloading Area:	A N	A N	A N	A N	A N
If "N" circle appropriate problem: leaks, other _____					

OBSERVATIONs, COMMENTS, DATE AND SPECIFIC NATURE OF REPAIRS OF ANY ITEMS INDICATED AS "NOT ACCEPTABLE": _____

A* = Acceptable N = Not Acceptable
(IF AN ITEM IS NOT APPLICABLE, ENTER 'N/A' AFTER IT AND DRAW A LINE THROUGH THE 'ACCEPTABLE/NOT ACCEPTABLE ROW')

FIGURE 9.4-1 (Cont.)
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of TANK EQUIPMENT

INSPECTOR'S NAME/TITLE: Lead Warehouseman _____ Warehouseman _____

INSPECTOR'S SIGNATURE:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY

DATE (MM/DD/YY)

TIME

Pump, Flange, or Valve Number	MON	TUES	WED	THURS	FRI
1. 1¼" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
2. 2" Gate Valve	A N	A N	A N	A N	A N
3. 1½" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
4. Recirculating Pump (Barrel Washer)	A N	A N	A N	A N	A N
5. 1½" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
6. 1¼" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
7. 2" Gate Valve	A N	A N	A N	A N	A N
8. Recirculating Pump (Barrel Washer)	A N	A N	A N	A N	A N
9. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
10. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
11. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
12. Strainer ASSY	A N	A N	A N	A N	A N
13. Used Solvent Pump	A N	A N	A N	A N	A N
14. 2" Flanged Check Valve	A N	A N	A N	A N	A N
15. 3/8" Automatic Vacuum Breaker	A N	A N	A N	A N	A N
16. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
17. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
18. 3" Flanged Check Valve	A N	A N	A N	A N	A N
19. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
20. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
21. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
22. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
23. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
24. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
25. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
26. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
27. 3" Pressure Vacuum Breaker	A N	A N	A N	A N	A N
28. 3" Tank Flange Adjacent to "16"	A N	A N	A N	A N	A N
29. 3" Pipe Flange Adjacent to "17"	A N	A N	A N	A N	A N
30. 3" Pipe Flange Adjacent to "18"	A N	A N	A N	A N	A N
31. 3" Tank Flange Adjacent to "21"	A N	A N	A N	A N	A N
32. 3" Tank Flange Adjacent to "24"	A N	A N	A N	A N	A N
33. 3" Blind Tank Flange	A N	A N	A N	A N	A N
34. 3" Blind Tank Flange	A N	A N	A N	A N	A N
35. 3' Long Bolt Manway	A N	A N	A N	A N	A N

FIGURE 9.4-1 (Cont.)
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of TANK EQUIPMENT

36. through 39. No Longer in Use	A N	A N	A N	A N	A N
40. 2" Check Valve	A N	A N	A N	A N	A N
41. 1" Ball Valve	A N	A N	A N	A N	A N
42. 1" Ball Valve	A N	A N	A N	A N	A N

If 'N', enter pump or valve # _____ and circle appropriate problem: potential leak, active leak sticking, wear, does not operate smoothly, or other _____

For all leaks and potential leaks, the Leak Detection and Repair Record must be completed.

A* = Acceptable N = Not Acceptable

Draw a line through valve and pump I.D. numbers which do not apply.

requirements that apply to landfills (40 CFR 264.310) will be prepared for implementation upon FDEP approval.

10.5 CLOSURE COST ESTIMATE

The cost for closure of the facility is estimated in the following worksheets and summarized as follows:

•	Closure of Container Storage Area	=	$325,959*
•	Closure of Tank System	=	$ 9,746
	Total Estimated Closure Cost	=	$335,235

* Includes facility costs for decontamination and waste transportation and disposal (in 1997 dollars).

Total Estimated Closure Cost (1997 dollars)	=	$335,235

Adjusted for inflation and rounded:

1998	-	$335,235 + 2.5%	=	$343,616
1999	-	$343,616 + 1.0%	=	$347,052
2000	-	$347,052+ 1.0%	=	$350,523
2001	-	$350,523+ 1.5%	=	$355,780
2002	-	$355,780+ 1.5%	=	$361,117

Facility Name: Safety-Kleen Medley

SUMMARY WORKSHEET

	Activity Some of the activities listed below are routine. The owner or operator might elect or be required to conduct additional activities. Italic type denotes worksheets for estimating the costs of those additional activities.	Worksheet Number	Cost
1.	*Demolition and Removal of Containment System*	CS-3	$ 0
2.	*Removal of Soil*	CS-4	$ 0
3.	*Backfill*	CS-5	$ 0
4.	Decontamination[a] *	DC-1	$ 18644
5.	Sampling and Analysis[b] *	SA-2	$ 14261
6.	*Monitoring Well Installation*[c]	MW-1	$ 0
7.	Transportation[d] *	TR-1	$ 28688
8.	Treatment and Disposal[e] *	TD-1	$ 182,891
9.	**Subtotal of Closure Costs (Add lines 1 through 8)**		$ 244,484
10.	Engineering Expenses (Approximately 10% of closure costs, excluding certification of closure [Multiply line 9 by 0.10])		$ 24,448
11.	Certification of Closure	CS-6	$ 2700
12.	**Subtotal (Add engineering expenses and cost of certification of closure to closure costs [Add lines 9, 10, and 11])**		$ 271,632
13.	Contingency Allowance (Allow 20% of closure costs, engineering expenses, and cost of certification of closure [Multiply line 12 by 0.20])		$ 54,326
14.	*Landfill Closure*[f]	LF-2	$ 0
	TOTAL COST OF CLOSURE ***(Add lines 12, 13, and 14)***		$ 325,959

Notes:

[a] Decontamination Worksheets are found in Chapter 12.

[b] Sampling and Analysis Worksheets are found in Chapter 13.

[c] Monitoring Well Installation Worksheets are found in Chapter 14.

[d] Transportation Worksheets are found in Chapter 15.

[e] Treatment and Disposal Worksheets are found in Chapter 16.

[f] Landfill Worksheets are found in Chapter 7. Costs of post-closure care are included in this total.

* Items 4, 5, 7, and 8 are facility-wide costs, not just those associated with the container storage area.

Facility Name: Safety-Kleen, Medley

SUMMARY WORKSHEET

	Activity Some of the activities listed below are routine. The owner or operator might elect or be required to conduct additional activities. Italic type denotes worksheets for estimating the costs of those additional activities.	Worksheet Number	Cost
1.	Removal of Waste	TS-3	$ 348
2.	Tank System Purging (ignitable wastes *only*)	TS-4	$ 378
3.	*Flushing the Tank and Piping*	TS-5	$ 713
4.	*Excavation, Disassembly, and Loading*	TS-6	$ 1720
5.	*Demolition and Removal of Containment System*	TS-7	$ 1770
6.	*Removal of Soil*	TS-8	$ -0-
7.	*Backfill*	TS-9	$ -0-
8.	Decontamination[a] *	DC-1	$ -0-
9.	Sampling and Analysis[b] *	SA-2	$ -0-
10.	*Monitoring Well Installation*[c]	MW-1	$ -0-
11.	Transportation[d] *	TR-1	$ -0-
12.	Treatment and Disposal[e] *	TD-1	$ -0-
13.	Subtotal of Closure Costs (Add lines 1 through 12)		$ 4929
14.	Engineering Expenses (Approximately 10% of closure costs, excluding certification of closure [Multiply line 13 by 0.10])		$ 493
15.	Certification of Closure	TS-10	$ 2700
16.	Subtotal (Add engineering expenses and cost of certification of closure to closure costs [Add lines 13, 14, and 15])		$ 8122
17.	Contingency Allowance (Allow 20% of closure costs, engineering expenses, and cost of certification of closure [Multiply line 16 by 0.20])		$ 1624
18.	*Landfill Closure*[f]	LF-2	$ -0-
	TOTAL COST OF CLOSURE *(add lines 16, 17, and 18)*		$ 9,746

* See CS-2 for these costs, which were calculated on a facility-wide basis

Notes:

[a] Decontamination Worksheets are found in Chapter 12.

[b] Sampling and Analysis Worksheets are found in Chapter 13.

[c] Monitoring Well Installation Worksheets are found in Chapter 14.

[d] Transportation Worksheets are found in Chapter 15.

[e] Treatment and Disposal Worksheets are found in Chapter 16.

[f] Landfill Summary Worksheets are found in Chapter 7. Costs of post-closure care are included in this total.

1	Maximum volume of waste to be removed from the tank and ancillary piping (Enter from worksheet TS-1, line 1.D) (incl. dumpsters)	20,078 gal	
2	Labor and equipment cost per work hour[a]	$ 101.90	
	Choose the appropriate level of PPE:		
	a. Protection Level D $ 101.90/work hr[b]		
	b. Protection Level C $ 127.87/work hr[c]		
	c. Protection Level B $ 151.45/work hr[c]		
3	Work rate required to remove waste from tank and ancillary piping[d]	0.00017 work hr/ gal capacity	
4	Number of hours required to remove waste from tank and ancillary piping (Multiply line 1 by line 3) (One hour minimum; round up to the 0.5 hour)	3.5 work hrs	
TOTAL COST OF REMOVAL OF WASTE FROM TANK AND ANCILLARY PIPING (Multiply line 2 by line 4) (Enter total on worksheet TS-2, line 1)			$ 357

Notes:

[a] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 37, item no. 880-0310. Activity described is removing sludge, water, and remaining waste from bottom of tank with a vacuum truck.

[b] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 499, crew A-13. Crew A-13 consists of one equipment operator and one large production vacuum loader.

[c] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 499, crew A-13. Crew A-13 consists of one equipment operator and one large production vacuum loader. See Appendix B of this manual for details of the calculation.

[d] Rate derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 37, item no. 880-0310. A waste removal estimate of one hour for a one-person crew is required for one, 6,000-gallon tank.

DEMOLITION AND REMOVAL OF CONTAINMENT SYSTEM - Page 1 of 2

1 DEMOLITION OF CONTAINMENT SYSTEM WALLS ONLY			
1.A	Area of containment system (Enter from worksheet TS-1; add lines 4.C, 6.C, and 9)	722 ft²	
1.B	Labor and equipment cost per work hour[a]	$ 34.98	
	Choose the appropriate level of PPE:		
	a. Protection Level D $ 34.98/work hr[b]		
	b. Protection Level C $ 50.91/work hr[c]		
	c. Protection Level B $ 64.45 work hr[c]		
1.C	Work rate to demolish one ft² of containment system[d]	0.040 work hr/ft²	
1.D	Number of hours required to demolish the containment system (Multiply line 1.A by line 1.C) (One hour minimum; round up to the 0.5 hour)	29 work hrs	
1.E	**Cost to Demolish the Containment System (Multiply line 1.B by line 1.D)**		$ 1014
2 REMOVAL AND LOADING OF CONTAINMENT SYSTEM WALLS ONLY			
2.A	Volume of the containment system (Enter from worksheet TS-1; add lines 5.B, 7.B, and 9)	18 yd³	
2.B	Labor and equipment cost per work hour[e]	$ 41.18	
	Choose the appropriate level of PPE:		
	a. Protection Level D $ 41.18/work hr[f]		
	b. Protection Level C $ 58.04/work hr[g]		
	c. Protection Level B $ 72.51/work hr[g]		
2.C	Work rate to remove and load one yd³[,h]	0.300 work hr/yd³	
2.D	Number of hours required to remove the containment system (Multiply line 2.A by line 2.C) (One hour minimum; round up to the 0.5 hour)	5.5 work hrs	
2.E	Subtotal of labor and equipment costs to remove and load the containment system (Multiply line 2.B by line 2.D)		$ 227
2.F	Number of debris box containers needed to hold containment system (Divide line 2.A by 20 yd³ per container; round up to the nearest whole number)	1 containers	
2.G	Cost of one 20-yd³-capacity debris box container (Rent per week)[i]	$ 260/container	

DEMOLITION AND REMOVAL OF CONTAINMENT SYSTEM - Page 2 of 2

2.H	Cost of containers (Multiply line 2.F by line 2.G)	$ 260
2.I	Cost of mobilization and demobilization (flat rate)[k]	$ 269.00
2.J	Cost to Remove and Load Containment System (Add lines 2.E, 2.H, and 2.I)	$ 756
TOTAL COST OF DEMOLITION AND REMOVAL OF CONTAINMENT SYSTEM (Add lines 1.E and 2.J) (Enter total on worksheet TS-1, line 5)		$ 1770

TS-1

Notes:

[a] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994 pg. 24, item no. 554-2320. Activity described is site demolition, concrete, 6-in-thick, no reinforcing.

[b] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 506, crew B-39. Crew B-39 consists of one labor foreman, four building laborers, one light equipment operator, one air compressor (250 cubic feet per minute [cfm]), two air tools and accessories, and two 50-ft air hoses (1.5-in diameter).

[c] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 506, crew B-39. Crew B-39 consists of one labor foreman, four building laborers, one light equipment operator, one air compressor (250 cfm), two air tools and accessories, and two 50-ft air hoses (1.5-in diameter). See Appendix B of this manual for details of the calculation.

[d] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 24, item no. 554-2320. Work rate is based on a six-person crew and a 6-in-thick concrete slab without reinforcing.

[e] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 25, item no. 620-3080. Activity described is loading by machine of demolition rubbish.

[f] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 500, crew B-6. Crew B-6 consists of two building laborers, one light equipment operator, and one 48-horsepower backhoe loader.

[g] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 500, crew B-6. Crew B-6 consists of two building laborers, one light equipment operator, and one 48-horsepower backhoe loader. See Appendix B of this manual for details of the calculation.

[h] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 25, item no. 620-3080. Work rate is based on a three-person crew.

[i] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 25. Cost is determined by averaging the weekly rental rate of a 10-yd^3-capacity debris box container (item no. 620-0700) and a 30-yd^3-capacity debris box container (item no. 620-800).

[k] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 48, item no. 274-0020. Cost is based upon an average mobilization and demobilization costs for a 105-horsepower dozer or loader, 3/4-yd^3 shovel or backhoe, 1.0-yd^3 tractor shovel or front-end loader, and a 2 1/4-yd^3 tractor shovel or front-end loader from a location within a 25-mile radius of the site. The cost is added to all activities that require the use of heavy equipment. If equipment has already been mobilized for another activity, it may not be necessary to include this cost.

DECONTAMINATION DC-1

Facility Name: SAFETY-KLEEN MEDLEY

SUMMARY WORKSHEET

	Activity Some of the activities listed below are routine. The owner or operator might elect or be required to conduct additional activities. Italic type denotes worksheets for estimating the costs of those additional activities.	Worksheet Number	Cost
1.	Decontamination of Unit by Steam Cleaning or Pressure Washing	DC-2	$ 15029
2.	Decontamination of Unit by Sand Blasting	DC-3	$ ~~0~~
3.	Decontamination of Heavy Equipment	DC-4	$ 3635
TOTAL COST OF DECONTAMINATION *(Add lines 1, 2, and 3)*			$ 18664

11	Cost of demolition of temporary decontamination area for heavy equipment (Include this cost if permanent decontamination area does not exist)[g] NOTE: THIS COST SHOULD ONLY BE INCURRED ONCE FOR THE CLOSURE OF ALL UNITS	$ 852.10
	TOTAL COST OF DECONTAMINATION OF HEAVY EQUIPMENT (Add lines 3, 5, 9, 10, and 11) (Enter total on worksheet DC-1, line 3)	$ 3635

Remember to calculate costs for transporting, treating, and disposing of the wastes in drums generated from this activity. Use Worksheets TR-1 and TD-2 found in Chapters 15 and 16, respectively.

Notes:

[a] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 19, item no. 420-6300. Rental cost per hour was derived by dividing the daily rental rate by hours per day and adding the hourly operating cost: ($45/day ÷ 8 hrs/day) + $0.35/hr = $5.98/hr.

[b] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 499, crew A-1. The cost provided is the hourly rate for one building laborer.

[c] Cost derived from R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 499, crew A-1. The cost provided is the hourly rate for one building laborer. See Appendix B of this manual for details of the calculation.

[d] R.S. Means Company, Inc., *Means Building Construction Cost Data*, 1994, pg. 19, item no. 420-6300. Production rate of steam cleaner is 100 gal/hr.

[e] Lab Safety Supply, *General Catalog*, 1993, pg. 354, 55-gallon, lock-ring, open head, 18-gauge steel drum.

[f] Assume the temporary decontamination area is 25.5 ft by 17 ft and is constructed on a 3/4-in plywood base, with 6-in-by-8-in-by 8.5-ft railroad tie curbs and 2-in-by-8-in-by-16-in concrete blocks that hold the 6-mil polyethylene sheeting that covers the decontamination area.

Plywood - R.S. Means Company, Inc., *Means Site Work and Landscape Cost Data*, 1994, pg. 166, item no. 164-0200. The cost per ft^2 is $0.56. A total of 433.5 ft^2 of plywood is needed to cover the decontamination area. The cost of the plywood was calculated by multiplying the cost per ft^2, $0.56, by the number of ft^2, 433.5 = $242.76.

Railroad Ties - R.S. Means Company, Inc., *Means Site Work and Landscape Cost Data*, 1994, pg. 62, item no. 258-0600. The cost per ft is $2.25. A total of 10 railroad ties is needed to construct a curb around the decontamination area. The cost of the railroad ties was calculated by multiplying the cost per foot, by the length of each railroad tie, and by the number of railroad ties needed: $2.25/ft x 8.5 ft x 10 = $191.30.

Polyethylene Sheeting - Lab Safety Supply, *General Catalog*, 1993, pg. 635, 20-ft-by-100-ft roll of 6-mil polyethylene sheeting. The cost per roll is $54.95. A total of one roll is needed to cover the decontamination area.

Concrete Blocks - R.S. Means Company, Inc., *Means Site Work and Landscape Cost Data*, 1994, pg. 140, item no. 204-0020. The cost per block is $0.70. A total of 15 concrete blocks is needed to hold the polyethylene sheeting. The cost of the blocks was calculated by multiplying the cost of one block by the number of blocks needed: $0.70/block x 15 = $10.50.

Labor to Construct Decontamination Area - R.S. Means Company, Inc., *Means Site Work and Landscape Cost Data*, 1994, pg. 449, crew A-1. Assume that two building laborers at $30.10 per hour will construct the decontamination area in eight hours. The cost of the labor was calculated by multiplying the cost per

SAMPLING AND ANALYSIS

SA-2

Facility Name: SAFETY-KLEEN MEDLEY

SUMMARY WORKSHEET

	Activity	Worksheet Number	Cost
1.	Boring and Subsurface Soil Sample	SA-3	$ ~~0~~
2.	Concrete Core Sample	SA-4	$ ~~0~~
3.	Wipe Sample	SA-5	$ ~~0~~
4.	Aqueous Sample	SA-6	$ 5438
5.	Nonaqueous Sample	SA-7	$ 5588
6.	Groundwater Sample	SA-8	$ 3,235
7.	Soil-Pore Liquid Sample	SA-9	$ ~~0~~
8.	Analysis of Subsurface Soil Sample (from Monitoring Well Installation)	SA-10	$ ~~0~~
TOTAL SAMPLING AND ANALYSIS COST *(Add lines 1 through 8)*			$ 14621

Aqueous samples refer to liquid samples, including samples of rinsate and wastewater. Do not use this worksheet for estimating the cost of sampling other aqueous media, such as groundwater.

1 COLLECTION OF AQUEOUS SAMPLE			
1.A	Number of sampling locations (Enter from worksheet SA-1; line 4)	6 sample locations	
1.B	Sampling team and equipment cost per work hour[a]	$ 91.29	
	Choose the appropriate level of PPE:		
	a. Protection Level D $ 91.29/work hr[b]		
	b. Protection Level C $ 115.67/work hr[c]		
	c. Protection Level B $ 137.66/work hr[d]		
1.C	Work hours required to collect samples from one sampling location[d]	1 work hr/sample location	
1.D	Number of hours required to collect all samples (Multiply line 1.A by line 1.C)	6 work-hrs	
1.E	**Cost to Collect Aqueous Samples (Multiply line 1.B by line 1.D)**		$ 548
2 ANALYSIS OF AQUEOUS SAMPLE			
2.A	Using the table in the attachment to this worksheet, calculate the cost of analysis per sampling event for aqueous samples (Enter cost from the Attachment to this worksheet)	$ 4,890 /event	
2.B	Enter the number of sampling events	1 events	
2.C	**Cost to Analyze Aqueous Samples (Multiply line 2.A by line 2.B)**		$ 4,890
	TOTAL COST OF SAMPLING AND ANALYSIS OF AQUEOUS SAMPLES (Add line 1.E to line 2.C) (Enter total on cost worksheet SA-2, line 4)		$ 5,438

Notes:

[a] Includes cost of collection and handling of samples, vehicle rental, and decontamination of sampling team and sampling equipment.

[b] Cost derived from price quotes provided by EPA Region 4 vendors. Crew consists of two sampling technicians.

[c] Cost derived from price quotes provided by EPA Region 4 vendors. Crew consists of two sampling technicians. See Appendix B of this manual for details of the calculation.

SAMPLING AND ANALYSIS SA-7

NONAQUEOUS SAMPLE - Page 1 of 2

Nonaqueous samples refer to sludge, chip, or surface soil samples. These samples are shallow samples, that is, they are collected at depths of less than 1.5 feet below ground surface.

1 COLLECTION OF NONAQUEOUS SAMPLE			
1.A	Number of sampling locations (Enter from worksheet SA-1; line 5)	6 sample locations	
1.B	Sampling team and equipment cost per work hour[a]	$ 91.29	
	Choose the appropriate level of PPE:		
	a. Protection Level D $ 91.29/work hr[b]		
	b. Protection Level C $ 115.67/work hr[c]		
	c. Protection Level B $ 137.66/work hr[c]		
1.C	Work hours required to collect samples from one sampling location[d]	1 work hr/sample location	
1.D	Number of hours required to collect all samples (Multiply line 1.A by line 1.C)	6 work.hrs	
1.E	**Cost to Collect Nonaqueous Samples (Multiply line 1.B by line 1.D)**		$ 548
2 ANALYSIS OF NONAQUEOUS SAMPLE			
2.A	Using the table in the attachment to this worksheet, calculate the cost of analysis per sampling event for nonaqueous samples (Enter costs from the attachment to this worksheet)	$ 5,040 /event	
2.B	Enter the number of sampling events	1 events	
2.C	**Cost to Analyze Nonaqueous Samples (Multiply line 2.A by line 2.B)**		$ 5,040
	TOTAL COST OF SAMPLING AND ANALYSIS OF NONAQUEOUS SAMPLES (Add line 1.E to line 2.C) (Enter total on worksheet SA-2, line 5)		$ 5,588

Notes:

[a] Includes cost of collection and handling of samples, vehicle rental, and decontamination of sampling team and sampling equipment.

[b] Cost derived from price quotes provided by EPA Region 4 vendors. Crew consists of two sampling technicians.

[c] Cost derived from price quotes provided by EPA Region 4 vendors. Crew consists of two sampling technicians. See Appendix B of this manual for details of the calculation.

[d] U.S. Environmental Protection Agency, *Final Guidance Manual: Cost Estimates for Closure and Post-Closure Plans (Subpart G and H)*, January 1987, EPA/530-SW-009, Volume III, pg. 2-16.

TREATMENT AND DISPOSAL

TD-1

Facility Name: SAFETY-KLEEN MEDLEY

SUMMARY WORKSHEET

	Activity	Worksheet Number	Cost
1.	Treatment and Disposal of Waste	TD-2	$ 96,377
2.	Transportation and Disposal of Decontamination Fluids	TD-3	$ ~~0~~
	TOTAL COST OF TREATMENT AND DISPOSAL *(Add lines 1 and 2)*		$ 96,377

TREATMENT AND DISPOSAL TD-2

1 TREATMENT AND DISPOSAL OF WASTE 1			
1.A	Volume of Waste to be treated or disposed of (in yd^3) (Refer to Appendix A of this manual or conversion factors, if needed)	126 ~~yd^3~~	
1.B	Density of waste. Select the density of the material that most closely resembles the waste (Refer to Attachment A to this worksheet)	— ~~lb/yd^3~~	
1.C	Amount of waste to be treated as disposed of (Multiply line 1.A by line 1.B)	— ~~lb~~	
1.D	Amount of waste to be treated or disposed of in tons (Divide line 1.C by 2,000 lb/ton)	— ~~tons~~	
1.E	Treatment cost (Enter cost from Attachment B, C, or D to this worksheet)*	$75-265/dr * ~~/ton~~	
1.F	**Cost to Treat and Dispose of Waste 1 (Multiply line 1.D by line 1.E)**		$ 17,200

2 TREATMENT AND DISPOSAL OF WASTE 2			
2.A	Volume of waste to be treated or disposed of (in yd^3) (Refer to Appendix A of this manual for conversion factors, if needed)	84,078 ~~yd^3~~	
2.B	Density of waste. Select the density of the material that most closely resembles the waste (Refer to Attachment A to this worksheet)	— ~~lb/yd^3~~	
2.C	Amount of waste to be treated as disposed of (Multiply line 2.A by line 2.B)	— ~~lb~~	
2.D	Amount of waste to be treated or disposed of in tons (Divide line 2.C by 2,000 lb/ton)	— ~~tons~~	
2.E	Treatment cost (Enter cost from Attachment B, C, or D to this worksheet)*	$ 1.95/gal * ~~/ton~~	
2.F	**Cost to Treat and Dispose of Waste 2 (Multiply line 2.D by line 2.E)**		$ 163,952

*Disposal prices from Perma-Fix (Quote Attached)
Drum disposal prices are $75/drum for non-halogenated waste and $265/drum for halogenated waste. The cost estimate is based on 25 drums (20%) being halogenated waste and 101 drums (80%) being non-halogenated waste.

received
12-16-02

PermaFix®
environmental services

December 13, 2002

Via Fax: (904) 296-6574
Telephone: (904) 296-0434

Mr. Warren Snyder
ERM Southeast
4215 Southpoint Blvd., Suite 260
Jacksonville, FL 32216

Dear Warren:

Perma-Fix Environmental Services would like to thank you for the opportunity to handle the environmental management needs of ERM Southeast.

Perma-Fix is a fully permitted Part B hazardous waste treatment, storage, and disposal facility located in Gainesville, Florida. We appreciate your interest in our company and are pleased to submit the following quotation for your consideration:

CHLORINATED SOLVENT SITE
MEDLEY, FLORIDA

DESCRIPTION	PRICE
Flammable Solvents	$75.00 (per 55-gal. drum) (subject to attached surcharge schedule)
Bulk Hazardous Water: Disposal Transportation by Vac Truck Services	 $1.95 (per gallon) $85.00 (per hour - portal to portal) (Orlando, FL - Medley, FL - Valdosta, GA)

Above pricing subject to change after 30 days.

Note: Waste material not conforming to initial description or analysis may result in additional surcharges or be unacceptable for processing.

The waste streams described above are pending approval based upon submittal of lab analyses and signed material profile forms to Perma-Fix Environmental Services.

We look forward to being of service to you. If you have any questions or if I can be of further assistance, please call me or Cindy Tribby, Manager of Support Services, at 800-365-6066.

Sincerely,

Ray C. Thomas C.D.

Ray C. Thomas
District Manager

Encl(s)
c:\rt121302.5

PermaFix environmental services

FUEL BLEND MATERIAL (5000 BTU OR GREATER)

HALOGEN SURCHARGES	
HALOGEN (CHLORINE)	SURCHARGE PER DRUM
0 through 2%	No Extra Charge
2.1% through 5.0%	Plus $20.00
5.1% through 7.5%	Plus $40.00
7.6% through 10.0%	Plus $80.00
10.1% through 20.0%	Plus $180.00*
20.1% or Greater	Plus $230.00*

* Special prices are available on Halogenated materials which are suitable for reclamation. Prices will be provided on a case-by-case basis.

WATER SURCHARGES	
WATER CONTENT	SURCHARGE PER DRUM
0 through 8%	No Extra Charge
8.1% through 20.0%	Plus $50.00
20.1% through 35%	Plus $75.00
35.1% through 50%	Plus $95.00
50.1 or Greater	Plus $130.00

The percentage of water will be determined by a composite sample per profile from each drum received. The surcharge will be applied to all drums based on the percentage of water in this composite sample. A composite BTU value of less than 5000 BTU/LB will require the material to be handled as material for incineration, rather than fuel-blending.

SLUDGE SURCHARGES	
SLUDGE**	SURCHARGE PER DRUM
0 through 5 Inches or Less	No Extra Charge
5.1 through 10 Inches	Plus $40.00
10.1 Inches or Greater	Plus $100.00

**Thick or solid material which can be resuspended at Perma-Fix into liquid by dilution or mechanical means.

SOLIDS SURCHARGES	
SOLIDS	SURCHARGE PER DRUM
1 through 5 Inches	Plus $50.00
5 through 15 Inches	Plus $100.00
15 Inches or Greater	Plus $200.00

3 TREATMENT AND DISPOSAL OF WASTE 3 DEBRIS			
3.A	Volume of waste to be treated or disposed of (in yd^3) (Refer to Appendix A of this manual for conversion factors, if needed)	18 yd^3	
3.B	Density of waste. Select the density of the material that most closely resembles the waste (Refer to Attachment A to this worksheet)	4050 lb/yd^3	
3.C	Amount of waste to be treated as disposed of (Multiply line 3.A by line 3.B)	72900 lb	
3.D	Amount of waste to be treated or disposed of in tons (Divide line 3.C by 2,000 lb/ton)	36.45 tons	
3.E	Treatment cost (Enter cost from Attachment B, C, or D to this worksheet)*	$ 130 /ton	
3.F	**Cost to Treat and Dispose of Waste 3 (Multiply line 3.D by line 3.E)**		$ 4,739

4 TREATMENT AND DISPOSAL OF WASTE 4			
4.A	Volume of waste to be treated or disposed of (in yd^3) (Refer to Appendix A of this manual for conversion factors, if needed)	yd^3	
4.B	Density of waste. Select the density of the material that most closely resembles the waste (Refer to Attachment A to this worksheet)	lb/yd^3	
4.C	Amount of waste to be treated as disposed of (Multiply line 4.A by line 4.B)	lb	
4.D	Amount of waste to be treated or disposed of in tons (Divide line 4.C by 2,000 lb/ton)	tons	
4.E	Treatment cost (Enter cost from Attachment B, C, or D to this worksheet)*	$ /ton	
4.F	**Cost to Treat and Dispose of Waste 4 (Multiply line 4.D by line 4.E)**		$ 0
	TOTAL COST OF TREATMENT AND DISPOSAL (Add lines 1.F, 2.F, 3.F, and 4.F) (Enter total on worksheet TD-1, line 1)		$ 182,891

Notes:

* Depending on information available, treatment costs per unit may be determined by using either Attachment B (based on waste characteristics) or Attachments C and D (based on treatment and disposal technologies).

- Adding hazardous waste or other material to the container if the container is filled in one continuous operation, the container is closed upon conclusion of the filling operation[1]. In the case of discrete or batch filling the container is be closed:

  (A) upon filling the container to the intended final level;

  (B) the completion of a batch loading after which no additional waste will be added within 15 minutes;

  (C) the person performing the loading operation leaving the immediate vicinity of the container; or

  (D) the shutdown of the process generating waste being added to the container.

- Removing hazardous waste from the container:

  When discrete quantities of hazardous waste are removed from the container, covers shall be promptly secured upon completion of a batch removal after which no additional material will be removed from the container within 15 minutes or the person performing the unloading operation leaves the immediate vicinity of the container. RCRA empty containers may be open to the atmosphere at any time.

- Sampling wastes, measuring depth or quantity of wastes:

  Containers may be opened when sampling and/or measuring hazardous wastes, as well as adding or removing hazardous wastes from them. Covers must be replaced and secured on containers once such activities are completed.

[1] On the average, each Safety-Kleen service truck will off-load 15 to 20 containers of waste solvent per day. The containers containing waste solvent are poured into the return/fill dumpster, rinsed, drained and refilled with solvent product. The pouring, rinsing and draining of the waste drum takes approximately 90 seconds or 30 minutes for an average route truckload. When the route trucks are being off-loaded in the evening, the return/fill dumpster remains open. Typically, it takes 3 hours to batch fill the entire fleet. During the batch filling process, the warehouseman must not leave the process for more than 15 minutes unless the return/fill dumpster lid has been closed.

LEVEL 1 CONTAINER INSPECTION REQUIREMENTS

All Level 1 Containers that are not emptied upon receipt at the facility, are inspected upon arrival and each day thereafter until the container is transferred to a recycle center. Each Level 1 Container and its cover and closure devices are inspected for visible cracks, holes, gaps, or other open spaces. No container remains at the facility over 1 year.

If a defect is detected for a container, cover, or closure devices, a repair shall be attempted within 24 hours after detection, and repair shall be completed as soon as possible, but no later than 5 calendar days. The container will be overpacked in a DOT approved container as a means of repair. A description of the types of inspections and example logs for containers can be found in Section 8.

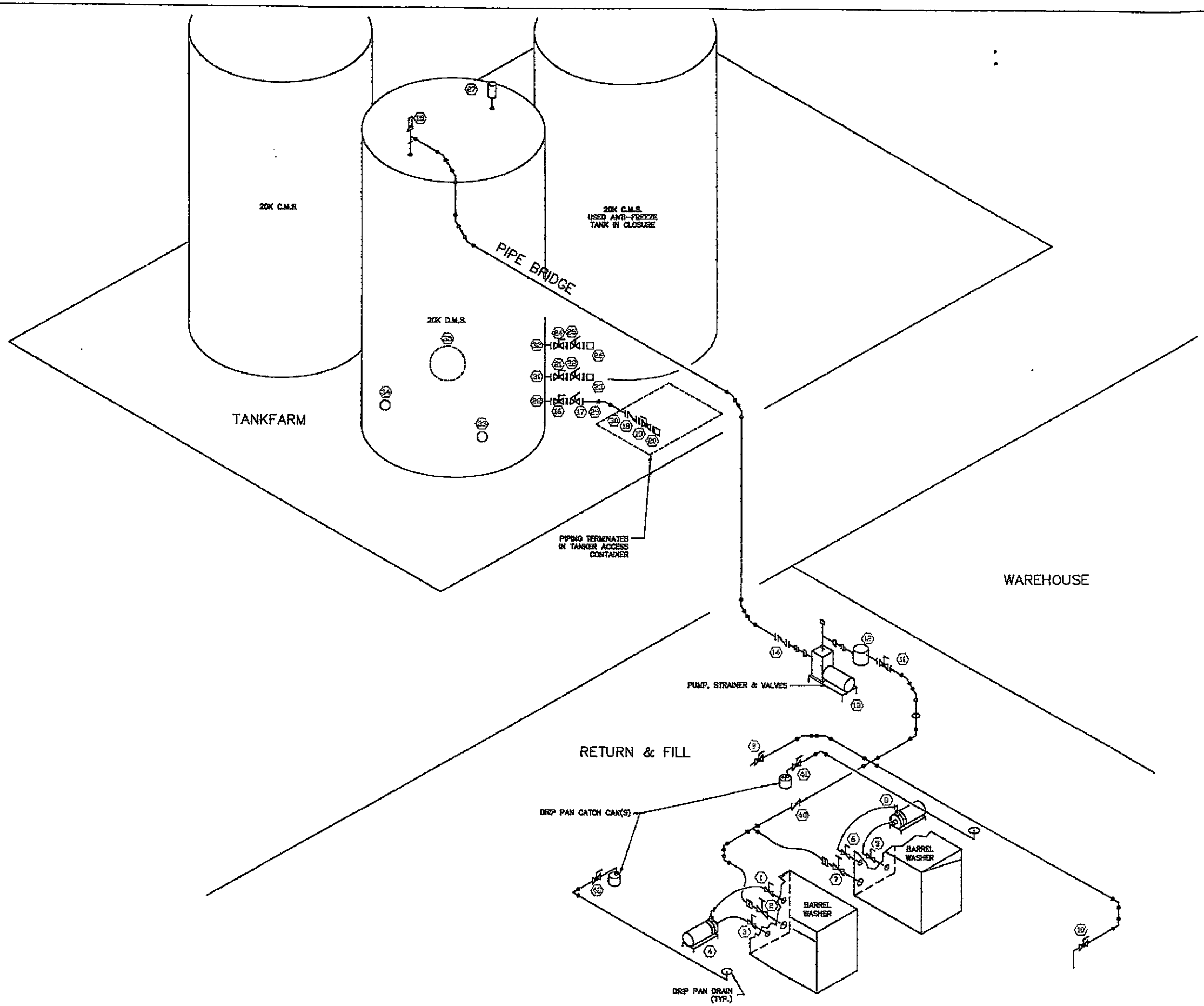
LEVEL 2 CONTAINERS (265.1086(d)

Hazardous waste containers with design capacity greater than 119 gallons and that are in light material service are subject to Level 2 container standards. These include totes, roll-off boxes that are greater than 119 gallons in capacity, and bulk tankers and rail car tankers. Level 2 containers are not stored at this facility, therefore 40 CFR 265.1087(d) does not apply at this location. However, these types of containers may undergo 10-day transfer at the facility, but since they will be considered "still in the course of transportation" Subpart CC will not be applicable.

DOCUMENTATION OF COMPLIANCE

Safety-Kleen prepared a written compliance plan for those units subject to Subpart CC, and instituted the plan on December 6, 1996. A copy of Subpart CC Compliance Plan is included in Appendix I.

Revision 0-12/13/02



EQUIPMENT SCHEDULE

MARK	DESCRIPTION
1	1 1/4" BALL VALVE (BARREL WASHER)
2	2" GATE VALVE
3	1 1/2" BALL VALVE (BARREL WASHER)
4	RECIRCULATING PUMP (BARREL WASHER)
5	1 1/2" BALL VALVE (BARREL WASHER)
6	1 1/4" BALL VALVE (BARREL WASHER)
7	2" GATE VALVE
8	RECIRCULATING PUMP (BARREL WASHER)
9	2" FLANGED BALL VALVE
10	2" FLANGED BALL VALVE
11	2" FLANGED BALL VALVE
12	STRAINER ASSY.
13	USED SOLVENT PUMP
14	2" FLANGED CHECK VALVE
15	3/8" AUTOMATIC VACUM BREAKER
16	3" FLANGED BALL VALVE
17	3" FLANGED EXTERNAL EMERGENCY GATE VALVE
18	3" FLANGED CHECK VALVE
19	3" FLANGED BALL VALVE
20	3" FLANGED CAM LOCK
21	3" FLANGED BALL VALVE
22	3" FLANGED EXTERNAL EMERGENCY GATE VALVE
23	3" FLANGED CAM LOCK
24	3" FLANGED BALL VALVE
25	3" FLANGED EXTERNAL EMERGENCY GATE VALVE
26	3" FLANGED CAM LOCK
27	3" PRESSURE VACUUM BREAKER
28	3" TANK FLANGE ADJACENT TO "16"
29	3" PIPE FLANGE ADJACENT TO "17"
30	3" PIPE FLANGE ADJACENT TO "18"
31	3" TANK FLANGE ADJACENT TO "21"
32	3" TANK FLANGE ADJACENT TO "24"
33	3" BLIND TANK FLANGE
34	3" BLIND TANK FLANGE
35	3" LONG BOLT MANWAY
36	NO LONGER IN USE
37	NO LONGER IN USE
38	NO LONGER IN USE
39	NO LONGER IN USE
40	2" CHECK VALVE
41	1" BALL VALVE
42	1" BALL VALVE

GENERAL NOTES

1.) ACTUAL PIPING CONFIGURATION MAY VARY.

2.) NON-PERMITTED TANKS AND EQUIPMENT MAY CHANGE.

REVISIONS

NO.	DESCRIPTION	BY	CHK	APPR	DATE
E	ADDED 10K CASTED MERIZ. TANK	MCL	K.M	DP	021096
D	REMOVED E.U. TANK & EQUIP.	MEH	K.M	DP	022193
C	REMOVED ABOVE GRATING REF.	MEH	K.M	DP/WC	010492
B	ADDED TAGS 40,41 & 42	MEH	K.M	-	010492
A	RELEASED FOR PART "B" PERMIT	MEH		-	071293

FIGURE 11.1-1

TITLE

ENVIRONMENTAL PIPING
SCHEMATIC – EXISTING

Safety-Kleen Corp.
1000 NORTH RANDALL ROAD ELGIN, ILLINOIS 60123
PHONE (708)697-8460

SCALE	BY	CHKD	APPROVED	EHS	DATE
NONE	MSN	K.M	DP	MC	07-03-92

SERVICE CENTER LOCATION	SC-DWG NUMBER	REV. NO.
MEDLEY, FL.	309702-GDPS200	E

FIGURE 11.1-2
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of TANK EQUIPMENT

INSPECTOR'S NAME/TITLE: Lead Warehouseman _____ Warehouseman _____

INSPECTOR'S SIGNATURE:				
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY

DATE (MM/DD/YY)				
TIME				

Pump, Flange, or Valve Number	MON	TUES	WED	THURS	FRI
1. 1¼" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
2. 2" Gate Valve	A N	A N	A N	A N	A N
3. 1½" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
4. Recirculating Pump (Barrel Washer)	A N	A N	A N	A N	A N
5. 1½" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
6. 1¼" Ball Valve (Barrel Washer)	A N	A N	A N	A N	A N
7. 2" Gate Valve	A N	A N	A N	A N	A N
8. Recirculating Pump (Barrel Washer)	A N	A N	A N	A N	A N
9. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
10. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
11. 2" Flanged Ball Valve	A N	A N	A N	A N	A N
12. Strainer ASSY	A N	A N	A N	A N	A N
13. Used Solvent Pump	A N	A N	A N	A N	A N
14. 2" Flanged Check Valve	A N	A N	A N	A N	A N
15. 3/8" Automatic Vacuum Breaker	A N	A N	A N	A N	A N
16. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
17. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
18. 3" Flanged Check Valve	A N	A N	A N	A N	A N
19. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
20. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
21. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
22. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
23. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
24. 3" Flanged Ball Valve	A N	A N	A N	A N	A N
25. 3" Flanged External Emergency Gate Valve	A N	A N	A N	A N	A N
26. 3" Flanged Cam Lock	A N	A N	A N	A N	A N
27. 3" Pressure Vacuum Breaker	A N	A N	A N	A N	A N
28. 3" Tank Flange Adjacent to "16"	A N	A N	A N	A N	A N
29. 3" Pipe Flange Adjacent to "17"	A N	A N	A N	A N	A N
30. 3" Pipe Flange Adjacent to "18"	A N	A N	A N	A N	A N
31. 3" Tank Flange Adjacent to "21"	A N	A N	A N	A N	A N
32. 3" Tank Flange Adjacent to "24"	A N	A N	A N	A N	A N

FIGURE 11.1-2 (Cont.)
SAFETY-KLEEN SYSTEMS, INC. - Branch # 3-097-02 MEDLEY, FLORIDA
Daily Inspection of TANK EQUIPMENT

33. 3" Blind Tank Flange	A N	A N	A N	A N	A N
34. 3" Blind Tank Flange	A N	A N	A N	A N	A N
35. 3' Long Bolt Manway	A N	A N	A N	A N	A N
36. through 39. No Longer in Use	A N	A N	A N	A N	A N
40. 2" Check Valve	A N	A N	A N	A N	A N
41. 1" Ball Valve	A N	A N	A N	A N	A N
42. 1" Ball Valve	A N	A N	A N	A N	A N

If 'N', enter pump or valve # _____ and circle appropriate problem: potential leak, active leak sticking, wear, does not operate smoothly, or other

_____

For all leaks and potential leaks, the Leak Detection and Repair Record must be completed.

A* = Acceptable N = Not Acceptable

Draw a line through valve and pump I.D. numbers which do not apply.

Appendix H
Containment Calculations for Tank Containment Area

TANK FARM (Figure II. C.7-1):

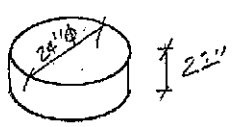
$$\text{Total Vol} = \text{Vol}_{\text{CONT.}} + \text{Vol}_{\text{Sump}} - \text{Vol}_{\text{TANK}} - \text{Vol}_{\text{PAD}} - \text{Vol}_{\text{RAINFALL}}$$

1. Containment Area:

$$V_C = (58'-16")(43'-16")\left(\frac{36+38"}{2}\right)$$
$$= (56.67')(41.67')(3.08')$$
$$= 7,273.23\ ft^3\ (7.48\ gal/ft^3)$$
$$= 54,403.8\ gal$$

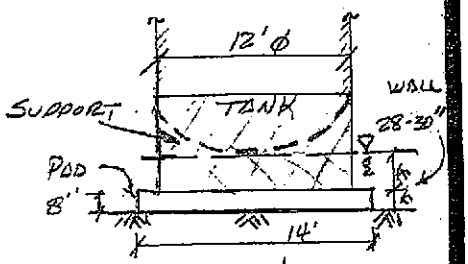
2. Sump (qty = 1):

$$V_S = \left(\pi\ \frac{d^2}{4}\right)(h)$$
$$= \pi\ \frac{(2)^2}{4}\left(22"/12\right) = 5.76\ ft^3$$
$$= 5.76\ ft^3\ (7.48\ gal/ft^3)$$
$$= 43.1\ gal$$



Circular Sump

3. Tank (Qty = 6, w/ 1 ruptured & 5 intact)



VERTICAL TANK & SUPPORT

(a) $V_T = 5\left(\pi \frac{(12)^2}{4}\right)\left(\frac{28+30"}{2(12)}\right)$

$= 1366.59\ ft^3 (7.483\ gal/ft^3)$

$= 10,222.1\ gal$

(b) $V_P = 6(14)(14)(8"/12)$

$= 784\ ft^3 (7.48\ gal/ft^3) = 5864.3\ gal$

4. Rainfall:

Based on 25yr - 24 Hr rainfall of 10 inches

V_R = (Containment Area)(Rainfall)

$= (56.67' \times 41.67')(10"/12)$

$= 1,967.9\ ft^3 (7.48\ gal/ft^3) = 14,719.6\ gal$

Total Available Storage Vol. = $V_C + V_S - V_T - V_P - V_R$

Vol = (54,403.8 + 43.1 - 10,222.1 - 5864.3 - 14,719.6) gl

Vol = 23,640.9 gal

∴ Total Available Storage volume (23,640.9 gal) exceeds single tank volume (20,000 gal).

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SEP 0 2 2003
DEPT OF ENV PROTECTION
WEST PALM BEACH

August 20, 2003 (Hand Delivered on August 21, 2003)

Mr. Bill Parker
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 4560
Tallahassee, FL 32399-2400

RE: Change in Oil and Antifreeze Handling for Safety-Kleen Tallahassee (Permit # HO37-171747), Boynton Beach (Permit # 49625-HO-01-004), Tampa (Permit # 34744-HO01-004), Sanford (Permit # 22198-HO-004), Orange Park (Permit # 77130-004-HO) and Medley (Permit # 56109-HO-004)

Dear Mr. Parker,

I am providing notification of change in non-hazardous and non-regulated waste (used oil and antifreeze) operation for the Florida Safety-Kleen facilities. Currently the Hazardous Waste Facility Operating Permit Applications, Section 2 and Section 7, state Safety-Kleen will transfer used oil and antifreeze mixture to a CSX BIDS Terminal. From the BIDS Terminal, the used oil and antifreeze mixture is transported to Safety-Kleen's East Chicago facility where the oil and antifreeze is recycled. Safety-Kleen will no longer use the CSX Terminal or East Chicago Refinery. Safety-Kleen will still manager used oil and antifreeze in a like manner but we will be using local processors in efforts to reduce transportation costs. Below is a description of how each facility will handle used ad ← ? antifreeze beginning September 1, 2003:

Tampa, FL

The Safety-Kleen, Tampa facility will transport used oil and antifreeze directly to a FLDEP permitted Oil Processor and antifreeze recovery facility. No used oil or antifreeze will be stored onsite outside of secondary containment more than 24 hours.

Tallahassee, FL

The Safety-Kleen, Tallahassee facility will continue to store used oil onsite in a 15,000-gallon tank. The antifreeze will be maintained outside of the containment area in a double walled tank. Used oil will not be stored more than 35 days before being transported to an approved FLDEP permitted Oil Processor. The antifreeze will be stored in accordance to the *Interim Guidance on the Management of Antifreeze Destined for Recycling*, and transported for recycling within 180 days.

SAFETY-KLEEN CORP.
161 INDUSTRIAL LOOP SOUTH ORANGE PARK, FL 32073 PHONE 904-264-2607 PHONE 877-669-5384

Sanford, FL

Safety-Kleen, Sanford will store used oil onsite in accordance to FAC 62-710 in a 20,000-gallon tank. This tank is already approved to hold non-hazardous and non-regulated liquids, containment calculation will not change. The antifreeze will be maintained outside of the containment area in a double walled tank. Used oil will not be stored more than 35 days before being transported to an approved FLDEP permitted Oil Processor. The antifreeze will be stored in accordance to the *Interim Guidance on the Management of Antifreeze Destined for Recycling*, and transported for recycling within 180 days.

Boynton Beach

Safety-Kleen, Boynton Beach will continue to store used oil onsite in accordance to FAC 62-710. They will also activate their 5,000-gallon antifreeze tank, which is accounted for in their RCRA permit application and will not require change to secondary containment calculations. Used oil will not be stored more than 35 days before being transported to an approved FLDEP permitted Oil Processor. The antifreeze will be stored in accordance to the *Interim Guidance on the Management of Antifreeze Destined for Recycling*, and transported for recycling within 180 days.

Medley

Safety-Kleen, Medley will activate their 12,000 gallon used oil tank, which is accounted for in the RCRA permit application and secondary containment calculations. The antifreeze will be maintained outside of the containment area in a double walled tank. Used oil will not be stored more than 35 days before being transported to an approved FLDEP permitted Oil Processor. The antifreeze will be stored in accordance to the *Interim Guidance on the Management of Antifreeze Destined for Recycling*, and transported for recycling within 180 days.

Orange Park

The Safety-Kleen, Orange Park facility will transport used oil directly to a FLDEP permitted Oil Processor. Used oil will not be stored outside of secondary containment for more than 24 hours. Antifreeze will be stored in the 15,000-gallon tank specified in their RCRA Permit Application for non-hazardous and non-regulated liquids. The antifreeze will be stored in accordance to the *Interim Guidance on the Management of Antifreeze Destined for Recycling*, and transported for recycling within 180 days.

Safety-Kleen believes permit modifications will not be necessary due to antifreeze destined for recycling and used oil is not considered a regulated waste under F.A.C. guidelines. Furthermore, all tanks being utilized in existing secondary were initially designed to hold these materials and included in current containment calculations. The double walled tanks, which will be added to the Sanford, Medley and Tallahassee S-K facilities, will not be placed in existing containment. Because the tank will be double walled, no containment is required. Upon completion, Safety-Kleen will provide updated property drawings to the FLDEP for their records.

If you should have any questions on the above mentioned, please call me at (813) 340-0976.

Sincerely,

Matt Hedrick
Safety-Kleen Corp. EHS Manager

CC. Mrs. Lu Burson (Central District FLDEP)
Mr. Stanley Tam (Southwest District FLDEP)
Mrs. Pamela Green (Northeast District FLDEP)
Mr. Bill Kellenberger (Northwest District FLDEP)
Mr. John Harris (Southeast District FLDEP)
Mr. Jim Childress (S-K South Region EHS Manager)
Mr. Ed Genovese (S-K Florida Market Manager)

January 8. 2003

Certified Mail # 70021000000493055550

RECEIVED

JAN 1 3 2003

DEPT OF ENV PROTECTION
WEST PALM BEACH

Mr. Bill Parker
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee. FL 32399-2400

RE: Safety-Kleen Systems, Inc. Medley Facility
8755 Northwest 95th Street; FLD 984 171 694; Permit Application
HO13-216311: Operating Permit Renewal 60-Day Extension

Dear Mr. Parker.

Please accept Safety-Kleen Systems' *Waiver of 135-Day Time Limit*. The extension is needed due to Holiday vacations and the extended request to complete an addition closure cost quote. The waiver will expire on March 17. 2003.

I have also included proof of tank integrity testing. which Safety-Kleen was required to complete in the 2002 calendar year.

If you should have any questions regarding the tank integrity testing or the *Waiver 135-Day Time Limit*. please call me at (813) 340-0976.

Sincerely.

Matt Hedrick

Matt Hedrick
Safety-Kleen Corp. EHS Manager

CC. Mark Hicks (Safety-Kleen-Medley)
John Harris (Southeast District FLDEP)

TANK INSPECTION REPORT

RECEIVED
JAN 1 3 2003
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WEST PALM BEACH

SAFETY KLEEN CORP.

MEDLEY BRANCH

3) 20,000 GALLON VERTICAL TANKS

INSPECTION COMPLETED

December 6, 2002

Industrial Engineering Services, LLC

Copyright 2002. All rights reserved.

INDUSTRIAL ENGINEERING SERVICES, LLC
Route 3 Box 1066
Madison, Fl. 32340

December 20, 2002

SAFETY-KLEEN
8755 NW 95th Ave
Medley, Florida 33178

Attn. Mr. Matt Hedrick

Re: Inspection report - 3 - 20,000 Gallon Vertical Storage Tanks located at the Medley, Florida Plant

Gentlemen,
Dan Coleman of *Industrial Engineering Services LLC.* performed an In-Service inspection on the above referenced tanks on December 6, 2002. The inspection was performed per API-653 guidelines. This report contains our inspection findings, recommendations, photographs and a tank drawing.

General

The 3 tanks are identified as 105° Solvent, 150° Solvent, and Waste Solvent Tanks - All 3 tanks are identically built as shown on the included drawing
12' diameter and 25'-11" high
Butt welded shell with low cone roof and dished bottom
Built in 1991 - 20,000 gal. capacity- Economy Tank Co. to UL142 standard

The tanks ares in good condition. No leaks were discovered during the inspection. Ultrasonic thickness tests did not indicate any interior shell corrosion.

The ultrasonic thickness measurements taken up the shell coincide with the original shell thickness.

Bottom

The tank has a 1/4" plate dished bottom. The tank is supported on a 3/8" plate skirt. The dish was inspected thru inspection ports located in the skirt and was found to be in good condition.

Visual inspection around the tank bottom did not indicate and signs of leakage.

INDUSTRIAL ENGINEERING SERVICES, LLC
Route 3 Box 1066
Madison, Fl. 32340

Shell

The tank shells are in excellent condition. U-T readings were consistent and did not indicate any interior corrosion. Thickness measurements are consistent with the original shell thickness.

The exterior coatings are in good condition.
See the tank drawing for U-T readings.

Nozzles and accessories

All nozzles and accessories are in good condition based on visual inspection.

Details and locations of the nozzles are on the drawing included with this report.

Recommendations

The tanks are in good condition with no repairs recommended.

Conclusion

The tanks are in excellent condition based on this In-Service inspection.

Thank you for allowing us to perform this inspection.

Sincerely,
Industrial Engineering Services, LLC

Daniel E. Coleman

Daniel E. Coleman EI, API Inspector Certification #867

David E. Newlin 12/20/02

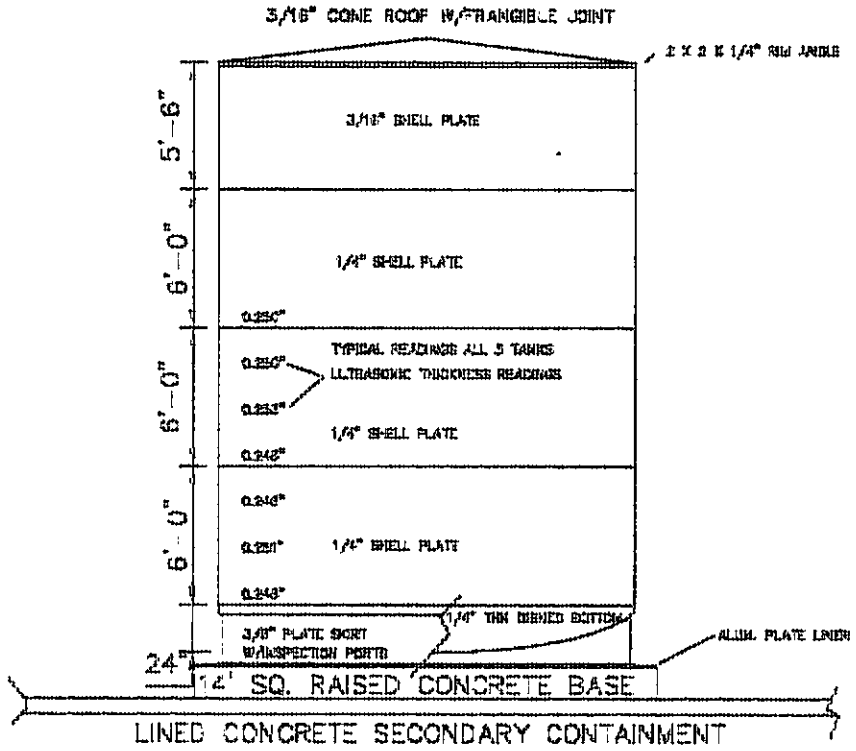
David Newlin, PE

DAVID E. NEWLIN, P.E.
515 Hidden Lake Drive
Brandon, Florida 33511
Fla. Reg. No. 31431

DESIGN: UL 142 STD. TEMP. AND PRESSURE
BUILT: 1991 BY ECONOMY TANK CO.
INSPECTED: DECEMBER 6, 2002
12' DIAMETER X 25'-11" HIGH
20,000 GALLON CAPACITY
BUTT WELDED W/DISHED BOTTOM

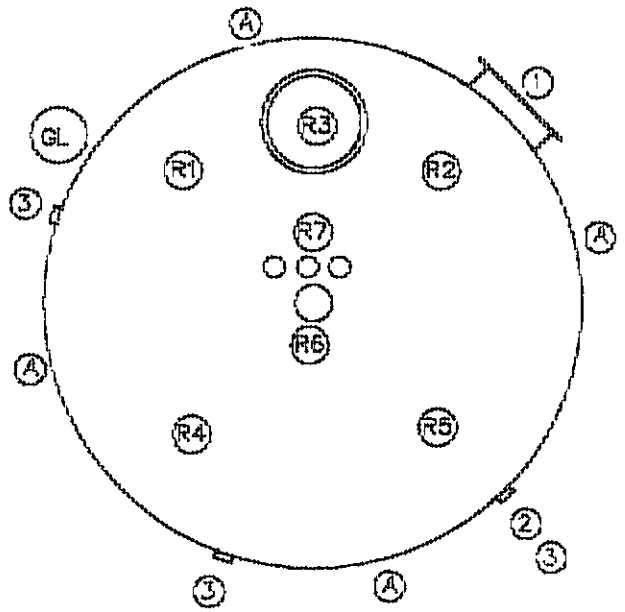
3 – IDENTICAL 20,000 GALLON STORAGE TANKS – MEDLEY, FLORIDA

150° SOLVENT TANK(157), 105° SOLVENT TANK(156), WASTE SOLVENT TANK (155)

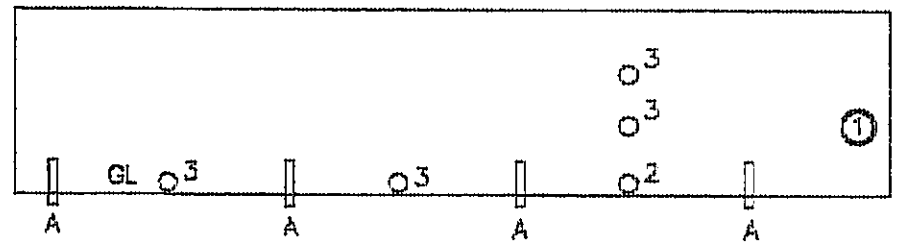


LINED CONCRETE SECONDARY CONTAINMENT

ELEVATION



PLAN



LOWER SHELL ROLLOUT

NOZZLES, FITTINGS AND ACCESSORIES

SYMBOL	DESCRIPTION	INSPECTION NOTES
1	24" SHELL MANWAY	GOOD CONDITION
2	3" NOZZLE – INLET/OUTLET	GOOD CONDITION
3	3" NOZZLE – SPARE NOZZLES	GOOD CONDITION
GL	GROUNDING LUG	GOOD CONDITION
A	TANK ANCHORS	GOOD CONDITION
R1	3" NOZZLE W/BLIND – SPARE	GOOD CONDITION
R2	3" NOZZLE W/2" P/V VENT	GOOD CONDITION
R3	24" ROOF MANWAY	LONG BOLT CONFIGURATION – NFPA 30 – GOOD
R4	3" NOZZLE W/2" FILL PIPING	MORRISON FIG. 548 2oz. 20,200 CFH @ 0.5psi
R5	3" COUPLING W/2" HIGH LEVEL ALARM	LEVEL DEVIL – GOOD CONDITION
R6	6" SPARE NOZZLE W/BLIND	GOOD CONDITION
R7	2" VAREC LEVEL GAGE NOZZLES	GOOD CONDITION

NOTES:

1. TANK COATING IS IN GOOD CONDITION.
2. TANK SKIRTING IS INSULATED – TANKS 155 AND 156
3. U.T. READINGS DO NOT INDICATE ANY INTERIOR CORROSION.
4. ALL 3 TANKS ARE IDENTICAL EXCEPT FOR INLET/OUTLET NOZZLE PIPING.
5. NO VISIBLE SIGNS OF TANK LEAKAGE.
6. TANK IS IN GOOD CONDITION BASED ON THIS INSPECTION

INSPECTOR: DANIEL E. COLEMAN EI – API CERTIFICATION #867

INDUSTRIAL ENGINEERING SERVICES, LLC

RT. 3 BOX 1086
MADISON, FLORIDA 32341
PHONE: (850) 929-2565

FOR:
SAFETY-KLEEN CORP.
MEDLEY BRANCH
MEDLEY, FLORIDA

PROJECT:
IN SERVICE INSPECTION
3 STORAGE TANKS

DRAWN BY: D.E.C.
CHECKED BY: D.E.C.
UNIT NUMBER:

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NOV 18 2002
DEPT OF ENV PROTECTION
WEST PALM BEACH

November 11, 2002 Certified Mail #70012510000469232238 1

Mr. John Harris
SE District DEP
400 N. Congress Ave
West Palm Beach, FL 33416

RE: Safety-Kleen Medley & Boynton Beach Emergency Phone Number Change

Dear Mr. Harris,

The Safety-Kleen Medley and Boynton Beach branch employees were issued new mobile phones. The new phones required new telephone numbers, making the primary and alternate emergency responder information change on the facility Emergency Phone List. I have enclosed three copies for your records.

If you have any questions regarding the updated Emergency Phone List, please call me at (813) 340-0976.

Sincerely,

Matt Hedrick
Safety-Kleen Corp. EHS Manager

enclosure

Revision: 30 October 2002

safety-kleen®

Emergency Phone Numbers

Primary:	Mark Hicks 1555 SW 116 Street Pembroke Pines, FL 33025 Home (954) 392-1281 Office (305) 884-0123 Cell (786) 299-6373	Alternates:	Jennifer Sager 20012 NE 6th Court North Miami, FL 33179 Home (305) 770-2696 Office (305) 884-0123 Cell (786) 299-6374

Emergency Notification Numbers

3E (Safety-Kleen's 24 Hour Emergency Response Reporting System)
1-800-468-1760

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DEPT OF ENV PROTECTION
WEST PALM BEACH

Florida DEP- Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416

(561) 681-6674 (Monday – Friday, 8:00 a.m. to 5:00 p.m. except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

Emergency Teams to be Notified:

Metro Dade Fire Rescue
9300 NW 41st Street
Miami, FL 33178
(768) 331-4256 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(813) 247-8555 or 911

Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Primary Contact
Florida Spill Response
PO Box 1847
Cocoa, FL 32926
800-282-4584

Secondary
ACT Inc.
1875 W. Main Street
Bartow, FL 33830
1-800-624-5302

Table II.A.4(b)-1

Revision: 30 October 2002

safety-kleen®

Emergency Phone Numbers

Primary:	Mark Hicks 1555 SW 116 Street Pembroke Pines, FL 33025 Home (954) 392-1281 Office (305) 884-0123 Cell (786) 299-6373	Alternates:	Jennifer Sager 20012 NE 6th Court North Miami, FL 33179 Home (305) 770-2696 Office (305) 884-0123 Cell (786) 299-6374

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West Palm Beach, FL 33416

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9300 NW 41st Street
Miami, FL 33178
(768) 331-4256 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(813) 247-8555 or 911

Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Primary Contact
Florida Spill Response
PO Box 1847
Cocoa, FL 32926
800-282-4584

Secondary
ACT Inc.
1875 W. Main Street
Bartow, FL 33830
1-800-624-5302

Table II.A.4(b)-1

Revision: 30 October 2002

safety-kleen®

Emergency Phone Numbers

Primary:	Mark Hicks 1555 SW 116 Street Pembroke Pines, FL 33025 Home (954) 392-1281 Office (305) 884-0123 Cell (786) 299-6373	Alternates:	Jennifer Sager 20012 NE 6th Court North Miami, FL 33179 Home (305) 770-2696 Office (305) 884-0123 Cell (786) 299-6374

Emergency Notification Numbers

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1-800-468-1760

Florida DEP- Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416

(561) 681-6674 (Monday – Friday, 8:00 a.m. to 5:00 p.m. except Holidays)
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9300 NW 41st Street
Miami, FL 33178
(768) 331-4256 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(813) 247-8555 or 911

Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Primary Contact
Florida Spill Response
PO Box 1847
Cocoa, FL 32926
800-282-4584

Secondary
ACT Inc.
1875 W. Main Street
Bartow, FL 33830
1-800-624-5302

Table II.A.4(b)-1

Revision: 22 October 2002

Emergency Phone Numbers

Primary:	Marc Mason 5851 LaGorce Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 968-4572 Cell (561) 767-0811	Alternate:	Scott Schneider 5658 Lake Shore Village Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 963-1269 Cell (561) 767-0811

Emergency Notification Phone Numbers

3E Company (Safety-Kleen's 24 Hour Emergency Reporting System) 1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6674 (Monday-Friday, 8:00 am to 5:00 pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

South Florida Water Management District
(561) 686-8800

Emergency Teams to Be Notified

Boynton Beach Fire Department
150 East Boynton Beach Blvd.
Boynton Beach, FL 33435
911 or (561) 375-6325

Boynton Beach Police
135 N.E. 1st Avenue
Boynton Beach, FL 33435
911 or (561) 375-6100

Bethesda Memorial Hospital
2815 S. Seacrest Blvd.
Boynton Beach, FL 33435
(561) 737-7733

Florida Spill Response
PO Box 1847
Cocoa, FL 32923-1847
800-237-7012
Primary Contractor

ACT Inc.
1875 W. Main Street
Bartow, FL 33830-7718
800-226-0911
Secondary Contractor

Table II.A.4(b)-1

Revision: 22 October 2002

Emergency Phone Numbers

Primary:	Marc Mason 5851 LaGorce Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 968-4572 Cell (561) 767-0811	Alternate:	Scott Schneider 5658 Lake Shore Village Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 963-1269 Cell (561) 767-0811

Emergency Notification Phone Numbers

3E Company (Safety-Kleen's 24 Hour Emergency Reporting System) 1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6674 (Monday-Friday, 8:00 am to 5:00 pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

South Florida Water Management District
(561) 686-8800

Emergency Teams to Be Notified

Boynton Beach Fire Department
150 East Boynton Beach Blvd.
Boynton Beach, FL 33435
911 or (561) 375-6325

Boynton Beach Police
135 N.E. 1st Avenue
Boynton Beach, FL 33435
911 or (561) 375-6100

Bethesda Memorial Hospital
2815 S. Seacrest Blvd.
Boynton Beach, FL 33435
(561) 737-7733

Florida Spill Response
PO Box 1847
Cocoa, FL 32923-1847
800-237-7012
Primary Contractor

ACT Inc.
1875 W. Main Street
Bartow, FL 33830-7718
800-226-0911
Secondary Contractor

Table II.A.4(b)-1

Revision: 22 October 2002

Emergency Phone Numbers

Primary:	Marc Mason 5851 LaGorce Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 968-4572 Cell (561) 767-0811	Alternate:	Scott Schneider 5658 Lake Shore Village Circle Lake Worth, FL 33463 Office (561) 736-1339 Home (561) 963-1269 Cell (561) 767-0811

Emergency Notification Phone Numbers

3E Company (Safety-Kleen's 24 Hour Emergency Reporting System) 1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6674 (Monday-Friday, 8:00 am to 5:00 pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

South Florida Water Management District
(561) 686-8800

Emergency Teams to Be Notified

Boynton Beach Fire Department
150 East Boynton Beach Blvd.
Boynton Beach, FL 33435
911 or (561) 375-6325

Boynton Beach Police
135 N.E. 1st Avenue
Boynton Beach, FL 33435
911 or (561) 375-6100

Bethesda Memorial Hospital
2815 S. Seacrest Blvd.
Boynton Beach, FL 33435
(561) 737-7733

Florida Spill Response
PO Box 1847
Cocoa, FL 32923-1847
800-237-7012
Primary Contractor

ACT Inc.
1875 W. Main Street
Bartow, FL 33830-7718
800-226-0911
Secondary Contractor

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November 8. 2002 Certified Mail # 70012510000469232411

Mr. Bill Parker
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: S-K Medley Facility Renewal Application for Permit HO13-307336 / Permit Modification for S-K Tallahassee EPA I.D. No. FLD982133159 and S-K Sanford EPA I.D. No. FLD984171165

Dear Mr. Parker,

I received the Safety-Kleen Sanford and Tallahassee facilities' HSWA Permit Modification and Renewal Notice from your department on November 1, 2002. I would like to request a 30-day extension for the Tallahassee facility. This will provide adequate time to both modify S-K Tallahassee's RCRA permit and receive the associated $5,000 permit modification fee. The thirty-day extension would move the application deadline to December 30, 2002. I would also like to extend the Sanford HSWA permit modification to coincide with the renewal of their RCRA permit. Currently, S-K Sanford's RCRA permit expires April of 2004. Due to cost saving measure it would be beneficial for our company to renew the entire RCRA permit early. This would be a cost savings of $5,000, if your department allows Safety-Kleen to include the HSWA application with Sanford's RCRA permit application. Safety-Kleen can provide the combined permit applications to your office by March 31, 2003.

Per our telephone conference on October 31, 2002, Safety-Kleen has requested an extension for our response to the S-K Medley RCRA permit application's Notice of Deficiencies, issued by your department on October 15, 2002. We will provide the corrected items to your office by December 16, 2002. Safety-Kleen is ahead of schedule and should be able to provide the corrections before this deadline. As a trade off for the extension and to maintain the over-all deadline for the permit renewal, Safety-Kleen will have one week to review the final draft.

SAFETY-KLEEN CORP.
5309 24TH AVENUE SOUTH TAMPA, FL 33619 813-626-1203

I appreciate your understanding and willingness to work with Safety-Kleen on these matters. If you have any questions or need further information, please feel free to call me at (813) 340-0976.

Sincerely,

Matt Hedrick

Matt Hedrick (Safety-Kleen Corp. EHS Manager)

CC. Lu Burson (Central District FLDEP)
John Harris (Southeast District FLDEP)
Narindar Kumar (US EPA Region 4)
Charles Goddard (Northwest District FLDEP)
Mark Hicks (S-K Medley)
Cindy Bruce (S-K Sanford)
Olen Arnold (S-K Tallahassee)

HW

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2 August 2002 Certified Mail # 70012510000469232091

Mr. Bill Parker
Department of Environmental Protection
Bureau of Solid and Hazardous Waste
2600 Blair Stone Road – MS 4560
Tallahassee, FL 32399-2400

RE: Safety-Kleen Systems, Inc. (Medley, FL-FLD984171694-) HSWA and RCRA Part B Permit Application Extension

Dear Mr. Parker,

As discussed in our telephone conference on July 29, 2002, Safety-Kleen Systems, Inc. (Medley Facility) would like to file for a HSWA Permit Application extension beyond the August 12, 2002 deadline. An extension date of September 1, 2002 will allow Safety-Kleen ample time to meet your request of removing all Continued Use Program equipment from the Medley facility and provide current facility drawings reflecting this change. This extension will also enable Safety-Kleen to combine the HSWA Permit with the Part B Permit, which is due on September 19, 2002.

This request will extend the HSWA Permit deadline and shorten the Part B Permit deadline. With our experience combining HSWA with Part B Permits at the Safety-Kleen Tampa and Boynton Beach facilities, it makes since to prepare the permits together due to content similarities.

Please contact me at (813) 340-0976 if the request for extension cannot be granted. Thank you for your understanding and please call me if you have any further questions regarding the submittal of S-K Medley's permit applications.

Sincerely,

Matt Hedrick
S-K Corp. EHS Manager

cc. John Harris (Southeast District FLDEP)
Mark Hicks (Safety-Kleen, Medley, FL)
Doug McCurry (EPA/Region 4)

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January 8, 2001

Mr. Jim Ayers
FL DEP – Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Emergency Contact List Update
Safety-Kleen Systems, Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Ayers:

I have enclosed four copies of a revised page iii for the Safety-Kleen Medley facility contingency plan. This version replaces the old table found in our RCRA Part B permit contingency plan.

If you have any questions concerning this matter, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

Enclosures

cc: Mr. Jim Childress, Safety-Kleen
999 File 1020

Revision: 08 January 2001

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Emergency Phone Numbers

Primary:	Mark Hicks 677 SW 111th Avenue Pembroke Pines, FL 33025 Home (954) 392-1281 Office (305) 884-0123 Cell (561) 352-5105	Alternate:	Jennifer Sager 20012 NE 6th Court North Miami, FL 33179 Home (305) 770-2696 Office (305) 884-0123 Pager (305) 250-0889

Emergency Notification Phone Numbers

3E (Safety-Kleen's 24-Hour Emergency Reporting System)
1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6600 (Monday-Friday, 8:00am to 5:00pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

Dade County Environmental Resources Management, Mr. Mike Graham (305) 372-6780

South Florida Water Management District (561) 686-8800

Emergency Teams to be Notified

Metro Dade Fire Rescue
9300 NW 41st Street
Miami, FL 33178
911 or 786-331-4256

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 883-2047 or 911

Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

Florida Spill Response
P.O. Box 1847
Cocoa, FL 32923-1847
800-237-7012
Primary Contractor

ACT, Inc.
1875 W. Main Street
Bartow, FL 33830-7718
800-226-0911
Secondary Contractor

8755 NW 95TH STREET MEDLEY, FL 33178 PHONE 305/884-0123

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Revision: 08 January 2001

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Secondary Contractor

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APR 2 4 2000
DEP OF ENV PROTECTION
WEST PALM BEACH

18 April 2000

Mr. James R. Ayres
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Emergency Contact List Update
Safety-Kleen Systems, Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Ayres:

I have enclosed four copies of a revised Table iii for the Safety-Kleen Medley facility contingency plan. This version replaces the old table found in our RCRA Part B permit contingency plan.

If you have any questions concerning this matter, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Bill Craft, Safety-Kleen
Mr. David DeSha, Safety-Kleen
999 File 1020

Revision: 18 April 2000

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Emergency Phone Numbers

Primary:	Bill Craft Home (954) 433-4720 Office (305) 884-0123 Cell (954) 648-4361	Alternate:	Jennifer Sager Home (305) 466-0088 Office (305) 884-0123 Pager (305) 548-0686

Emergency Notification Phone Numbers

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National Response Center 1-800-424-8802

Dade County Environmental Resources Management, Mr. Mike Graham (305) 372-6780

Metro-Dade Office of Emergency Management, Mr. Robert Marton (305) 273-6701

South Florida Water Management District (561) 686-8800

Emergency Teams to be Notified

Metro Dade Fire Department
10350 NW 87th Avenue
Hialeah, FL 33016
911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 883-2047 or 911

AMI - Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

O.H. Materials Company
P.O. Box 551
Findlay, OH 45839
800-537-9540
Primary Contractor

Ryckman Emergency Action
and Consulting Team (REACT)
P.O. Box 27310
St. Louis, MO 63146
800-325-1398
Secondary Contractor

8755 NW 95TH STREET MEDLEY, FL 33178 PHONE 305/884-0123

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RCRA
JUN 02 1999
Hazardous Waste Regulation

May 28, 1999

Mr. Satish Kastury
Florida Department of Environmental Protection
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED
JUL 16 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

RE: Safety-Kleen's Continued Use Program

Dear Mr. Kastury:

Thank you for the opportunity to meet with John Ruddell and yourself on May 24, 1999 to discuss Safety-Kleen's Continued Use program. As promised during the meeting, we are submitting additional regulatory background information regarding this program. By way of this correspondence, Safety-Kleen Corp. is requesting concurrence with our regulatory interpretation that the Continued Use material is not subject to regulation under the Definition of Solid Waste.

Background and Program Overview

Historically, Safety-Kleen has used the mineral spirits waste returned from our customers parts washer drums to wash the drums prior to their refilling with recycled product. Safety-Kleen has many years of experience demonstrating the efficacy of using this material to wash drums. Upon the request of customers and with a thorough researching of RCRA and state implementing regulations, Safety-Kleen has developed a Continued Use program involving this drum cleaning operation.

Parts washer solvent is the primary material that is bulked at the branch level and the only material allowed in this program. When the 16 and 30-gallon drums of parts washer solvent are returned from customers, they are emptied, washed, and re-filled with fresh solvent. The branch-based Continued Use program was initiated almost two years ago in Indiana branches and involves a change to our existing drum washing operation. The Continued Use drum washing program provides for the removal of parts washer solutions from certain customers as a product to be exclusively used at our branches for the cleaning of the drums. A copy of this product's Material Safety Data Sheet (MSDS), schematic

1000 NORTH RANDALL ROAD ELGIN, ILLINOIS 60123-7857 PHONE 847/697-8460 FAX 847/468-8500

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drawing showing the flow of materials through the through the Continued Use cleaning system, and system engineering drawings were distributed at our May 24 meeting.

The cleaning system includes a vat to contain Continued Use material that will be added to the return and fill dock. The vat has a cone-shaped bottom to prevent solids from settling out of the material and is preferentially piped to the drum washer unit. The vat also contains a rough screen to protect the pump system from any foreign objects. It is typical that pumping systems have such screens. This screen will not provide any reclamation value to the Continued Use product prior to its use in the drum washer. Additionally, the material going through this screen is a product, not a waste, therefore, no waste treatment occurs as a result of the screening.

To qualify for Safety-Kleen's Continued Use program, customers must not put materials (e.g., paper and rags) into the solvent that are required to be removed prior to placement in the Continued Use cleaning system. Customers who add such materials will be counseled and if their performance does not improve they will be removed from the program.

During the drum washing operation, if the Continued Use vat is empty, the Safety-Kleen Material Handler will activate an electrical valve switch, which allows washing material (waste material) to be pumped off the bottom of the waste wet dumpster directly into the drum washer. This has been the approach for cleaning drums prior to the installation of the Continued Use vat.

Under the Continued Use program, Safety-Kleen will ensure that used cleaning solutions will be transported in compliance with all applicable DOT shipping papers and packaging requirements. The material will not be speculatively accumulated, nor reclaimed prior to our use for drum washing.

Once we have used the solutions for cleaning, the material will become Safety-Kleen generated waste and sent for recycling at one of our chemical recycling plants. There is no net change in material flowing through our branch for this operation, but rather the branch will be bringing in more material as a product and shipping more material from the branch as branch-generated waste. Any spills of Continued Use product will be handled as any product spill, with spill residues being considered Safety-Kleen generated waste.

The volume of material necessary to clean a drum has been established by a Safety-Kleen engineering study that evaluated time, flow rate, and pressure. This study was used to determine the amount of cleaning solution that is required to clean a drum. The resultant volume, multiplied by the number of drums to be cleaned, provides each branch with their "capacity" for the branch-based drum washing Continued Use program. Branch capacity and sales level is monitored through our computer Branch Automation Program. The system tracks Continued Use material into our system and controls the volume of a particular branch's sales of this program. This provides a system of centrally controlled

checks and balances to assure that a particular branch does not have excess drum cleaning material.

Regulatory Background

The regulatory provision that governs what is a waste and what is not is found in the Definition of Solid Waste (40 CFR 261). The parts washer solvent that would be initially used by our customers will be "used or reused as an effective substitute for commercial products" [40 CFR 261.2(e)(1)] at a Safety-Kleen facility for cleaning operations. The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619) discusses the use of substitutes for commercial products by stating,

> " When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Page 637 of the preamble also states,

> When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct-use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.
>
> The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used...

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

> "...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

In conclusion, the cleaning solutions will be considered a waste when they are no longer suitable to use for their original intended purpose (cleaning). The material will be Safety-Kleen generated waste after final use at one of our facilities.

Material Specification

Safety-Kleen provides customers with the mineral spirits-based parts cleaning solutions for their cleaning operations. The branch has comprehensive knowledge of the material that is returned from our customers because of the many years of providing this service and that the used mineral spirits is feed for our production of recycled mineral spirits products.

The cleaning of the emptied parts washer drums does not require a high specification material. We have had many years of experience of using material as it is returned from our customers, directly for the cleaning of emptied mineral spirits 16 and 30-gallon containers. The efficacy for this operation is demonstrated by the many years of its use. The specification for Continued Use includes requirements that the customer is a closed loop mineral spirits customer and that all material can be used in the Continued Use drum cleaning operation. Some customers' parts cleaning operations, or specific parts washers themselves, may not be suitable for being in the Continued Use program. This determination is made on a customer-by-customer basis.

Regulatory Concurrence

A letter of regulatory concurrence from U.S. EPA was distributed during our May 24 meeting. Similar letters of concurrence have been obtained from several states. Copies of the letters from California, Colorado, Indiana, Florida, Kentucky, Ohio, and Texas are enclosed.

While we know that requirements for waste determinations are self-implementing, Safety-Kleen requests a letter of regulatory concurrence from the Florida Department of Environmental Protection. We request that the Florida DEP provide a letter of regulatory concurrence that the Continued Use material would not be classified as a waste and under certain conditions is not subject to hazardous waste requirements.

As discussed, Safety-Kleen would welcome the opportunity to have representatives see a Continued Use system, once they are installed at our Florida branches. Please let us know if this fits into the schedule for the August quarterly or October annual workshops.

We were happy to hear that our Continued Use program coincides with the Department's goals of limiting the number of Florida's small quantity generators. Safety-Kleen would welcome the opportunity to assist the department in reaching out to provide information to certain customer groups.

Thank you again for the opportunity to discuss our program. Please contact Lin Longshore 803-933-6511 or myself if you have any questions 847-468-2245.

Sincerely,

Catherine A. McCord, Director
Business and Environmental Management

cc: John Ruddell

Attachments

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April 25, 1997

via Federal Express

Ms. Michele Anders, Chief
Generator and Recycling Branch
U.S. Environmental Protection Agency
Office of Solid Waste
401 M Street, S.W.
Washington, D.C. 20460

RE: Written Confirmation of Regulatory Interpretation of 40 CFR 261.2(e)(1)

Dear Ms. Anders:

Safety-Kleen is submitting the following information as Confidential Business Information and has been labeled as such pursuant to 40 CFR Part 2, Subpart B, Section 2.203(b).

The purpose of this letter is to follow up on an April 16 telephone conversation with Mr. Jeff Hannaple about a regulatory interpretation and to request that the interpretation Mr. Hannaple provided be confirmed in writing. The regulatory interpretation was provided in response to Safety-Kleen's request on how used parts washing solvent that was used for drum washing would be regulated, if it was used for the drum washing activity prior to any reclamation.

As previously discussed, Safety-Kleen collects used solvents from customers' parts cleaning operations and consolidates such materials at one of our branch collection facilities for shipment to one of our recycle centers. It is our intent to use a certain quantity of this material for washing drums prior to re-filling them with product. The quantity of solvent used in this manner will be dictated by the volume needed to wash a drum and the total number of drums used to service our customers. None of the solvent used in this manner will be reclaimed prior to its use as drum wash. Safety-Kleen will establish criteria for the amount and type of material to be used for this purpose.

Safety-Kleen believes that the parts washer solvent to be used in this manner is excepted from the definition of solid waste because it will be "used or reused as an effective substitute for [1] commercial product[s]..." (40 CFR 261.2(e)(1)). The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619), discusses the use of substitutes for commercial products in the following manner:

> "When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

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Page 637 of the preamble also states,

> When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.
>
> The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used..."

See also attached guidance from the RCRA/Superfund Hotline.

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

> "...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

We request that EPA confirm in writing that the solvent Safety-Kleen intends to use for drum wash in the manner described above is not a solid waste pursuant to 40 CFR 261.2(e)(1) and thus not a hazardous waste when it is being used as an effective substitute for a commercial product.

Please contact me at (847) 468-2245, if you have any questions.

Sincerely,

Catherine A. McCord, Manager
Environment and Business Integration

Attachment

cc: Jeff Hannaple

ment must be installed with special leak detection and collection systems, many existing tank systems may not have nism to detect and control releases. Do the new July 14, 1986 regulations have any leak testing requirements for exi systems prior to installation of secondary containment?

Yes. The new hazardous waste tank regulations do provide for leak testing in existing tank systems prior to ir of secondary containment. 40 *CFR* 264.193(i) and 265.193(i) require all existing tank systems to be evaluated in some manner. Non-enterable underground tanks must be tested for leaks at least annually. All other tank aboveground and enterable underground tanks) under interim status must be leak-tested, inspected internally, or for cracks, leaks, corrosion and erosion at least annually. Other permitted tanks must be either leak-tested an placed on a schedule for overall integrity assessments. The frequency of assessments would depend on the m construction of the tank, the age of the system, the type of waste stored or treated, the type of corrosion or ero tection, and the rate of corrosion or erosion of the tank. The annual leak testing requirement also applies to all equipment. In addition, § 264.191 and § 265.191 require the owner/operator of an existing tank system that does a secondary containment system meeting the requirements of §§ 264.193 and 265.193 to obtain a written assess attests to the tank system's integrity by January 12, 1988. All assessments must be certified by an independent, registered professional engineer and must be kept on file at the facility.

[December 1986; Regulatory Cross References: 264.193(i), 265.193(i), 264.191, 265.191]

RCRA-78 Existing Units, Replacement Units, and Minimum Technology Standards

The owner/operator of an existing landfill unit which is holding F006 waste, wants to remove all the waste from th in order to stabilize it. Once the waste is stabilized, it will be put back in the same landfill and the landfill will then Will this action change the status of the landfill from an existing unit to a replacement unit? If the landfill was then c a replacement unit, would it have to meet minimum technology requirements under Section 3004(u) of RCRA t stabilized waste is replaced?

A unit is considered a replacement if it is taken out of service and all or substantially all waste is removed from it reused. If the removal, stabilization, and replacement of the waste is part of closure, and no new waste is being ad landfill, then EPA does not consider that the unit has been "reused." Therefore, the landfill would retain its st existing unit and would not have to meet minimum technology standards prior to replacing the waste.

[Ed. Note: On January 29, 1992 (57 *FR* 3462), EPA promulgated liner and leak detection system standards for landfills, surface impoundments, and waste piles, effective July 29, 1992. As part of that rulemaking, EPA codified a definition of "replacement unit" that is essentially the same as the one described here.]

[December 1986; Regulatory Cross References: 260.10 "replacement unit," 264.301, 264.310, 265.301(a), 265.310]

RCRA-79 Land Disposal Definition

How is land disposal defined regarding the Section 3004(d) RCRA land disposal restrictions?

Land disposal is defined to include, but not be limited to, any placement of hazardous waste in a landfill, surface imp waste pile, injection well, land treatment facility, salt dome formation, or underground mine or cave (Section 3004(k) EPA also considers placement of hazardous wastes in concrete vaults or bunkers intended for disposal purposes as waste management subject to the land disposal restrictions. However, EPA does not consider open detonation, w include open burning, as methods constituting land disposal and has concluded that the land disposal restrictions pro applicable to open detonation and open burning [51 *FR* 40580].

[December 1986; Regulatory Cross Reference: 268.2(c)]

RCRA-80 Lab Packs and the Land Disposal Prohibitions

Are lab packs containing wastes restricted from land disposal included in the land disposal restrictions?

Neither the legislative history nor the statute indicates that lab packs can be excluded from the land disposal if they contain restricted wastes. If a lab pack contains these restricted wastes, the entire lab pack is subject disposal restrictions [51 *FR* 40585].

[December 1986; Regulatory Cross Reference: 268.1(a)]

RCRA-81 Definition of Solid Waste

A generator generates a 5% solution of sodium hydroxide from his metal cleaning operation. Another facility can use the waste as a substitute for a commercial product in their process of cleaning out tanks, except the waste is too dilute to be effective. If the generator adds 5% sodium hydroxide to his waste to make a 10% solution, would this material be a so

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According to § 261.2(e)(1)(ii), materials are not solid waste when they can be shown to be recycled by being used reused as effective substitutes for commercial products. The waste is employed in a particular function or application an effective substitute for a commercial product (40 *CFR* 261.1(c)(5)(ii)). Since it would function as a product in a norm commercial use, it would not be a solid waste and is not subject to RCRA Subtitle C regulations when generated, tra ported or used (unless accumulated speculatively).

[May 1987; Regulatory Cross References: 261.2(e)(1)(ii), 261.1(c)(5)(ii)]

RCRA-82 Disposal Prior to November 19, 1980

A tank owner closed a tank which contained waste solvent in 1977. The waste solvent was an unlisted, ignitable waste (D00 which was pumped out of the tank. Some ignitable residues remained in the tank. The tank was sealed and has not been us since 1977. Is the tank a RCRA disposal facility?

The preamble of the May 19, 1980 *Federal Register* (40 *CFR* 264 and 265, page 33170) specifically states that the re latory scheme of Subtitle C is prospective, i.e., it applies to hazardous waste management which takes place after effective date of the Subtitle C regulations. Inactive (either closed or abandoned) disposal facilities could be subject RCRA Section 7003 enforcement authorities and CERCLA. If the tank was closed in accordance with existing indus practices, it would be an inactive disposal facility not subject to RCRA Subtitle C regulation unless the waste in the t is subsequently managed in a manner that would constitute treatment, storage or disposal.

[May 1987; Regulatory Cross Reference: 265.197]

RCRA-83 Hazardous Waste Tanks

An existing above-ground hazardous waste tank is moved to another location at the same facility. Does it become subjec new tank standards when it is moved? What would the situation be if the tank was underground?

For both above-ground and underground tanks, the tank would be classified as a new tank after being moved and reinsta (see 50 *FR* 25446, July 14, 1986). The tank would be subject to the requirements for new tank systems. The tank wo have to be reinstalled with secondary containment meeting the requirements specified in §§ 264.193(a) or 265.193.

[May 1987; Regulatory Cross References: 264.190, 265.190]

RCRA-84 Applicability of Contingent Closure and Post-Closure Plans for Tanks

Section 264.197(c)(1) and (2) requires that, unless a tank has secondary containment, a contingent plan for closure as a landfill a contingent post-closure plan must be prepared. 40 *CFR* 264.193(a)(3) requires that an existing tank be retrofitted with secon containment by the time it reaches 15 years of age. If the owner of an existing tank is planning to install secondary containr before the tank reaches 15 years of age, is the owner/operator required to prepare the contingent plans?

Yes. The contingent closure and contingent post-closure plans are required for all tanks not having secondary containn even if the owner/operator is planning on installing secondary containment. The plans would be required until the secon containment meeting the requirements of §§ 264.193 or 265.193 is installed.

[May 1987; Regulatory Cross References: 264.197(c), 264.193(a); 265.197(c), 265.193(a)]

RCRA-85 Dissolved vs. Entrained Metals Subject to the Land Disposal Restrictions

The land disposal restrictions in RCRA Section 3004(d) require that the California List wastes be banned from land dis by July 8, 1987. Concentrations of nickel greater than 134 mg/l are subject to the ban. Is hazardous wastewater conta nickel dispersed by agitation, but not chemically in solution, included in the restriction?

Yes. It does not matter whether the nickel is chemically or physically contained in the wastewater. The ban applies total concentration of nickel in the filtrate as determined by subjecting a representative sample of wastewater to the Filter Liquids Test. If the facility were to settle out the pieces of nickel and lower the concentration of nickel belo mg/l, the wastewater would no longer be subject to the ban. Until treatment standards are finalized, this method of low the concentration is allowable.

[July 1987; Regulatory Cross Reference: 268.32]

RCRA-86 Domestic Sewage Exclusion

A RCRA hazardous waste is transported by truck accompanied by a Uniform Hazardous Waste Manifest to a publicly treatment works (POTW). Does the domestic sewage exclusion apply to this hazardous waste if it mixes with domestic s prior to treatment? Is the sludge generated from treating the RCRA hazardous waste and the domestic sewage a haz waste due to the "Derived-From Rule" (40 *CFR* 261.3(c) and (d))?

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

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applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,

for David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

AUG 3 1 1998

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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SOLID WASTE AND EMERGENCY
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AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
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Sincerely,

for David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

AUG 31 1998

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

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SOLID WASTE AND EMERGENCY
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Sincerely,

Michael P. Flynn

~~David~~ Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director
Dedicated to protecting and improving the health and environment of the people of Colorado
HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION
http://www.cdphe.state.co.us/hm/

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Fax (970) 248-7198

Colorado Department
of Public Health
and Environment

May 10, 1999

Sean McMahon
Regional Manager, Denver
Safety-Kleen Corp.
3333 Quebec Street, Penthouse A
Denver, Colorado 80207

Dear Mr. McMahon:

Gary Baughman and I appreciated the opportunity to meet you and Catherine McCord on April 22 and to discuss Safety-Kleen's Continued Use Program. We now have a much better understanding of the program and the regulatory status of the solvents used in the program. We have reviewed the August 21, 1998 letter to Catherine McCord from David Bussard of the U.S. EPA (attached) and generally concur with the regulatory interpretation in that letter. We believe that if solvents are managed in the manner you have described for the Continued Use Program that they will qualify for being excluded as an effective substitute for a commercial product in accordance with 6 CCR 1007-3, Section 261.2(e)(1).

The steps that Safety-Kleen has taken to establish criteria for continued use of solvents and segregation of solvents in the continued use program from waste solvents will allow the solvents to not be considered solid wastes. The record keeping and automatic control features of the continued use program are also important for documenting the legitimate continued use of the solvent as an effective substitute for a commercial product.

If you have any questions regarding this matter, please feel free to contact me at (303) 692-3342.

Sincerely,

Frederick R. Dowsett
Compliance Coordinator

cc: Catherine A. McCord, Safety-Kleen
Attachment

AUG 31 1998

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being reused. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,

David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

JUL 18 1997

July 14, 1997

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIO

Catherine A. McCord, Manager
Environment and Business Integration
Safety-Kleen Corp.
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Re: Continued Use Program

This is in response to your letter of June 2, 1997, in which you were seeking confirmation of your interpretation of the hazardous waste rules, specifically 40 CFR 261.2(e)(1)(ii). Indiana has incorporated this federal provision in our rules at 329 IAC 3.1-6. Our understanding is that your company intends to directly reuse solvents which have been used by your customers for drum washing prior to filling them with product.

Your review of the applicable regulations and principals as they apply to this situation are consistent with the interpretation of these provisions as applied by this office. Information provided in your letter indicates that these used solvents will be used consistent with their original intended purpose as a cleaning solvent without prior reclamation. These solvents would not be a solid waste and therefore not subject to regulation as a hazardous waste.

Staff consider the documentation of claims that the materials are not solid waste as required by 40 CFR 261.2(f) as an important component of this exemption. Only those solvents which are legitimately reused are exempt. If the quantity of solvents collected from your customers under the exemption exceed that which is necessary for your use this office would consider this a sham situation. Excess solvents collected would be subject to regulation as a hazardous waste.

If you should have a question regarding this matter please contact Mr. Dave Berrey of this Department at 317-232-4417.

Sincerely,

Bruce Palin

Bruce Palin,
Acting Assistant Commissioner
Solid and Hazardous Waste Management

DWB

OhioEPA
State of Ohio Environmental Protection Agency

FEB 16 1998

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

February 2, 1998

Ms. Catherine McCord
Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123-7857

Dear Ms. McCord:

This letter is in response to our meeting and your subsequent letter dated January 14, 1998, regarding Safety-Kleen's "Continued Use" program. You would like to know if Ohio EPA's Division of Hazardous Waste Management agrees with your interpretation of regulations with respect to this program.

It is my understanding that Safety-Kleen reuses some of their customers used solvents in their drum washing program in Indiana. These solvents are used to clean scrap metal from drum shredding operations. Safety-Kleen would like to expand a similar program, the Continued Use program to branches across Ohio. The branches would be reusing parts cleaning solutions collected from customers to clean drums. After the solution is reused in the Continued Use program, it will be considered Safety-Kleen generated waste and will be recycled.

In Ohio, materials are not wastes when they can be shown to be recycled by being used or reused as effective substitutes for commercial products as stated in Ohio Administrative Code (OAC) rule 3745-51-02(E)(1)(b). Although, they must not be used in a manner constituting disposal, applied to the land, or accumulated speculatively (OAC 3745-51-02(E)(2)).

Safety-Kleen's use of the cleaning solutions are considered a continued use of the solutions. The parts cleaners are **not considered a spent material.** A "spent material" is defined in OAC rule 3745-51-01(C)(1) as any material that has been used and as a result of contamination can **no longer serve the purpose for which it was produced** without processing. U.S. EPA interprets "the purpose for which it was produced" to include all uses of the products that are similar to the original use of the particular batch of material in question. For example, in 50 FR 624, U.S. EPA discusses the continued use of solvents used to clean printed circuit boards. Although the solvents are not pure enough to be used again on the circuit boards, U.S. EPA agrees that they are still pure enough for similar applications (metal degreasers, etc.). Ohio EPA concurs with this

interpretation. Ohio EPA agrees that by being used in Safety-Kleen's Continued Use program, the cleaning solutions are serving their intended purpose.

Ohio EPA continues to encourage pollution prevention which includes environmentally friendly alternatives. If you have any questions, please contact Jeff Mayhugh or myself at (614) 644-2934.

Sincerely,

Wendy Miller

Wendy A. Miller
Compliance Assurance Section
Division of Hazardous Waste Management

wp61.WAM.lcn,g:sftyklee.

Cal/EPA

Department of Toxic Substances Control

400 P Street, 4th Floor P.O. Box 806 Sacramento, CA 95812-0806

March 23, 1998

Pete Wilson Governor

Peter M. Rooney Secretary for Environmental Protection

Mr. Scott E. Davies, P. G.
Regional Environmental Manager
Safety-Kleen Corporation
8795 Folsom Boulevard, Suite 108
Sacramento, California 95826

"CONTINUED USE PROGRAM" FOR CONTINUING SOLVENT USE AS A SUBSTITUTE FOR A PRODUCT

Dear Mr. Davies:

This letter is to confirm your understanding that solvents employed in Safety-Kleen's proposed "Continued Use Program," may be excluded from the definition of waste pursuant to Health and Safety Code Section (HSC) 25143.2(b)(2). I met with you on February 17, 1998 for a discussion of this subject. The discussion is summarized below.

The "Continued Use Program" will involve a limited number of customers within a Safety-Kleen service center area. These particular customers will relinquish designated solvent to their Safety-Kleen representative[1] who will transport it to the Safety-Kleen service center and add it to the drum-cleaning solvent reservoir.[2] Drum cleaning solvent, whether new solvent or "continued use" solvent used as a safe and effective substitute for a product, is used only once to clean drums before it becomes a regulated hazardous waste.[3]

When used as drum cleaner the "continued use" solvent is used as a safe and effective substitute for a commercial product and is therefore conditionally excluded from classification as waste pursuant to HSC Section 25143.2(b)(2). In Safety-Kleen's proposed "Continued Use Program" the commercial product substituted for is clean drum-washing grade solvent.

---

[1] You indicated that the "continued use" solvent would be handled separately from other materials in order to be shipped using a bill of lading; therefore the "Continued Use" solvent must be in separate containers from waste solvent.

[2] Although the drum cleaning operations of a service center will fluctuate, the quantity of solvent needed will have been anticipated. We would view excessive accumulations in the drum cleaning reservoir as an indication of sham recycling.

[3] You have stated that the "continued use" solvent will be used to clean drums only once. Because the "continued use" solvent must be a safe and *effective* substitute for a product, I have surmised that the product for which it substitutes is also only used once. If the "continued use" solvent does not perform as well as new product for drum cleaning, it is not an effective substitute.

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Please note that HSC Sections 25143.9 and 25143.10 apply to the "continued use" operation which qualifies this particular reused solvent to be excluded from the definition of waste.

It was a pleasure meeting with you and Ms. Marty White. If I can be of further assistance to you, please contact me at (916) 324-1806 or write to me at the letterhead address.

Sincerely,

Norman [illegible]ley, Chief
Resource Recovery Section

cc: Ms. Paula Rasmussen, Chief
State Regulatory Program Division
Department of Toxic Substances Control
245 West Broadway, Suite 425
Long Beach, California 90802

Mr. Larry Matz, Chief
Statewide Compliance Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Donald A. Johnson, Chief
State Regulatory Branch
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

JAMES E. BICKFORD
SECRETARY

PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY RD
FRANKFORT KY 40601-1190

April 6, 1998

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen Corp.
One Brinckman Way
Elgin, Illinois 60123-7857

Re: Branch-Based Continued Use Program
Request for Additional Information

Dear Ms. McCord:

Thank you for your letter requesting our formal regulatory interpretation regarding the management of spent cleaning solutions, removed from Safety-Kleen's Kentucky customers, as cleaning solutions to clean drums within the Safety-Kleen system.

We appreciate the information you presented to us in the December meeting, but before we could finalize our decision, additional information is needed regarding the following:

1. A demonstration of compliance with 401 KAR 31:010, Section 2 (5) (b). This may include information such as the quantities and percentages of this waste/material used for this purpose, and corresponding record keeping to ensure the compliance with the speculative accumulation requirements.

2. A demonstration of the effectiveness of this substitute material. Provide a detailed comparison of the minimum quantities consumed by the redesigned drum washer using the spent mineral spirit versus that of the virgin product. To further demonstrate the effectiveness of this spent mineral spirit, wipe sample test results of a drum cleaned by a virgin product versus that of a drum washed with the spent material may prove necessary.

3. Spill prevention that is protective of the human health and the environment (KAR 31:010, Section 10 (d)). Provide detailed plans and discussion concerning measures to be taken while the material is being managed at the site. This may include information regarding any secondary containment, precaution taken during the handling of the material, and other relevant information required in the contingency plan.

4. Flow diagram(s) indicating the type of facilities envisioned to manage this material/waste. In this, please clarify if Safety-Kleen will manage this material/waste at its non-permitted storage/treatment facility where the material may commingle with other wastes (hazardous wastes) in the hazardous waste management unit(s), i.e., at the Louisville Eiler Avenue transfer facility.

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5. A demonstration of how the unmanifested waste issues should be addressed pursuant to 401 KAR 34:050, Section 7. How would Safety-Kleen ensure that the waste/material it receives is of the same characteristics of the material required to clean the drums. and if not, how would Safety-Kleen manage this waste/material?

6. It is our understanding that the hazardous waste generated by the receiving installation(s) will increase substantially. Please demonstrate how this may or may not conflict.with the waste minimization program(s) that receiving branches/facility(s) may have in-place.

7. Is all the hazardous waste generated at the branches/facilities, as a result of this activity, destined for distillation?

8. Please demonstrate how Safety-Kleen intends to be in compliance with applicable air emission standards while managing this material/waste.

This determination may not apply if this above mentioned secondary material is mismanaged contrary to intention of this submittal and may cause it to become a waste that is subject to a hazardous waste determination. In addition, this determination shall not relieve the applicant from obtaining any other permits from any other agency within the Commonwealth.

If you have any questions regarding this correspondence, please do not hesitate to contact George W. Wakim at (502) 564-6716 ext. 674.

Sincerely,

Michael V. Welch, P.E., Manager
Hazardous Waste Branch
Division of Waste Management

MVW/GW

c: Caron Falconer, US EPA Region IV
Abbie Meyer, Hazardous Waste Branch
Ron Gruzesky, Hazardous Waste Branch
Dale Burton, Hazardous Waste Branch
Massoud Shoa, Hazardous Waste Branch
Hannah Helm, Field Operations Branch
Keith Crabtree, Florence Regional Office
Patrick Keely, Safety Kleen
Central Files: Fayette, Boyd, Jefferson, & Henry Counties

Jesse Boulthinghouse

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 1, 1999

Mr. Timothy F. Kent
District EHS Manager
Safety-Kleen
One Brinckman Way
Elgin, IL 60123-7857

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

Dear Mr. Kent:

This is in response to your December 18, 1998 letter regarding Safety-Kleen's recycling of solvents through its "Continued Use Program".

According to the information in your letter, the information provided by Ms. Catherine McCord and the information provided in a December 8, 1998 meeting between representatives from Safety-Kleen and the Texas Natural Resource Conservation Commission (TNRCC):

- Safety-Kleen has historically used waste parts washer solvent (mineral spirits) to washout and clean drums in which parts washer solvents arrive at Safety-Kleen sites. Based upon the experience gained in doing so, the results of an engineering study conducted by Safety-Kleen, customer requests and a thorough researching of RCRA rules, Safety-Kleen has developing what it calls the "Continued Use Program";

- The dual objectives of the Continued Use Program are: (1) to provide qualified Safety-Kleen customers with a means by which they can recycle their parts washer solvent and at the same time legitimately exempt the solvent from the definition of a solid waste (thus realizing relief from most regulatory requirements) and (2) to allow Safety-Kleen a legitimate means of meeting the challenge posed by some of its competitors who offer their customers the option of exempting their parts washer solvent from the definition of a solid waste (thus giving them a potential marketing advantage over Safety-Kleen);

- Upon its arrival at a Safety-Kleen site, the first step in the actual physical processing of parts washer solvent in the Continued Use Program occurs when the solvent is emptied from drums which have a capacity from 16 to 30 gallons into a vat that is physically separated from the entry point for solvent which is not from the Continued Use Program;

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- By contractual agreement with its customers, Safety-Kleen allows only parts washer solvent to enter the Continued Use Program and all customers who wish to participate in it are required to avoid allowing any foreign materials (e.g., paper, rags, metal parts etc.) to contaminate the Continued Use Program solvent. Customers who do not agree to these terms are not allowed to participate in the Continued Use Program. Customers already participating in the Continued Use Program who fail to abide by these terms are removed from the Continued Use Program by Safety-Kleen;

- The solvents from the Continued Use Program and those which are not part of the Continued Use Program sources enter the drum cleaning operation at two physically *separate* points. Solvents which are not part of the Continued Use Program enter the "wet dumpster" portion of the "drum washer/wet dumpster" unit shown in the diagram entitled, "Proposed Alternative Operations" that accompanied your letter.

  Solvent from the Continued Use Program vat is pumped into the drum washer portion of the aforementioned unit and is sprayed by a nozzle into the drum washer to clean the aforementioned drums. The drum washer portion is located *prior* to the wet dumpster portion of the unit. The reusable solvent is transferred from the reuse vat by a submersible pump.

  The vat contains a "gross mesh" screen. Its sole purpose of the screen is to protect the pump. The screen does *not* function as a separation mechanism. The fact that participants in the Continued Use Program are required to keep foreign materials such as paper, rags, metal parts etc. from entering Continued Use Program solvent combined with the fact that the aforementioned screen is essential to the protection of the pump system means that no reclamation occurs at any point in the Continued Use Program until after the cleaning of the aforementioned drums;

- When the quantity of solvent in the Continued Use Program vat falls below a preset level, an electronic sensor automatically shuts off the flow of Continued Use Program solvent to the nozzle and non-Continued Use Program solvent is then pumped from the non-Continued Use Program vat into the nozzle to clean the drums. The segregation of the Continued Use Program solvent and the solvent from the non-Continued Use Program insure that only *after* the drums have been cleaned does the solvent from the Continued Use Program and solvent that is not part of the Continued Use Program come into contact;

Re: Safety-Kleen's Continued Use Program.
Technical Analysis File Number 1-99

- Once the solvent has been used to clean the drums, Safety-Kleen acknowledges that all of it meets the definition of a spent material as defined in 40 Code of Federal Regulations (CFR) Section § 261.1(c)(1)/30 Texas Administrative Code (TAC) § 335.17(a)(1). Furthermore, Safety-Kleen acknowledges that it will be the generator of the spent solvent and all wastes associated with it (e.g., sludges from the reclamation of the spent solvent);

- From the results of its engineering study, Safety-Kleen has determined the volume of parts washer solvent necessary to clean a given size drum. This volume multiplied by the number of drums to be cleaned provides each Safety-Kleen site with the maximum volume of solvent that the site can accept into its Continued Use Program. As an added measure of control, each site's maximum capacity is monitored by Safety-Kleen's Branch Automation Program which tracks the amount of Continued Use Program solvent coming into a given site. This plus the site's own monitoring efforts will insure that the site does not accept more solvent than it can legitimately use to clean the drums that arrive at that site;

- Once cleaned, the drums are then refilled with fresh solvent; and

- Safety-Kleen wishes for the TNRCC to confirm that the portion of parts washer solvent in the Continued Use Program is exempt from being a solid waste pursuant to 40 CFR §261.1(e)(1)/30 TAC §335.1(F)(I).

Based upon the aforementioned information, the TNRCC has concluded that there is no reason at this time to object to Safety-Kleen or its customers exempting from the definition of a solid waste parts washer solvent participating in Safety-Kleen's Continued Use Program provided that the following points (many of which are discussed in an August 21, 1998 letter from Mr. David Bussard of the Environmental Protection Agency (EPA) to Ms. Catherine McCord of regarding Safety-Kleen's Continued Use Program) about Safety-Kleen's Continued Use Program are taken into consideration:

- The solvent in the Continued Use Program would be considered by the TNRCC to be exempt from being a solid waste only if it has the capacity to function effectively as a solvent in the aforementioned drum cleaning operation. The TNRCC would not consider solvent used in the Continued Use Program which had lost all or the great majority of its solvent properties (e.g., through contamination) to be exempt from being a solid waste;

- The solvent in the Continued Use Program must be used only for washing drums that actually need it and only in quantities sufficient to wash the aforementioned drums. The TNRCC would not consider solvent used in excess of that which would normally be required to wash the drums to be exempt from being a solid waste;

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- Solvent in the Continued Use Program and solvent which is not in the Continued Use Program must be kept physically separated until they exit the drum washer portion of the aforementioned unit. Each container of the two types of solvents must be handled according to the applicable state and federal rules. If any portion of the Continued Use Program solvent is reclaimed, burned for energy recovery or used in a manner which would otherwise cause it to be a solid waste (as opposed to being directly used only for drum wash), then it is a solid waste and must be managed accordingly; and

- The TNRCC wishes to especially emphasize to Safety-Kleen the importance of ***properly creating and maintaining the documentation to show that it is complying with all applicable state and federal regulations (including those implied in the aforementioned points) at all times and at all of its sites.***

On behalf of the TNRCC, I wish to thank you, the other representatives of Safety-Kleen (most notably Ms. McCord who met and communicated on several occasions with Mr. Boultinghouse of the Technical Analysis Team) and Safety-Kleen for your efforts to promote and encourage legitimate recycling of parts washer solvents in Texas.

If you have any questions regarding this matter, please contact Mr. Jesse Boultinghouse of the Technical Analysis Team at (512) 239-6832.

Sincerely,

Dorca Zaragoza, Leader
Technical Analysis Team
Waste Evaluation Section
Registration and Evaluation Division

DZ/JKB/tgk

cc: Ms. Catherine McCord, Director, Business and Environmental Management, Safety-Kleen Corporation, 1000 North Randall Road, Elgin, IL 60123

Office of Waste Management
Compliance Assurance and Emergency Response
1356 Hansford Street
Charleston, WV 25301-1401
304-558-5989/Fax 304-558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

April 20, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Catherine A. McCord
Manager, Environment and Business Integration
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

I have received your letter of April 2, 1999 in which you address a number of concerns regarding Safety-Kleen's Continued Use Program that I raised in our telephone conversation of April 2, 1999. This letter is to grant provisional approval to that program.

Your responses to my questions eased my concerns about the structure of the program and its ability to limit the amount of reused solvent to the quantity necessary to clean the drums. This office will monitor the program for approximately one year, however, to insure that safeguards are indeed working before granting unconditional approval.

Please notify me when Safety Kleen begins the program in West Virginia so that we can begin observing the process.

I hope that this information is helpful to you. If I can be of any further assistance, please contact me at (304) 558-5989.

Sincerely,

H. Michael Dorsey, Assistant Chief
Compliance Assurance and Emergency Response

HMD/kw

cc: Tom Fisher
Stan Moskal
Mike Stratton

AUG 3 1 199

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

RECEIVED
JUL 16 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being *reused*. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

According to § 261.2(e)(1)(ii), materials are not solid waste when [illegible] can be shown to be recycled by being used reused as effective substitutes for commercial products. The waste is employed in a particular function or application an effective substitute for a commercial product (40 *CFR* 261.1(c)(5)(ii)). Since it would function as a product in a norm commercial use, it would not be a solid waste and is not subject to RCRA Subtitle C regulations when generated, tra ported or used (unless accumulated speculatively).

[May 1987; Regulatory Cross References: 261.2(e)(1)(ii), 261.1(c)(5)(ii)]

RCRA-82 Disposal Prior to November 19, 1980

A tank owner closed a tank which contained waste solvent in 1977. The waste solvent was an unlisted, ignitable waste (D00 which was pumped out of the tank. Some ignitable residues remained in the tank. The tank was sealed and has not been us since 1977. Is the tank a RCRA disposal facility?

The preamble of the May 19, 1980 *Federal Register* (40 *CFR* 264 and 265, page 33170) specifically states that the re latory scheme of Subtitle C is prospective, i.e., it applies to hazardous waste management which takes place after effective date of the Subtitle C regulations. Inactive (either closed or abandoned) disposal facilities could be subject RCRA Section 7003 enforcement authorities and CERCLA. If the tank was closed in accordance with existing indus practices, it would be an inactive disposal facility not subject to RCRA Subtitle C regulation unless the waste in the t is subsequently managed in a manner that would constitute treatment, storage or disposal.

[May 1987; Regulatory Cross Reference: 265.197]

RCRA-83 Hazardous Waste Tanks

An existing above-ground hazardous waste tank is moved to another location at the same facility. Does it become subjec new tank standards when it is moved? What would the situation be if the tank was underground?

For both above-ground and underground tanks, the tank would be classified as a new tank after being moved and reinsta (see 50 *FR* 25446, July 14, 1986). The tank would be subject to the requirements for new tank systems. The tank wo have to be reinstalled with secondary containment meeting the requirements specified in §§ 264.193(a) or 265.193.

[May 1987; Regulatory Cross References: 264.190, 265.190]

RCRA-84 Applicability of Contingent Closure and Post-Closure Plans for Tanks

Section 264.197(c)(1) and (2) requires that, unless a tank has secondary containment, a contingent plan for closure as a landfill a contingent post-closure plan must be prepared. 40 *CFR* 264.193(a)(3) requires that an existing tank be retrofitted with secon containment by the time it reaches 15 years of age. If the owner of an existing tank is planning to install secondary containr before the tank reaches 15 years of age, is the owner/operator required to prepare the contingent plans?

Yes. The contingent closure and contingent post-closure plans are required for all tanks not having secondary containn even if the owner/operator is planning on installing secondary containment. The plans would be required until the secon containment meeting the requirements of §§ 264.193 or 265.193 is installed.

[May 1987; Regulatory Cross References: 264.197(c), 264.193(a); 265.197(c), 265.193(a)]

RCRA-85 Dissolved vs. Entrained Metals Subject to the Land Disposal Restrictions

The land disposal restrictions in RCRA Section 3004(d) require that the California List wastes be banned from land dis by July 8, 1987. Concentrations of nickel greater than 134 mg/l are subject to the ban. Is hazardous wastewater conta nickel dispersed by agitation, but not chemically in solution, included in the restriction?

Yes. It does not matter whether the nickel is chemically or physically contained in the wastewater. The ban applies total concentration of nickel in the filtrate as determined by subjecting a representative sample of wastewater to the Filter Liquids Test. If the facility were to settle out the pieces of nickel and lower the concentration of nickel belo mg/l, the wastewater would no longer be subject to the ban. Until treatment standards are finalized, this method of low the concentration is allowable.

[July 1987; Regulatory Cross Reference: 268.32]

RCRA-86 Domestic Sewage Exclusion

A RCRA hazardous waste is transported by truck accompanied by a Uniform Hazardous Waste Manifest to a publicly treatment works (POTW). Does the domestic sewage exclusion apply to this hazardous waste if it mixes with domestic s prior to treatment? Is the sludge generated from treating the RCRA hazardous waste and the domestic sewage a haz waste due to the "Derived-From Rule" (40 *CFR* 261.3(c) and (d))?

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ment must be installed wi[redacted]pecial leak detection and collection systems. Many existing tank systems may not have nism to detect and contain releases. Do the new July 14, 1986 regulations [redacted]e any leak testing requirements for exi systems prior to installation of secondary containment?

Yes. The new hazardous waste tank regulations do provide for leak testing in existing tank systems prior to ir of secondary containment. 40 *CFR* 264.193(i) and 265.193(i) require all existing tank systems to be evaluated in some manner. Non-enterable underground tanks must be tested for leaks at least annually. All other tank aboveground and enterable underground tanks) under interim status must be leak-tested, inspected internally, or for cracks, leaks, corrosion and erosion at least annually. Other permitted tanks must be either leak-tested an placed on a schedule for overall integrity assessments. The frequency of assessments would depend on the m construction of the tank, the age of the system, the type of waste stored or treated, the type of corrosion or ero tection, and the rate of corrosion or erosion of the tank. The annual leak testing requirement also applies to all equipment. In addition, § 264.191 and § 265.191 require the owner/operator of an existing tank system that does a secondary containment system meeting the requirements of §§ 264.193 and 265.193 to obtain a written assess attests to the tank system's integrity by January 12, 1988. All assessments must be certified by an independent, registered professional engineer and must be kept on file at the facility.

[December 1986; Regulatory Cross References: 264.193(i), 265.193(i), 264.191, 265.191]

RCRA-78 Existing Units, Replacement Units, and Minimum Technology Standards

The owner/operator of an existing landfill unit which is holding F006 waste, wants to remove all the waste from th in order to stabilize it. Once the waste is stabilized, it will be put back in the same landfill and the landfill will then Will this action change the status of the landfill from an existing unit to a replacement unit? If the landfill was then c a replacement unit, would it have to meet minimum technology requirements under Section 3004(u) of RCRA l stabilized waste is replaced?

A unit is considered a replacement if it is taken out of service and all or substantially all waste is removed from it reused. If the removal, stabilization, and replacement of the waste is part of closure, and no new waste is being ad landfill, then EPA does not consider that the unit has been "reused." Therefore, the landfill would retain its st existing unit and would not have to meet minimum technology standards prior to replacing the waste.

[Ed. Note: On January 29, 1992 (57 *FR* 3462), EPA promulgated liner and leak detection system standards for landfills, surface impoundments, and waste piles, effective July 29, 1992. As part of that rulemaking, EPA codified a definition of "replacement unit" that is essentially the same as the one described here.]

[December 1986; Regulatory Cross References: 260.10 "replacement unit," 264.301, 264.310, 265.301(a), 265.310]

RCRA-79 Land Disposal Definition

How is land disposal defined regarding the Section 3004(d) RCRA land disposal restrictions?

Land disposal is defined to include, but not be limited to, any placement of hazardous waste in a landfill, surface imp waste pile, injection well, land treatment facility, salt dome formation, or underground mine or cave (Section 3004(k) EPA also considers placement of hazardous wastes in concrete vaults or bunkers intended for disposal purposes as waste management subject to the land disposal restrictions. However, EPA does not consider open detonation, w include open burning, as methods constituting land disposal and has concluded that the land disposal restrictions pro applicable to open detonation and open burning [51 *FR* 40580].

[December 1986; Regulatory Cross Reference: 268.2(c)]

RCRA-80 Lab Packs and the Land Disposal Prohibitions

Are lab packs containing wastes restricted from land disposal included in the land disposal restrictions?

Neither the legislative history nor the statute indicates that lab packs can be excluded from the land disposal if they contain restricted wastes. If a lab pack contains these restricted wastes, the entire lab pack is subject disposal restrictions [51 *FR* 40585].

[December 1986; Regulatory Cross Reference: 268.1(a)]

RCRA-81 Definition of Solid Waste

A generator generates a 5% solution of sodium hydroxide from his metal cleaning operation. Another facility can use the waste as a substitute for a commercial product in their process of cleaning out tanks, except the waste is too dilute to be effective. If the generator adds 5% sodium hydroxide to his waste to make a 10% solution, would this material be a so

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Page 637 of the preamble also states,

> When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.
>
> The final rule consequently states that secondary materials used as ingredients or used directly as commercial products are not wastes and are outside the Agency's RCRA jurisdiction. They thus are not subject to RCRA Subtitle C regulations when generated, transported, or used..."

See also attached guidance from the RCRA/Superfund Hotline.

The discussion on page 624 of the preamble, addresses "continued-use" when distinguishing between spent materials from those that are still fit for use,

> "...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

We request that EPA confirm in writing that the solvent Safety-Kleen intends to use for drum wash in the manner described above is not a solid waste pursuant to 40 CFR 261.2(e)(1) and thus not a hazardous waste when it is being used as an effective substitute for a commercial product.

Please contact me at (847) 468-2245, if you have any questions.

Sincerely,

Catherine A. McCord, Manager
Environment and Business Integration

Attachment

cc: Jeff Hannaple

safety-kleen ®

April 25, 1997

via Federal Express

Ms. Michele Anders, Chief
Generator and Recycling Branch
U.S. Environmental Protection Agency
Office of Solid Waste
401 M Street, S.W.
Washington, D.C. 20460

RE: Written Confirmation of Regulatory Interpretation of 40 CFR 261.2(e)(1)

Dear Ms. Anders:

Safety-Kleen is submitting the following information as Confidential Business Information and has been labeled as such pursuant to 40 CFR Part 2, Subpart B, Section 2.203(b).

The purpose of this letter is to follow up on an April 16 telephone conversation with Mr. Jeff Hannaple about a regulatory interpretation and to request that the interpretation Mr. Hannaple provided be confirmed in writing. The regulatory interpretation was provided in response to Safety-Kleen's request on how used parts washing solvent that was used for drum washing would be regulated, if it was used for the drum washing activity prior to any reclamation.

As previously discussed, Safety-Kleen collects used solvents from customers' parts cleaning operations and consolidates such materials at one of our branch collection facilities for shipment to one of our recycle centers. It is our intent to use a certain quantity of this material for washing drums prior to re-filling them with product. The quantity of solvent used in this manner will be dictated by the volume needed to wash a drum and the total number of drums used to service our customers. None of the solvent used in this manner will be reclaimed prior to its use as drum wash. Safety-Kleen will establish criteria for the amount and type of material to be used for this purpose.

Safety-Kleen believes that the parts washer solvent to be used in this manner is excepted from the definition of solid waste because it will be "used or reused as an effective substitute for [1] commercial product[s]..." (40 CFR 261.2(e)(1)). The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619), discusses the use of substitutes for commercial products in the following manner:

> "When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

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Thank you again for the opportunity to discuss our program. Please contact Lin Longshore 803-933-6511 or myself if you have any questions 847-468-2245.

Sincerely,

Catherine A. McCord, Director
Business and Environmental Management

cc: John Ruddell

Attachments

In conclusion, the cleaning solutions will be considered a waste when they are no longer suitable to use for their original intended purpose (cleaning). The material will be Safety-Kleen generated waste after final use at one of our facilities.

Material Specification

Safety-Kleen provides customers with the mineral spirits-based parts cleaning solutions for their cleaning operations. The branch has comprehensive knowledge of the material that is returned from our customers because of the many years of providing this service and that the used mineral spirits is feed for our production of recycled mineral spirits products.

The cleaning of the emptied parts washer drums does not require a high specification material. We have had many years of experience of using material as it is returned from our customers, directly for the cleaning of emptied mineral spirits 16 and 30-gallon containers. The efficacy for this operation is demonstrated by the many years of its use. The specification for Continued Use includes requirements that the customer is a closed loop mineral spirits customer and that all material can be used in the Continued Use drum cleaning operation. Some customers' parts cleaning operations, or specific parts washers themselves, may not be suitable for being in the Continued Use program. This determination is made on a customer-by-customer basis.

Regulatory Concurrence

A letter of regulatory concurrence from U.S. EPA was distributed during our May 24 meeting. Similar letters of concurrence have been obtained from several states. Copies of the letters from California, Colorado, Indiana, Florida, Kentucky, Ohio, and Texas are enclosed.

While we know that requirements for waste determinations are self-implementing, Safety-Kleen requests a letter of regulatory concurrence from the Florida Department of Environmental Protection. We request that the Florida DEP provide a letter of regulatory concurrence that the Continued Use material would not be classified as a waste and under certain conditions is not subject to hazardous waste requirements.

As discussed, Safety-Kleen would welcome the opportunity to have representatives see a Continued Use system, once they are installed at our Florida branches. Please let us know if this fits into the schedule for the August quarterly or October annual workshops.

We were happy to hear that our Continued Use program coincides with the Department's goals of limiting the number of Florida's small quantity generators. Safety-Kleen would welcome the opportunity to assist the department in reaching out to provide information to certain customer groups.

checks and balances to assure that a particular branch does not have excess drum cleaning material.

Regulatory Background

The regulatory provision that governs what is a waste and what is not is found in the Definition of Solid Waste (40 CFR 261). The parts washer solvent that would be initially used by our customers will be "used or reused as an effective substitute for commercial products" [40 CFR 261.2(e)(1)] at a Safety-Kleen facility for cleaning operations. The preamble to the Definition of Solid Waste, dated January 4, 1985 (50 FR 619) discusses the use of substitutes for commercial products by stating,

> " When secondary materials are directly used as substitutes for commercial products, we [the Agency] also believe these materials are functioning as raw materials and therefore are outside of RCRA's jurisdiction and thus, are not wastes."

Page 637 of the preamble also states,

> When secondary materials are directly used (or, in the case of previously used materials, reused)... they function as raw materials in normal manufacturing operations or as products in normal commercial applications. We [the Agency] reiterate these positions in the final regulation. These direct-use recycling situations represent exceptions to the general principle that accumulated hazardous secondary materials are hazardous wastes.
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> "...where solvents used to clean circuit boards are no longer pure enough for that continued use, but are still pure enough for use as metal degreasers. These solvents are not spent materials when used for metal degreasing. The practice is simply continued use of a solvent. (This is analogous to using/reusing a secondary material as an effective substitute for commercial products.)"

drawing showing the flow of materials through the through the Continued Use cleaning system, and system engineering drawings were distributed at our May 24 meeting.

The cleaning system includes a vat to contain Continued Use material that will be added to the return and fill dock. The vat has a cone-shaped bottom to prevent solids from settling out of the material and is preferentially piped to the drum washer unit. The vat also contains a rough screen to protect the pump system from any foreign objects. It is typical that pumping systems have such screens. This screen will not provide any reclamation value to the Continued Use product prior to its use in the drum washer. Additionally, the material going through this screen is a product, not a waste, therefore, no waste treatment occurs as a result of the screening.

To qualify for Safety-Kleen's Continued Use program, customers must not put materials (e.g., paper and rags) into the solvent that are required to be removed prior to placement in the Continued Use cleaning system. Customers who add such materials will be counseled and if their performance does not improve they will be removed from the program.

During the drum washing operation, if the Continued Use vat is empty, the Safety-Kleen Material Handler will activate an electrical valve switch, which allows washing material (waste material) to be pumped off the bottom of the waste wet dumpster directly into the drum washer. This has been the approach for cleaning drums prior to the installation of the Continued Use vat.

Under the Continued Use program, Safety-Kleen will ensure that used cleaning solutions will be transported in compliance with all applicable DOT shipping papers and packaging requirements. The material will not be speculatively accumulated, nor reclaimed prior to our use for drum washing.

Once we have used the solutions for cleaning, the material will become Safety-Kleen generated waste and sent for recycling at one of our chemical recycling plants. There is no net change in material flowing through our branch for this operation, but rather the branch will be bringing in more material as a product and shipping more material from the branch as branch-generated waste. Any spills of Continued Use product will be handled as any product spill, with spill residues being considered Safety-Kleen generated waste.

The volume of material necessary to clean a drum has been established by a Safety-Kleen engineering study that evaluated time, flow rate, and pressure. This study was used to determine the amount of cleaning solution that is required to clean a drum. The resultant volume, multiplied by the number of drums to be cleaned, provides each branch with their "capacity" for the branch-based drum washing Continued Use program. Branch capacity and sales level is monitored through our computer Branch Automation Program. The system tracks Continued Use material into our system and controls the volume of a particular branch's sales of this program. This provides a system of centrally controlled

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Hazardous Waste Regulation

May 28, 1999

Mr. Satish Kastury
Florida Department of Environmental Protection
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Safety-Kleen's Continued Use Program

Dear Mr. Kastury:

Thank you for the opportunity to meet with John Ruddell and yourself on May 24, 1999 to discuss Safety-Kleen's Continued Use program. As promised during the meeting, we are submitting additional regulatory background information regarding this program. By way of this correspondence, Safety-Kleen Corp. is requesting concurrence with our regulatory interpretation that the Continued Use material is not subject to regulation under the Definition of Solid Waste.

Background and Program Overview

Historically, Safety-Kleen has used the mineral spirits waste returned from our customers parts washer drums to wash the drums prior to their refilling with recycled product. Safety-Kleen has many years of experience demonstrating the efficacy of using this material to wash drums. Upon the request of customers and with a thorough researching of RCRA and state implementing regulations, Safety-Kleen has developed a Continued Use program involving this drum cleaning operation.

Parts washer solvent is the primary material that is bulked at the branch level and the only material allowed in this program. When the 16 and 30-gallon drums of parts washer solvent are returned from customers, they are emptied, washed, and re-filled with fresh solvent. The branch-based Continued Use program was initiated almost two years ago in Indiana branches and involves a change to our existing drum washing operation. The Continued Use drum washing program provides for the removal of parts washer solutions from certain customers as a product to be exclusively used at our branches for the cleaning of the drums. A copy of this product's Material Safety Data Sheet (MSDS), schematic

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Thank you for your April 25, 1997 letter to Michele Anders requesting a written confirmation of the regulatory status of used parts washing solvent that is to be used for drum wash at Safety-Kleen's facilities without first being reclaimed. You asked whether the used parts washing solvent would be excluded from the definition of solid waste pursuant to 40 CFR §261.2(e)(1) when it is used as an effective substitute for a commercial product. Based on the information that you provided, it is the Agency's understanding that Safety-Kleen intends to collect used parts washing solvents from its customers. Some of the used parts washing solvent from designated customers would be used for drum washing at Safety-Kleen facilities. This used solvent designated for drum washing would be consolidated, but would not be reclaimed, prior to its use for drum washing. The solvents designated for drum washing would also be segregated (i.e., always in separate containers or tanks) from the other used solvents collected from Safety-Kleen's customers.

Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being *reused*. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

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applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,

Michael P. Flynn

David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

AUG 3 1 1998

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

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Safety-Kleen
1000 North Randall Road
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Because the material (i.e., used solvent continuing to be employed in solvent uses) remains a product, your question about the applicability of 40 CFR §261.2(e)(1) is moot. That regulatory section is intended to apply to secondary materials, which is not the case for used solvents that are not yet "spent."

The Agency has previously stated that when a used solvent is employed for another solvent use, this continued use indicates that the solvent remains a product. The used solvent in this case is a material continuing to be used as a solvent, the purpose for which it is intended, rather than a spent material being *reused*. Consequently, the used solvent to be employed for drum washing would not be considered a solid waste and would not be subject to the Resource Conservation and Recovery Act ("RCRA") Subtitle C hazardous waste regulations when generated, transported, or used. 50 Fed. Reg. 614, 624 (1985). Accordingly, used parts washing solvents that are collected and consolidated by Safety-Kleen and then used for drum washing without first being reclaimed would not be a RCRA solid waste.

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Sincerely,

Michael P. Flynn

for David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

STATE OF COLORADO

Bill Owens, Governor
Jane E. Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Phone (303) 692-3300
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222 S. 6th Street, Room 232
Grand Junction, Colorado 81501-2768
Phone (970) 248-7164
Fax (970) 248-7198

Colorado Department
of Public Health
and Environment

May 10, 1999

Sean McMahon
Regional Manager, Denver
Safety-Kleen Corp.
3333 Quebec Street, Penthouse A
Denver, Colorado 80207

Dear Mr. McMahon:

Gary Baughman and I appreciated the opportunity to meet you and Catherine McCord on April 22 and to discuss Safety-Kleen's Continued Use Program. We now have a much better understanding of the program and the regulatory status of the solvents used in the program. We have reviewed the August 21, 1998 letter to Catherine McCord from David Bussard of the U.S. EPA (attached) and generally concur with the regulatory interpretation in that letter. We believe that if solvents are managed in the manner you have described for the Continued Use Program that they will qualify for being excluded as an effective substitute for a commercial product in accordance with 6 CCR 1007-3. Section 261.2(e)(1).

The steps that Safety-Kleen has taken to establish criteria for continued use of solvents and segregation of solvents in the continued use program from waste solvents will allow the solvents to not be considered solid wastes. The record keeping and automatic control features of the continued use program are also important for documenting the legitimate continued use of the solvent as an effective substitute for a commercial product.

If you have any questions regarding this matter, please feel free to contact me at (303) 692-3342.

Sincerely,

Frederick R. Dowsett
Compliance Coordinator

cc: Catherine A. McCord, Safety-Kleen
Attachment

AUG 3 1 1998

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1998

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen
1000 North Randall Road
Elgin, Illinois 60123-7857

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In the case of shipments of used solvents in tanker trucks, if any part of a shipment of solvent is reclaimed, burned for energy recovery, or otherwise defined as solid or hazardous waste (as opposed to being directly used only for drum wash), the entire shipment must be managed according to the

applicable RCRA Subtitle C regulations. In situations in which used solvents collected from multiple sources are handled in separate drums or containers on the same truck, each container must be handled according to the applicable regulations (depending on how the solvent is to be used or managed), including hazardous waste manifest requirements. After the solvents have been used for drum washing, any residual solvents would be subject to a hazardous waste determination and must be managed according to the applicable RCRA Subtitle C requirements.

Furthermore, the Agency is aware of the potential for the "continued use" policy to be abused, and thus, notes that the continued use must be legitimate for the used solvents to be excluded from regulation as a solid waste. The Agency would consider the continued use of the used solvents for drum washing to be legitimate in situations in which: 1) the used solvents are effective for the drum-washing operation, especially if the used solvents substitute for solvents that would otherwise have to be purchased (if the used solvents would not be an effective washing agent for the drums, using the used solvents in lieu of other effective drum-washing agents would not be considered legitimate), 2) the used solvents are used only for washing drums that actually need it (if the used solvents are used as drum-washing agent when the drums do not need washing, using the used solvents would not be considered legitimate), and 3) the used solvents are not used in excess of what would normally be required to wash drums (if the used solvents are being used in excess of the amount of solvents needed for the drum-washing operation, e.g., more than would be necessary to wash the drums effectively, using the used solvents would not be considered legitimate).

The regulatory interpretation provided above is based on the U.S. EPA's interpretation of federal regulations. Some states in which the continued use of the used parts washing solvent occurs may have different regulatory requirements or interpretations. For case-specific determinations on the status of the continued use of the parts washing solvent for drum wash, please contact the appropriate state regulatory agency or EPA Regional Office.

If you have any questions or would like additional information, please contact Jeff Hannapel at (703) 308-8826.

Sincerely,

Michael B. Flynn

for David Bussard
Director, Hazardous Waste Identification Division
Office of Solid Waste

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

JUL 18 1997

ENVIRONMENTAL POLICY
AND GOVERNMENT RELATION

July 14, 1997

Catherine A. McCord, Manager
Environment and Business Integration
Safety-Kleen Corp.
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

Re: Continued Use Program

This is in response to your letter of June 2, 1997, in which you were seeking confirmation of your interpretation of the hazardous waste rules, specifically 40 CFR 261.2(e)(1)(ii). Indiana has incorporated this federal provision in our rules at 329 IAC 3.1-6. Our understanding is that your company intends to directly reuse solvents which have been used by your customers for drum washing prior to filling them with product.

Your review of the applicable regulations and principals as they apply to this situation are consistent with the interpretation of these provisions as applied by this office. Information provided in your letter indicates that these used solvents will be used consistent with their original intended purpose as a cleaning solvent without prior reclamation. These solvents would not be a solid waste and therefore not subject to regulation as a hazardous waste.

Staff consider the documentation of claims that the materials are not solid waste as required by 40 CFR 261.2(f) as an important component of this exemption. Only those solvents which are legitimately reused are exempt. If the quantity of solvents collected from your customers under the exemption exceed that which is necessary for your use this office would consider this a sham situation. Excess solvents collected would be subject to regulation as a hazardous waste.

If you should have a question regarding this matter please contact Mr. Dave Berrey of this Department at 317-232-4417.

Sincerely,

Bruce Palin

Bruce Palin,
Acting Assistant Commissioner
Solid and Hazardous Waste Management

DWB

OhioEPA
State of Ohio Environmental Protection Agency
STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099
TELE: (614) 644-3020 FAX: (614) 644-2329
MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

FEB 16 1998
ENVIRONMENTAL POLICY
AND GOVERNMENT RELATIONS

February 2, 1998

Ms. Catherine McCord
Safety-Kleen Corporation
One Brinckman Way
Elgin, IL 60123-7857

Dear Ms. McCord:

This letter is in response to our meeting and your subsequent letter dated January 14, 1998, regarding Safety-Kleen's "Continued Use" program. You would like to know if Ohio EPA's Division of Hazardous Waste Management agrees with your interpretation of regulations with respect to this program.

It is my understanding that Safety-Kleen reuses some of their customers used solvents in their drum washing program in Indiana. These solvents are used to clean scrap metal from drum shredding operations. Safety-Kleen would like to expand a similar program, the Continued Use program to branches across Ohio. The branches would be reusing parts cleaning solutions collected from customers to clean drums. After the solution is reused in the Continued Use program, it will be considered Safety-Kleen generated waste and will be recycled.

In Ohio, materials are not wastes when they can be shown to be recycled by being used or reused as effective substitutes for commercial products as stated in Ohio Administrative Code (OAC) rule 3745-51-02(E)(1)(b). Although, they must not be used in a manner constituting disposal, applied to the land, or accumulated speculatively (OAC 3745-51-02(E)(2)).

Safety-Kleen's use of the cleaning solutions are considered a continued use of the solutions. The parts cleaners are **not considered a spent material.** A "spent material" is defined in OAC rule 3745-51-01(C)(1) as any material that has been used and as a result of contamination can **no longer serve the purpose for which it was produced** without processing. U.S. EPA interprets "the purpose for which it was produced" to include all uses of the products that are similar to the original use of the particular batch of material in question. For example, in 50 FR 624, U.S. EPA discusses the continued use of solvents used to clean printed circuit boards. Although the solvents are not pure enough to be used again on the circuit boards, U.S. EPA agrees that they are still pure enough for similar applications (metal degreasers, etc.). Ohio EPA concurs with this

interpretation. Ohio EPA agrees that by being used in Safety-Kleen's Continued Use program, the cleaning solutions are serving their intended purpose.

Ohio EPA continues to encourage pollution prevention which includes environmentally friendly alternatives. If you have any questions, please contact Jeff Mayhugh or myself at (614) 644-2934.

Sincerely,

Wendy Miller

Wendy A. Miller
Compliance Assurance Section
Division of Hazardous Waste Management

wp61.WAM.lcn.g:sftyklee

Cal/EPA

Department of Toxic Substances Control

400 P Street, 4th Floor P.O. Box 806 Sacramento, CA 95812-0806

March 23, 1998

Pete Wilson Governor

Peter M. Rooney Secretary for Environmental Protection

Mr. Scott E. Davies, P. G.
Regional Environmental Manager
Safety-Kleen Corporation
8795 Folsom Boulevard, Suite 108
Sacramento, California 95826

"CONTINUED USE PROGRAM" FOR CONTINUING SOLVENT USE AS A SUBSTITUTE FOR A PRODUCT

Dear Mr. Davies:

This letter is to confirm your understanding that solvents employed in Safety-Kleen's proposed "Continued Use Program," may be excluded from the definition of waste pursuant to Health and Safety Code Section (HSC) 25143.2(b)(2). I met with you on February 17, 1998 for a discussion of this subject. The discussion is summarized below.

The "Continued Use Program" will involve a limited number of customers within a Safety-Kleen service center area. These particular customers will relinquish designated solvent to their Safety-Kleen representative[1] who will transport it to the Safety-Kleen service center and add it to the drum-cleaning solvent reservoir.[2] Drum cleaning solvent, whether new solvent or "continued use" solvent used as a safe and effective substitute for a product, is used only once to clean drums before it becomes a regulated hazardous waste.[3]

When used as drum cleaner the "continued use" solvent is used as a safe and effective substitute for a commercial product and is therefore conditionally excluded from classification as waste pursuant to HSC Section 25143.2(b)(2). In Safety-Kleen's proposed "Continued Use Program" the commercial product substituted for is clean drum-washing grade solvent.

---

[1] You indicated that the "continued use" solvent would be handled separately from other materials in order to be shipped using a bill of lading; therefore the "Continued Use" solvent must be in separate containers from waste solvent.

[2] Although the drum cleaning operations of a service center will fluctuate, the quantity of solvent needed will have been anticipated. We would view excessive accumulations in the drum cleaning reservoir as an indication of sham recycling.

[3] You have stated that the "continued use" solvent will be used to clean drums only once. Because the "continued use" solvent must be a safe and *effective* substitute for a product, I have surmised that the product for which it substitutes is also only used once. If the "continued use" solvent does not perform as well as new product for drum cleaning, it is not an effective substitute.

Printed on Recycled Paper

Please note that HSC Sections 25143.9 and 25143.10 apply to the "continued use" operation which qualifies this particular reused solvent to be excluded from the definition of waste.

It was a pleasure meeting with you and Ms. Marty White. If I can be of further assistance to you, please contact me at (916) 324-1806 or write to me at the letterhead address.

Sincerely,

Norman E. Riley, Chief
Resource Recovery Section

cc: Ms. Paula Rasmussen, Chief
State Regulatory Program Division
Department of Toxic Substances Control
245 West Broadway, Suite 425
Long Beach, California 90802

Mr. Larry Matz, Chief
Statewide Compliance Division
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Mr. Donald A. Johnson, Chief
State Regulatory Branch
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

JAMES E. BICKFORD
SECRETARY

PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY RD
FRANKFORT KY 40601-1190

April 6, 1998

Ms. Catherine A. McCord
Manager, Environment and Business Integration
Safety-Kleen Corp.
One Brinckman Way
Elgin, Illinois 60123-7857

Re: Branch-Based Continued Use Program
Request for Additional Information

Dear Ms. McCord:

Thank you for your letter requesting our formal regulatory interpretation regarding the management of spent cleaning solutions, removed from Safety-Kleen's Kentucky customers, as cleaning solutions to clean drums within the Safety-Kleen system.

We appreciate the information you presented to us in the December meeting, but before we could finalize our decision, additional information is needed regarding the following:

1. A demonstration of compliance with 401 KAR 31:010, Section 2 (5) (b). This may include information such as the quantities and percentages of this waste/material used for this purpose, and corresponding record keeping to ensure the compliance with the speculative accumulation requirements.

2. A demonstration of the effectiveness of this substitute material. Provide a detailed comparison of the minimum quantities consumed by the redesigned drum washer using the spent mineral spirit versus that of the virgin product. To further demonstrate the effectiveness of this spent mineral spirit, wipe sample test results of a drum cleaned by a virgin product versus that of a drum washed with the spent material may prove necessary.

3. Spill prevention that is protective of the human health and the environment (KAR 31:010, Section 10 (d)). Provide detailed plans and discussion concerning measures to be taken while the material is being managed at the site. This may include information regarding any secondary containment, precaution taken during the handling of the material, and other relevant information required in the contingency plan.

4. Flow diagram(s) indicating the type of facilities envisioned to manage this material/waste. In this, please clarify if Safety-Kleen will manage this material/waste at its non-permitted storage/treatment facility where the material may commingle with other wastes (hazardous wastes) in the hazardous waste management unit(s), i.e., at the Louisville Eiler Avenue transfer facility.

5. A demonstration of how the unmanifested waste issues should be addressed pursuant to 401 KAR 34:050, Section 7. How would Safety-Kleen ensure that the waste/material it receives is of the same characteristics of the material required to clean the drums. and if not, how would Safety-Kleen manage this waste/material?

6. It is our understanding that the hazardous waste generated by the receiving installation(s) will increase substantially. Please demonstrate how this may or may not conflict.with the waste minimization program(s) that receiving branches/facility(s) may have in-place.

7. Is all the hazardous waste generated at the branches/facilities, as a result of this activity, destined for distillation?

8. Please demonstrate how Safety-Kleen intends to be in compliance with applicable air emission standards while managing this material/waste.

This determination may not apply if this above mentioned secondary material is mismanaged contrary to intention of this submittal and may cause it to become a waste that is subject to a hazardous waste determination. In addition, this determination shall not relieve the applicant from obtaining any other permits from any other agency within the Commonwealth.

If you have any questions regarding this correspondence, please do not hesitate to contact George W. Wakim at (502) 564-6716 ext. 674.

Sincerely,

Michael V. Welch, P.E., Manager
Hazardous Waste Branch
Division of Waste Management

MVW/GW

c: Caron Falconer, US EPA Region IV
Abbie Meyer, Hazardous Waste Branch
Ron Gruzesky, Hazardous Waste Branch
Dale Burton, Hazardous Waste Branch
Massoud Shoa, Hazardous Waste Branch
Hannah Helm, Field Operations Branch
Keith Crabtree, Florence Regional Office
Patrick Keely, Safety Kleen
Central Files: Fayette, Boyd, Jefferson, & Henry Counties

Jesse Boyt Hightower

Gen. Com.
JHW

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 1, 1999

Mr. Timothy F. Kent
District EHS Manager
Safety-Kleen
One Brinckman Way
Elgin, IL 60123-7857

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

Dear Mr. Kent:

This is in response to your December 18, 1998 letter regarding Safety-Kleen's recycling of solvents through its "Continued Use Program".

According to the information in your letter, the information provided by Ms. Catherine McCord and the information provided in a December 8, 1998 meeting between representatives from Safety-Kleen and the Texas Natural Resource Conservation Commission (TNRCC):

- Safety-Kleen has historically used waste parts washer solvent (mineral spirits) to washout and clean drums in which parts washer solvents arrive at Safety-Kleen sites. Based upon the experience gained in doing so, the results of an engineering study conducted by Safety-Kleen, customer requests and a thorough researching of RCRA rules, Safety-Kleen has developing what it calls the "Continued Use Program";

- The dual objectives of the Continued Use Program are: (1) to provide qualified Safety-Kleen customers with a means by which they can recycle their parts washer solvent and at the same time legitimately exempt the solvent from the definition of a solid waste (thus realizing relief from most regulatory requirements) and (2) to allow Safety-Kleen a legitimate means of meeting the challenge posed by some of its competitors who offer their customers the option of exempting their parts washer solvent from the definition of a solid waste (thus giving them a potential marketing advantage over Safety-Kleen);

- Upon its arrival at a Safety-Kleen site, the first step in the actual physical processing of parts washer solvent in the Continued Use Program occurs when the solvent is emptied from drums which have a capacity from 16 to 30 gallons into a vat that is physically separated from the entry point for solvent which is not from the Continued Use Program;

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- By contractual agreement with its customers, Safety-Kleen allows only parts washer solvent to enter the Continued Use Program and all customers who wish to participate in it are required to avoid allowing any foreign materials (e.g., paper, rags, metal parts etc.) to contaminate the Continued Use Program solvent. Customers who do not agree to these terms are not allowed to participate in the Continued Use Program. Customers already participating in the Continued Use Program who fail to abide by these terms are removed from the Continued Use Program by Safety-Kleen;

- The solvents from the Continued Use Program and those which are not part of the Continued Use Program sources enter the drum cleaning operation at two physically *separate* points. Solvents which are not part of the Continued Use Program enter the "wet dumpster" portion of the "drum washer/wet dumpster" unit shown in the diagram entitled, "Proposed Alternative Operations" that accompanied your letter.

  Solvent from the Continued Use Program vat is pumped into the drum washer portion of the aforementioned unit and is sprayed by a nozzle into the drum washer to clean the aforementioned drums. The drum washer portion is located *prior* to the wet dumpster portion of the unit. The reusable solvent is transferred from the reuse vat by a submersible pump.

  The vat contains a "gross mesh" screen. Its sole purpose of the screen is to protect the pump. The screen does *not* function as a separation mechanism. The fact that participants in the Continued Use Program are required to keep foreign materials such as paper, rags, metal parts etc. from entering Continued Use Program solvent combined with the fact that the aforementioned screen is essential to the protection of the pump system means that no reclamation occurs at any point in the Continued Use Program until after the cleaning of the aforementioned drums;

- When the quantity of solvent in the Continued Use Program vat falls below a preset level, an electronic sensor automatically shuts off the flow of Continued Use Program solvent to the nozzle and non-Continued Use Program solvent is then pumped from the non-Continued Use Program vat into the nozzle to clean the drums. The segregation of the Continued Use Program solvent and the solvent from the non-Continued Use Program insure that only *after* the drums have been cleaned does the solvent from the Continued Use Program and solvent that is not part of the Continued Use Program come into contact;

Re: Safety-Kleen's Continued Use Program.
Technical Analysis File Number 1-99

- Once the solvent has been used to clean the drums, Safety-Kleen acknowledges that all of it meets the definition of a spent material as defined in 40 Code of Federal Regulations (CFR) Section § 261.1(c)(1)/30 Texas Administrative Code (TAC) § 335.17(a)(1). Furthermore, Safety-Kleen acknowledges that it will be the generator of the spent solvent and all wastes associated with it (e.g., sludges from the reclamation of the spent solvent);

- From the results of its engineering study, Safety-Kleen has determined the volume of parts washer solvent necessary to clean a given size drum. This volume multiplied by the number of drums to be cleaned provides each Safety-Kleen site with the maximum volume of solvent that the site can accept into its Continued Use Program. As an added measure of control, each site's maximum capacity is monitored by Safety-Kleen's Branch Automation Program which tracks the amount of Continued Use Program solvent coming into a given site. This plus the site's own monitoring efforts will insure that the site does not accept more solvent than it can legitimately use to clean the drums that arrive at that site;

- Once cleaned, the drums are then refilled with fresh solvent; and

- Safety-Kleen wishes for the TNRCC to confirm that the portion of parts washer solvent in the Continued Use Program is exempt from being a solid waste pursuant to 40 CFR §261.1(e)(1)/30 TAC §335.1(F)(1).

Based upon the aforementioned information, the TNRCC has concluded that there is no reason at this time to object to Safety-Kleen or its customers exempting from the definition of a solid waste parts washer solvent participating in Safety-Kleen's Continued Use Program provided that the following points (many of which are discussed in an August 21, 1998 letter from Mr. David Bussard of the Environmental Protection Agency (EPA) to Ms. Catherine McCord of regarding Safety-Kleen's Continued Use Program) about Safety-Kleen's Continued Use Program are taken into consideration:

- The solvent in the Continued Use Program would be considered by the TNRCC to be exempt from being a solid waste only if it has the capacity to function effectively as a solvent in the aforementioned drum cleaning operation. The TNRCC would not consider solvent used in the Continued Use Program which had lost all or the great majority of its solvent properties (e.g., through contamination) to be exempt from being a solid waste;

- The solvent in the Continued Use Program must be used only for washing drums that actually need it and only in quantities sufficient to wash the aforementioned drums. The TNRCC would not consider solvent used in excess of that which would normally be required to wash the drums to be exempt from being a solid waste;

Re: Safety-Kleen's Continued Use Program
Technical Analysis File Number 1-99

- Solvent in the Continued Use Program and solvent which is not in the Continued Use Program must be kept physically separated until they exit the drum washer portion of the aforementioned unit. Each container of the two types of solvents must be handled according to the applicable state and federal rules. If any portion of the Continued Use Program solvent is reclaimed, burned for energy recovery or used in a manner which would otherwise cause it to be a solid waste (as opposed to being directly used only for drum wash), then it is a solid waste and must be managed accordingly; and

- The TNRCC wishes to especially emphasize to Safety-Kleen the importance of *properly creating and maintaining the documentation to show that it is complying with all applicable state and federal regulations (including those implied in the aforementioned points) at all times and at all of its sites.*

On behalf of the TNRCC, I wish to thank you, the other representatives of Safety-Kleen (most notably Ms. McCord who met and communicated on several occasions with Mr. Boultinghouse of the Technical Analysis Team) and Safety-Kleen for your efforts to promote and encourage legitimate recycling of parts washer solvents in Texas.

If you have any questions regarding this matter, please contact Mr. Jesse Boultinghouse of the Technical Analysis Team at (512) 239-6832.

Sincerely,

Dorca Zaragoza, Leader
Technical Analysis Team
Waste Evaluation Section
Registration and Evaluation Division

DZ/JKB/tgk

cc: Ms. Catherine McCord, Director, Business and Environmental Management, Safety-Kleen Corporation, 1000 North Randall Road, Elgin, IL 60123

Office of Waste Management
Compliance Assurance and Emergency Response
1356 Hansford Street
Charleston, WV 25301-1401
304-558-5989/Fax 304-558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

April 20, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Catherine A. McCord
Manager, Environment and Business Integration
1000 North Randall Road
Elgin, Illinois 60123-7857

Dear Ms. McCord:

I have received your letter of April 2, 1999 in which you address a number of concerns regarding Safety-Kleen's Continued Use Program that I raised in our telephone conversation of April 2, 1999. This letter is to grant provisional approval to that program.

Your responses to my questions eased my concerns about the structure of the program and its ability to limit the amount of reused solvent to the quantity necessary to clean the drums. This office will monitor the program for approximately one year, however, to insure that safeguards are indeed working before granting unconditional approval.

Please notify me when Safety Kleen begins the program in West Virginia so that we can begin observing the process.

I hope that this information is helpful to you. If I can be of any further assistance, please contact me at (304) 558-5989.

Sincerely,

H. Michael Dorsey, Assistant Chief
Compliance Assurance and Emergency Response

HMD/kw

cc: Tom Fisher
Stan Moskal
Mike Stratton

safety-kleen ®

RECEIVED
JUL 12 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

July 8, 1999

Mr. John Jones, P.E.
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Emergency Contact List Update
Safety-Kleen Systems, Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Jones:

I have enclosed four copies of a revised page iii for the Safety-Kleen Medley facility contingency plan. This version replaces the old table found in our RCRA Part B permit contingency plan.

If you have any questions concerning this matter, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Bill Schlander, Safety-Kleen
Ms. David DeSha, Safety-Kleen
999 File 1020

Revision: 08 July 1999

safety-kleen®

RECEIVED
JUL 12 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

Emergency Phone Numbers

Primary:
Peter Cordero
2951 SW 135th Avenue
Miami, FL 33175
Home (305) 225-2096
Office (305) 884-0123
Pager (305) 650-5578

Alternate:
Chris Ibarra
465 E. 30th Street, # 207
Hialeah, FL 33013
Home (305) 694-1839
Office (305) 884-0123
Pager (305) 452-7668

Emergency Notification Phone Numbers

3E (Safety-Kleen's 24-Hour Emergency Reporting System)
1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6600 (Monday-Friday, 8:00am to 5:00pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

Dade County Environmental Resources Management, Mr. Mike Graham (305) 375-3376

Metro-Dade Office of Emergency Management, Mr. Robert Marton (305) 273-6716

South Florida Water Management District (561) 686-8800

Emergency Teams to be Notified

Metro Dade Fire Department
8175 NW 12th Street
Miami, FL 33126
(305) 470-1760 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 887-9541 or 911

AMI - Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

O.H. Materials Company
P.O. Box 551
Findlay, OH 45839
800-537-9540
Primary Contractor

Ryckman Emergency Action
and Consulting Team (REACT)
P.O. Box 27310
St. Louis, MO 63146
800-325-1398
Secondary Contractor

8755 NW 95TH STREET MEDLEY, FL 33178 305/884-0123

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RECEIVED
APR 2 - 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

March 29, 1999

Mr. John Jones, P.E.
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: RCRA Permit Condition
Safety-Kleen Systems, Medley, FL Service Center
Facility EPA ID # FLD984171694, Permit # HO 13-307336
Safety-Kleen Systems, Boynton Beach, FL Service Center
Facility EPA ID # FLD984167791, Permit # HO 50-287405

Dear Mr. Jones:

At the conclusion of a telephone discussion with Mr. Vincent Peluso on March 12, I was asked to submit the following information for your review.

As a part of the solvent recovery operation, the Safety-Kleen Systems Medley and Boynton Beach Service Centers utilize return & fill dumpsters (drum washers) for bulking waste parts washer solvents collected from customer locations. Each drum washer unit essentially consists of a top and bottom chamber separated by a metal mesh grate. As drums of waste parts washer solvent are dispensed into the drum washer unit, the metal mesh grate keeps solid materials (heavy sludges, rags, paper, parts, etc.) confined to the top chamber. Liquids and finer particulate pass through the grate to the bottom chamber.

The top chamber of the drum washer unit houses the drum washer mechanism. This mechanism consists of a solvent spray device to flush the inside of the drum, and a pair of rotating brushes to scrub the outside of the drum. The bottom chamber of the drum washer unit contains a series of screens and two separate intake pipes. The screens act as filter to remove additional particulate from waste solvent prior to entering the intake pipes. Each intake pipe is situated about four to six inches above the floor of the bottom chamber. One intake pipe is used for pumping waste solvent to the storage tank, the other intake pipe recirculates waste solvent to the drum washer mechanism for drum flushing.

During a routine internal inspection of the Medley Service Center, a concern pertaining to item 15-a in the Specific Conditions Section, Part IV-Tank Storage Area of the RCRA Permit (HO 13-307336) was expressed. This item reads as follows:

> *The Permittee shall comply with the following conditions for the operation of the drum washers: Remove the liquids and sludge from the sump in the bottom of drum washers, upon completion of each working day.*

While the internal inspection only addressed the Medley Service Center, this concern also extends to the Boynton Beach Service Center. The Boynton Beach RCRA Permit (HO 50-287405) has the exact permit condition noted above, and its drum washer units are identical to those found at the Medley facility.

At the conclusion of Medley and Boynton Beach return & fill (drum washing) work each day, accumulated sludge and debris are removed from the drum washer units, and liquids are pumped to the waste solvent tank. However, due to the positioning (4"-6" above chamber floor) of the intake pipes in the lower chamber of drum washer units, approximately three gallons of waste solvent will remain. This liquid remaining in bottom of the drum washer serves as a prime to the pump that recirculates the solvent used for the rinsing of containers.

Safety-Kleen believes that the intent of the permit condition noted on the previous page is being met. All sludges and solids are removed from the each drum washer unit on a daily basis, and the remaining liquid poses little or no risk to human health and the environment for the following reasons: (1) it is contained within the drum washer unit, (2) the drum washer unit is located in an area with the proper secondary containment, and (3) the unit is closed with a hinged cover when not in use in order to minimize the potential for release to the environment.

Please allow this correspondence to serve as a request for clarification of the Medley and Boynton Beach drum washer operation permit conditions. If you have any questions concerning this matter, or need additional information, please contact me at (561) 736-2267. Thank you for your assistance.

Sincerely,

Scott A. Schneider

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Vincent Peluso, FL DEP - Southeast District
Mr. Tim Sholl, Safety-Kleen Systems, Inc. - Medley, FL
Mr. Ray Strauss, Safety-Kleen Systems, Inc. - Boynton Beach, FL
Mr. David DeSha, Safety-Kleen Systems, Inc. - Southern Division
999 File 1020 (Medley & Boynton Beach)

RECEIVED
NOV 10 1998
DEP/SE ENV PROTECTION

November 6, 1998

Mr. Vincent Peluso
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Emergency Contact List Update
Safety-Kleen Corp., Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Peluso:

I have enclosed four copies of a revised page iii for the Safety-Kleen Medley facility contingency plan. This version replaces the old table found in our RCRA Part B permit contingency plan.

If you have any questions concerning this matter, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

enclosure

cc: Mr. Tim Sholl, Safety-Kleen
Mr. Phil Retallick, Safety-Kleen
999 File 1020

Revision: 06 November 1998

safety-kleen®

Emergency Phone Numbers

Primary:
Tim Sholl
9001 SW 49th Street
Cooper City, FL 33428
Home (954) 680-3622
Office (305) 884-0123
Pager (305) 650-5584

Alternate:
Peter Cordero
2951 SW 135th Avenue
Miami, FL 33175
Home (305) 225-2096
Office (305) 884-0123
Pager (305) 650-5578

Emergency Notification Phone Numbers

3E (Safety-Kleen's 24-Hour Emergency Reporting System)
1-800-468-1760

Florida DEP - Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416
(561) 681-6600 (Monday-Friday, 8:00am to 5:00pm, except Holidays)
After Hours, please call (850) 413-9911 or 1-800-320-0519

If you are unable to contact the DEP at the numbers above, please call:
National Response Center 1-800-424-8802

Dade County Environmental Resources Management, Mr. Mike Graham (305) 375-3376)

South Florida Water Management District
(561) 686-8800

Emergency Teams to be Notified

Metro Dade Fire Department
8175 NW 12th Street
Miami, FL 33126
(305) 470-1760 or 911

Medley Police Department
7331 NW 74th Street
Medley, FL 33166
(305) 887-9541 or 911

AMI - Palmetto General Hospital
2001 West 68th Street
Hialeah, FL 33016
(305) 823-5000

O.H. Materials Company
P.O. Box 551
Findlay, OH 45839
800-537-9540
Primary Contractor

Ryckman Emergency Action
and Consulting Team (REACT)
P.O. Box 27310
St. Louis, MO 63146
800-325-1398
Secondary Contractor

PRINTED ON RECYCLED PAPER

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Secondary Contractor

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July 15, 1998

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JUL 23 1998
DEPT OF ENVIRONMENTAL PROTECTION

Mr. Vincent Peluso
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

RE: Notification of Name Change and New Corporate Address
Safety-Kleen Service Center, Medley, FL FLD984171694

Dear Mr. Peluso:

As a follow-up to my letter of July 6, 1998, I am submitting revised pages (1, 2, and 7) of the Hazardous Waste Part A Permit Application and a revised Notification of Regulated Waste Activity for the Medley facility.

Safety-Kleen Corp. will be legally changing its name to Safety-Kleen Systems, Inc., and will remain the Owner of the facility operated by the permittee at 8755 NW 95th Street, Medley, FL, 33178. The new corporate street address of the Owner is 1301 Gervais Street, Suite 300, Columbia, South Carolina, 29201. The Owner's new mailing address will be Post Office Box 11393, Columbia, SC, 29211.

If you have any questions or need additional information, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider

Scott A. Schneider
EHS Manager

enclosures

cc: Mr. Tim Sholl, Safety-Kleen
999 File 1020

RECEIVED
JUL 2 9 1998
DEPT OF ENVIRONMENTAL PROTECTION

Form Approved. OMB No. 2050-0034 Expires 9-30-96
GSA No. 0246-EPA-OT

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

For EPA Regional use Only		
Date Received Month Day Year		

EPA

United States Environmental Protection Agency
Washington, DC 20460

Hazardous Waste Permit Application Part A

(Read the Instructions before starting)

I. Installation's EPA ID Number *(Mark 'X' in the appropriate box)*

	A. First Part A Submission		B. Part A Amendment #
		X	07/13/1998

C. EPA ID Number	D. Secondary ID Number *(if applicable)*
FLD984171694	

II. Name of Facility

SAFETY-KLEEN SYSTEMS, INC. # 3-097-02

III. Facility Location *(Physical address not P.O. Box or Route Number)*

A. Street

8755 NW 95th STREET

Street *(continued)*

City or Town	State	Zip Code
MEDLEY	FL	33178 -

County Code *(if known)*	County Name
	DADE

B. Land Type	C. Geographic Location								D. Facility Existence Date		
(Enter Code)	LATITUDE *(degrees, minutes & seconds)*				LONGITUDE *(degrees, minutes & seconds)*				Month	Day	Year
P	25	51	90	N	80	20	25	W	7	16	92

IV. Facility Mailing Address

Street or P.O. Box

P.O. BOX 11393

City or Town	State	Zip Code
COLUMBIA	SC	29211 -

V. Facility Contact *(Person to be contacted regarding waste activities at facility)*

Name *(last)*	*(first)*
SCHNEIDER	SCOTT
Job Title	**Phone Number** *(area code and number)*
EHS MANAGER	561 - 736 - 2267

VI. Facility Contact Address *(See instructions)*

A. Contact Address					B. Street or P.O. Box
Location		Mailing		Other	
		X			5610 ALPHA DRIVE

City or Town	State	Zip Code
BOYNTON BEACH	FL	33426 -

RECEIVED
JUL 23 1998
DEPT OF ENVIRONMENTAL PROTECTION

Form Approved. OMB No. 2050-0034 Expires 9-30-96
GSA No. 0246-EPA-OT

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

EPA I.D. Number *(enter from page 1)*	Secondary ID Number *(enter from page 1)*
FLD984171694	

VII. Operator Information *(see instructions)*

Name of Operator			
SAFETY-KLEEN SYSTEMS, INC.			
Street or P.O. Box			
8755 NW 95th STREET			
City or Town	**State**	**Zip Code**	
MEDLEY	FL	33178 -	

Phone Number *(area code and number)*	B. Operator Type	C. Change of Operator Indicator	Date Changed Month/Day/Year
305 - 884 - 0123	P	Yes [ ] No [X]	

VIII. Facility Owner *(see instructions)*

Name of Facility's Legal Owner			
SAFETY-KLEEN SYSTEMS, INC.			
Street or P.O. Box			
1301 GERVAIS STREET, SUITE 300			
City or Town	**State**	**Zip Code**	
COLUMBIA	SC	29201	

Phone Number *(area code and number)*	B. Owner Type	C. Change of Owner Indicator	Date Changed Month/Day/Year
803 - 933 - 4385	P	Yes [ ] No [X]	

IX. SIC Codes *(4-digit, in order of significance)*

Primary		Secondary	
7359 (description)	Equipment Rental and Leasing, NEC	4214 (description)	LOCAL TRUCKING & STORAGE
Secondary		**Secondary**	
(description)		(description)	

X. Other Environmental Permits *(see instructions)*

A. Permit Type *(Enter code)*	B. Permit Number	C. Description
R	HO 13-307336	HAZARDOUS WASTE STORAGE
N	FLR00B905	STORMWATER

EPA Form 8700-23 (Rev. 11-30-93) Previous edition is obsolete.

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

EPA I.D. Number *(enter from page 1)*	Secondary ID Number *(enter from page 1)*
FLD984171694	

XV. Map

Attach to this application a topographic map, or other equivalent map, of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in this map area. See instructions for precise requirements.

NO CHANGE - SUBMITTED PREVIOUSLY

XVI. Facility Drawing

All existing facilities must include a scale drawing of the facility (see instructions for more detail).

XVII. Photographs

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas (see instructions for more detail).

NO CHANGE - SUBMITTED PREVIOUSLY

XVIII. Certification(s)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner Signature	Date Signed 7-13-98
Name and Official Title *(type or print)* TIM SHOLL, BRANCH MANAGER	
Owner Signature	Date Signed
Name and Official Title *(type or print)*	
Operator Signature	Date Signed 7-13-98
Name and Official Title *(type or print)* TIM SHOLL, BRANCH MANAGER	
Operator Signature	Date Signed
Name and Official Title *(type or print)*	

RECEIVED
JUL 23 1998
DEPT OF ENVIRONMENTAL PROTECTION

XIX. Comments

Note: Mail completed form to the appropriate EPA Regional or State Office. (refer to instructions for more information)

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July 6, 1998

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JUL 9 1998
DEPT OF ENVIRONMENTAL PROTECTION

Mr. Vincent Peluso
FL DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

RE: Notification of Name Change and New Corporate Address
Safety-Kleen Service Center, Medley, FL FLD984171694

Dear Mr. Peluso:

This letter is to provide notification to your office that there has been a merger of Safety-Kleen Corp. and a corporation named LES Acquisition, Inc., which was a subsidiary of Laidlaw Environmental Services, Inc. The merger of LES Acquisition, Inc. and Safety-Kleen Corp. has been completed, with Safety-Kleen Corp. being the surviving corporation.

As a result of the merger, Safety-Kleen Corp. will be legally changing its name to Safety-Kleen Systems, Inc., and will remain the Owner of the facility operated by the permittee at 8755 NW 95th Street, Medley, FL, 33178. There is no transfer of ownership that will occur insofar as the permittee is concerned. There will also be no changes concerning the physical plant of the permittee, no changes in key personnel of the permittee, nor will there be any change in facility procedures. In addition, the existing permittee will continue to operate the facility. Therefore, there is no change in operational control.

The new corporate street address of the Owner is 1301 Gervais Street, Suite 300, Columbia, South Carolina, 29201. The Owner's new mailing address will be Post Office Box 11393, Columbia, SC, 29211. A revised Part A application (with revised addresses) will submitted to your department within the next 30 days.

If you, or anyone on your staff, have any questions about this name and address change notification, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider

Scott A. Schneider
EHS Manager

cc: Mr. John Jones, FL DEP - Southeast District
Mr. Tim Sholl, Safety-Kleen
999 File 1020

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RECEIVED
MAY 20 1998
DEPT OF ENV PROTECTION
WEST PALM BEACH

May 14, 1998

Mr. Vincent Peluso
Florida Department of Environmental Protection
Southeast District
P.O. Box 15425
West Palm Beach, FL 33416

Re: Emergency Contact List Update
Safety-Kleen Corp., Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Peluso:

I have enclosed four copies of a revised page iii from the Safety-Kleen Medley facility contingency plan. This version replaces the old table found in our RCRA Part B permit contingency plan.

If you have any questions concerning this matter, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Tim Sholl, Safety-Kleen Corp.
Ms. Della Ridley, Safety-Kleen Corp.
999 File 1020

Revision: 14 May 1998

Emergency Phone Numbers

Primary:	Tim Sholl 9001 SW 49th Street Cooper City, FL 33428 Home (954) 680-3622 Office (305) 884-0123 Pager (305) 650-5584	Alternate:	Peter Cordero 2951 SW 135th Avenue Miami, FL 33175 Home (305) 225-7535 Office (305) 884-0123 Pager (305) 650-5578

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West Palm Beach, FL 33416
(561) 681-6600 (Monday-Friday, 8:00am to 5:00pm, except Holidays)

Florida Department of Emergency Management
(904) 413-9911 (24-Hour)

Dade County Environmental Resources Management, Mr. Mike Graham (305) 375-3376

South Florida Water Management District
(561) 686-8800

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8755 NW 95TH STREET MEDLEY, FL 33178 305/884-0123

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February 12, 1998

Via Facsimile

RECEIVED
FEB 17 1998
DEPT. OF ENV. PROTECTION

Mr. Vincent Peluso
Florida DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Inadvertent Termination of Transfer Waste
Safety-Kleen Corp., Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Peluso:

As a follow-up to our telephone discussion of February 9, 1998, I have assembled the following information summarizing the Medley Service Center's inadvertent termination of transfer waste:

On Friday, February 6, a Safety-Kleen Sales Representative from the Medley Service Center picked up (via Safety-Kleen's Fluid Recovery Services program) a 16-gallon drum of toluene waste from Caterpillar in Miami Lakes. This waste was to move through the Medley facility on a 10-day transfer basis, and be terminated/processed at Safety-Kleen's recycle center in Lexington, South Carolina. (The attached manifest details transfer and termination facility information, proper shipping description for the waste, and the associated waste codes.)

Upon arriving at the Medley facility, the toluene waste (contained in a red 16-gallon drum with quick release lid) was staged on the Return & Fill dock along with drums (similar in appearance to the drum containing the toluene waste) of waste parts washer solvent. During the evening work shift at the Medley Service Center, drums of waste parts washer solvent are manually buiked in a special return and fill dumpster. When the liquid and sludge volume reach a certain level in the dumpster, a pump is activated and liquids are pumped over to a waste solvent holding tank.

While processing drums of waste parts washer solvent that Friday evening, the Medley Service Center Warehouseman mistakenly identified the Caterpillar drum as parts washer solvent waste and emptied its contents into the return and fill dumpster. Upon placing the drum back onto the dock, the Warehouseman saw a hazardous waste label on the side of the drum and realized his error. He immediately isolated the wastes in the return and fill dumpster and locked out the pump to prevent any material from going into the waste solvent holding tank.

The Warehouseman then proceeded to clean out the return and fill dumpster. This clean-out generated three 16-gallon drums containing a mixture of the Caterpillar waste (waste codes F005, D001), waste parts washer solvent (waste codes D001,

D006, D008, D018, D027, D039, D040), and parts washer solvent sludge/dumpster mud (waste codes D001, D006, D008, D039, D040). Due to this combination of waste streams, Safety-Kleen is unable to transfer the Caterpillar waste to our Lexington Recycle Center in the manner that it was originally acquired (one 16-gallon drum with waste codes F005 and D001).

As we discussed, Safety-Kleen intends to classify the three 16-gallon drums of mixed waste as Safety-Kleen generated. Using analytical data on the Caterpillar waste and Safety-Kleen generator knowledge of the waste parts washer solvent and parts washer solvent sludge/dumpster mud, this material will be classified as a hazardous waste carrying a combination of the codes listed in the previous paragraph. The drums will be manifested and transported to the recycle center in Lexington, South Carolina for processing.

In an effort to prevent this incident from occurring again, all Fluid Recovery Services (FRS) wastes acquired from customers in red or green 16-gallon and 30-gallon drums will have lids with bungs (rather than quick release lids), and be conspicuously marked (i.e. contrasting spray paint) to identify them as FRS wastes.

Unless we hear otherwise, Safety-Kleen will proceed with the intended course of action on Wednesday, February 18. If you have any questions or need additional information, please contact Tim Sholl, Medley Branch Manager, at (305) 884-0123, or me at (561) 736-2267.

Sincerely,

Scott A. Schneider

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Tim Sholl, Safety-Kleen Corp.
Ms. Della Ridley, Safety-Kleen Corp.
Mr. John Cain, Safety-Kleen Corp.
Mr. Verne Tudeen, Caterpillar
999 Files

3-097-02

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039 Expires 9-30-99

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. CES QG
Manifest Document No. 36666
2. Page 1 of 1 — Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address
CATERPILLAR
SOS LAB. JOHNNY RAMIREZ 15550 NW 59TH AVE.
MIAMI LAKES FL 33014
4. Generator's Phone (305) 818-2790

A. State Manifest Document Number
B. State Generator's ID

5. Transporter 1 Company Name: SAFETY-KLEEN CORP.
6. US EPA ID Number: ILD 984908202
C. State Transporter's ID
D. Transporter's Phone 305 884-0123

7. Transporter 2 Company Name
8. US EPA ID Number
E. State Transporter's ID
F. Transporter's Phone

9. Designated Facility Name and Site Address 000630
SAFETY-KLEEN CORP.
130-A FRONTAGE ROAD
LEXINGTON, SC 29073
10. US EPA ID Number: SCD 077995488
G. State Facility's ID
H. Facility's Phone 803-356-4061

11. US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)	HM	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. RQ WASTE PETROLEUM DISTILLATES, N.O.S. (ALIPHATIC AND AROMATIC HYDROCARBONS) 3 UN1268 PG II (D001)(ERG#128)	X	0	DM	0	P	D001
b. USED OIL (NOT USDOT HAZARDOUS MATERIAL)		01	DM	357	P	NONE
c. WASTE TOLUENE 3 UN1294 PG II (F005)(ERG #130)	X	01	DM	36	P	F005 D001
d. WASTE TOLUENE 3 UN1294 PG II (F005)(ERG #130)	X	0	DM	0	P	F005 D001

J. Additional Descriptions for Materials Listed Above
IB) 7777

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
MFST R/T# 94896734 3-097-02-3191
EMERGENCY RESP 800-468-1760(24 HR). IF UNDELIVERABLE RETURN TO GENERATOR.
SK CORP AUTHORIZED TO RETAIN LICENSED SUBSEQUENT CARRIERS AS NECESSARY.
SKDOT# A: 1130 B: 1001 C: 1004 D: 1004

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; **OR**, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name	Signature	Date (Month Day Year)
		02 06 98

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date (Month Day Year)
RICK JUAREZ		02 06 98

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date (Month Day Year)

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.

Printed/Typed Name	Signature	Date (Month Day Year)
TOM SHOLL		2 10 98

EPA Form 8700-22 (Rev. 9-88) previous editions obsolete. SAFETY-KLEEN CORP.

A)2715451/1173577 B)2715426/1173576 C)2800158/1173564 D)2800163/

90290

6

TSDF COPY

GENERATOR / TRANSPORTER / FACILITY

Reporting burden for this collection of information is estimated to average: 37 minutes for generators, 15 minutes for transporters, and 10 minutes for treatment, storage and disposal facilities. This includes time for reading instructions, gathering data, and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

INSTRUCTIONS FOR COMPLETION OF THIS FORM, REFER CODE OF FEDERAL REGULATIONS, 40, PART 262.20.

safety-kleen

ATLANTA REGION

August 28, 1997

Mr. John Jones, PE
Florida Department of Environmental Protection
Southeast District
P.O. Box 15425
West Palm Beach, FL 33416

Subject: Medley Facility First Notice of Deficiency

Reference: DEP letter (J. Jones) to SK (D. Ridley) dated 8/01/97; same subject

Dear Mr. Jones:

As we discussed at our meeting during the DEP/EPA conference in Clearwater Beach, I am sending you information on S-K's Annual Waste Recharacterization program. Enclosed are two memos describing the process. Beginning next year, the Medley branch will be included on the list of branches collecting samples under the program. This addresses Item 1 in the referenced letter.

The renewal application does not contain any changes that would be considered a Class III modification. Therefore, a pre-application meeting is not applicable (Item 2).

Please call me at 770-449-0533 if you have any questions or need additional information.

Very truly yours,

Della A. Ridley

RECEIVED
SEP 5 1997
DEPT OF ENV PROTECTION
WEST PALM BEACH

Della A. Ridley
Regional Environmental Manager
4800 S. Old Peachtree Road
Norcross, GA 30071

Enclosures: S-K memo (Brinkman to Ridley) dated 5/17/94 on Annual Recharacterization
Draft Customer Letter

2727 PACES FERRY ROAD
2 PACES WEST, SUITE 1660
ATLANTA, GA 30339
PHONE 404/434-1572
FAX 404/434-6956

Enclosure 1

Safety-Kleen Corp.

MEMORANDUM

To: Della Ridley

From: Dennis Brinkman

Date: May 17, 1994

Subject: Annual Recharacterization Testing

The annual waste stream recharacterization testing performed by Safety-Kleen is a response to a need to characterize our wastes as described in 40CFR264.13. Most state regulatory agencies concur with us that our typical waste streams are sufficiently uniform and predictable that there is no justification for frequent detailed analyses. However, we agree that it is prudent to maintain a data base on our wastes.

Thus, each year we obtain up to 600 samples, many of which receive TCLP analyses, from our general lines of business. For the most part, these are related to:

- Parts Washer Solvent
- Immersion Cleaner
- Paint Gun Cleaner/Paint Waste
- Dry Cleaner Wastes
- Antifreeze

The sample sites are selected by two means:

1) Any specific sampling requirements included in a WAP, such as an initial characterization for a recently-approved permit, are included in this population.

2) Waste streams needing more samples are assigned on a random basis to a Branch or Recycle Center already having to take other samples, so they can be shipped together.

The samples are taken, preserved, and tested strictly according to EPA SW-846 protocol. In addition to the TCLP (except for pesticides/herbicides), we also test for flashpoint, specific gravity, and pH. In addition, if the samples have >0.5% dry solids, such that an extraction has been involved in the TCLP, we often also determine volatiles and semi-volatiles on the whole waste, since the extraction often masks the true composition of the waste, providing only the "extractable" components.

All of the data are compiled on spread sheets that include similar testing on the same wastes over the past several years. These tables are studied for trends and possible need for further testing. EHS and Technical staff then get together to see if any EPA Waste Code changes might be in order. Our goal is to exclude any contaminant that has a 90% probability of not being present, which is in line with guidance obtained from EPA. The customer still has the right and responsibility to add (or delete) codes from the pre-printed manifest based on his own knowledge of his operations and wastes.

A key point is that the contaminants are very consistent over time, as everyone would predict. Changes in waste codes, if any, are due to the frequency of occurrence near the TCLP limit changing just enough that a decision is made to include or exclude it. Thus, new codes do not reflect newly discovered constituents or some process change, but rather slight changes in concentrations around the regulatory limits that have convinced us to include (or exclude) the code on our generic manifest.

In the year following the year in which the samples were taken and analyzed, SK issues a summary report on the testing and a document describing any changes in waste codes. This is then implemented over time, as permits and other issues can be addressed. In this way, our information is kept current, and we can reassure both our customers and the regulatory agencies that the waste codes being used are valid and well-documented.

At that point we start the entire process over again, scheduling sampling and analysis for the current year.

Enclosure 2

Attachment A - Draft Customer Letter

1996 Annual Waste Recharacterization

Dear Customer,

Attached are the 1996 waste descriptions based on the annual waste recharacterization for the waste streams Safety-Kleen manages. This data reflects the waste codes that we normally find in the management of these industry specific waste streams. The purpose of this memo is to clarify the reasoning behind our use of waste codes and the annual recharacterization.

Under the hazardous waste management regulations, it is the generator's responsibility to describe hazardous waste prior to sending that waste for treatment or disposal. Safety-Kleen does not accept this responsibility on behalf of the generator. Once a waste stream is terminated at one of our facilities, however, Safety-Kleen does assume the generator's responsibility of that waste. In addition, because Safety-Kleen handles the same waste stream from many thousands of customers, we are able to provide those customers with information about the typical characteristics of their waste, which they can use as "generator knowledge" in assigning waste codes.

Due to the annual recharacterization permit requirements getting more stringent over the years, each year Safety-Kleen analyzes more and more individual samples of its core business streams. This year, certain samples analyzed in the annual characterization have demonstrated that additional waste codes need to be added to certain waste stream. In addition, some waste codes will be removed from certain waste streams. These waste code changes must now be included in the annual recharacterization based on the frequency at which they were detected at regulated levels in the analytical data.

If a generator chooses to use Safety-Kleen's annual recharacterization analysis as knowledge of their process, and uses a service that is consistent with the characterization, then we accept the waste for termination as is. If a generator chooses to use customer knowledge of the process to identify which waste codes are attached to the waste, it would have to be approved by our corporate lab personnel. It is also highly recommended that the generator be able to back up any claims when inspected by a governing agency.

1000 NORTH RANDALL ROAD ELGIN, ILLINOIS 60123-7857 PHONE 708/697-8460 FAX 708/468-8500

PRINTED ON RECYCLED PAPER

To offer the generator analytical data to back up their claim on which waste codes they feel should be attached to their solvent, Safety-Kleen has introduced a cost effective service to screen many waste streams for typical waste codes found in the stream. this service is for customers that do not wish to use Safety-Kleen's annual characterization as a part of their generator knowledge. If a certain waste code(s) is not found to be present, the codes can be removed from the paperwork, and the generator has adequate analysis to back up the claim.

Attached to this letter you will find the waste code descriptions that will be used in 1996. Should you have any questions, please call the branch manager at the phone number listed on your service document. Thanks for trusting Safety-Kleen as your partner in waste management. We Care.

RECEIVED
AUG 21 1997
DEPT OF ENV PROTECTION

ATTACHMENT II.A.6
WASTE ANALYSIS PLAN

GENERAL

Safety-Kleen provides solvent distribution, collection, and reclamation services to companies that are primarily engaged in automobile repair, industrial maintenance and dry cleaning services. Safety-Kleen operates a "closed loop" waste recovery service for the parts cleaning machines used by customers at their facilities. When the cleaning fluids become dirty and can no longer be used effectively, Safety-Kleen picks up the dirty fluids and replaces them with clean, recycled fluids. The dirty fluids are returned to Safety-Kleen where they are recycled and subsequently reused by their customers. Approximately two-thirds of the cleaning fluids provided as product by Safety-Kleen has been used before and subsequently reclaimed. Safety-Kleen's customers are typically small quantity generators who operate businesses which generate only a few hazardous waste streams. These factors help ensure that Safety-Kleen will receive a highly predictable and homogeneous waste stream.

Spent solvents are the primary feedstocks for the generation of Safety-Kleen solvent products. As a result, quality control of the spent solvents is necessary to ensure that reclamation occurs in the safest and most efficient manner possible.

Furthermore, as discussed earlier in the Facility Description (Attachment I.D.2), the materials collected at the Service Center are usually collected from a company with a single process. The composition and quality of these materials are known and Safety-Kleen's operating experiences have shown that the collected materials rarely deviate from company specifications. As an additional safeguard, Safety-Kleen personnel are instructed to inspect all materials before returning them to the service centers. This mode of operation has been proven to safeguard the recycling process and maintain a quality product.

It is Safety-Kleen's practice that suspected non-conforming material must not be accepted until a full analysis has been done or the material must be rejected. Procedures to verify waste characteristics occur at several check points in the management of the solvent, as described below.

Safety-Kleen controls the use and management of its solvents by:

1. Limiting the solvents stored to those compatible with one another and their containers;

2. Determining the customer's type of business (i.e., his SIC code is recorded) and the purpose for which he will use the machine;

3. Training customers to use the machines properly;

4. Training employees to inspect spent solvent and determine whether it is acceptable;

5. Indicating on the service document, every time waste is collected, whether the spent solvent meets Safety-Kleen's acceptance criteria;

6. Marking each container with the customer's name, address, and EPA I.D. number (if required). This information remains on containerized waste until it is accepted at the reclamation facility;

7. Keeping a record of each incoming and outgoing shipment in the operating log at each facility;

8. Demonstrating the chemical and physical homogeneity of the wastes by sampling and analyzing a representative portion of generator waste streams on an ongoing annual basis at the national level; and

9. Routine analysis of the wastes received at the Recycle Centers.

Safety-Kleen's customers sign a service document containing the following information:

1. The name, address, and EPA I.D. number of the facility to which the waste is being shipped;

2. The customer's name, address, and EPA I.D. number (if required); and

3. The description and amount of Safety-Kleen solvent waste generated.

Each incoming and outgoing shipment is recorded in the facility's operating log. In addition, each sales representative must complete an acceptance criteria checklist each time a waste is picked up. In accordance with Safety-Kleen's pre-printed documents, all generators sign a statement with each shipment that there has been no material added to the closed-loop products supplied by Safety-Kleen since the last shipment. Finally, environmental activity reviews may be utilized to guard against the addition of other wastes into the generator's waste.

If a waste is rejected at the time of service based on the volume or consistency discrepancies, the customer will be given a choice as to whether he will dispose of the waste himself or will require Safety-Kleen's assistance. if he requests Safety-Kleen's assistance, a sample will be drawn using a Coliwasa® tube and it will be analyzed for flash point, volatile organic compounds, and other parameters to adequately define the constituents (e.g., for halogenated organic solvents, PCBs, flash point, etc.). If the waste is acceptable at the branch, it will be relabeled and manifested appropriate and then managed with the other wastes. If it is not acceptable, it will either be: (a) managed on a 10-day transfer basis and manifested to a properly permitted reclamation or disposal facility, or (b) manifested and shipped directly to a properly permitted reclamation or disposal facility.

QUALITATIVE WASTE ANALYSES

General Inspection Procedures

Safety-Kleen visually inspects each container of waste when it is collected at the customer's location. This inspection includes an evaluation of the waste volume, appearance, and consistency. Safety-Kleen's personnel are familiar with the characteristics of all wastes as described in Attachment II.A.5 and managed at this facility. Safety-Kleen has established specific criteria for wastes managed at their facilities based on known characteristics. These criteria, described below, are used by Safety-Kleen personnel to aid in their visual inspections. These acceptance criteria enable Safety-Kleen to help ensure that the wastes being picked-up is an acceptable waste and does not contain unacceptable contaminates.

If a particular container of waste does not meet the established acceptance criteria, the Safety-Kleen service representative will reject the container at the customer's place of business. At the customer's request, a sample may be collected and analyzed by Safety-Kleen to determine whether it can be managed by Safety-Kleen. Depending on the source, the waste will be analyzed for parameters related to the suspected source of the waste. Alternately, the customer may choose to dispose of the material by using another (non-Safety-Kleen) facility.

If the waste is sampled for further analysis, the service representative will take a sample of the waste and then seal the container and label it as hazardous waste. The container is left with the customer pending the results of the laboratory tests. The laboratory testing involves analyzing the suspect waste for compounds related to the suspected source of the waste (e.g., volatile organics, halogenated organics, PCBs, etc.).

If the laboratory analysis reveals that the sampled waste is not contaminated, Safety-Kleen will accept the waste from the customer.

If the laboratory confirms that the waste is contaminated, the generator will be responsible for securing an alternate means of disposal and Safety-Kleen will attempt to reconcile the discrepancy with the generator (e.g., telephone conversations). If the discrepancy is not resolved within 15 days after receiving the waste, Safety-Kleen will immediately submit to the department a letter describing the discrepancy and attempts to reconcile it, and it will submit a copy of the manifest or shipping paper at issue, in accordance with 40 CFR 264.72.

Waste Specific Criteria

The following is a description of the specific acceptance criteria for each waste stream.

Spent Parts Washer Solvent (Parts Cleaner 105, Premium Solvent, and Actrel®)

The acceptance criteria for determining by visual inspection whether spent parts washer solvent has been contaminated are volume and color, the most significant of which is volume. Safety-Kleen places clean parts washer solvent in 5-, 16-, and 30-gallon containers with the customer which, if no additional material has been added to the container, should not hold more than the 5, 10, and 19 gallons of waste, respectively, at the time of waste pick-up since those volumes are equal to the respective product amounts in the containers. If the volume of waste in a given container exceeds the specified level, the Safety-Kleen service representative will sample the waste for laboratory testing as described above, or will reject the waste.

The spent parts washer solvent is also visually inspected for its color. Unused parts washer solvent (Parts Cleaner 105 and Premium Solvent) has a greenish tint. The Actrel® parts cleaner is colorless. As the solvent (Parts Cleaner 105, Premium Solvent, and Actrel®) is used, it turns color. The specific color which the solvent turns is dependent upon the type of equipment being cleaned. For example, solvent used at automotive shops turns brown or black, while solvent used by silk screeners will turn the color of the inks (red, blue, pink, green, etc.). If the spent solvent color does not appear to be consistent with the type of equipment being cleaned, the service representative will sample the waste for possible contamination as described above, or will reject the waste.

Immersion Cleaner

The criteria for the inspection of spent immersion cleaner are volume, color, and physical state. Clean immersion cleaner is delivered to the customer in containers. These containers each contain six gallons of immersion cleaner. Spent immersion cleaner is picked up from the customer in the same containers. If no additional material has been added to the spent immersion cleaner, the containers should contain no more than six gallons. If a container contains more than six gallons of waste, a sample will be collected and analyzed for contamination following the procedures described above or the waste will be rejected.

Unused immersion cleaner is amber in color. As the solvent is used, it turns brown in color. The more it is used, the darker brown it becomes, until it is almost black. Therefore, it the spent immersion cleaner does not appear to be amber, brown, or black, the service representative will either sample the waste for possible contamination as described above, or reject the container of waste.

Dry Cleaner Wastes

Dry cleaner wastes consist of spent filter cartridges, powder residue, and still bottoms:

Spent Filter Cartridges

Spent filter cartridges are placed in either a 15-gallon ("split 30") container which holds three cartridges or a 16-gallon container which holds either one jumbo filter cartridge or two smaller filter cartridges. It is obvious to the service representative whether the items in the containers are filter cartridges. The containers may also contain approximately one inch of liquid which should be either clear or have a light brownish tint. If the amount of the liquid is greater than approximately one inch or if the liquid is a color other than light brown, the service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

Powder Residue

The criteria for the acceptance of powder residue are consistency and color, the former being the more significant criterion of the two. A container of powder residue should not contain more than one inch of liquid. The waste should be slightly wet, with the consistency of a paste. If there is too much liquid in the container, the waste will be sampled for contamination in accordance with the procedures described above, or the waste will be rejected.

The powder residue is also inspected for color and should appear to be greyish-black. IF the residue is not greyish-black in color, the service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

Still Bottoms

The criteria for the acceptance of dry cleaning still bottoms are consistency and color. The waste should have a highly viscous, tar-like consistency. If the consistency of the waste is too thin, the waste will be sampled for contamination in accordance with the procedures described above, or will be rejected.

In addition to the consistency, the still bottom waste is inspected for color. The waste should appear dark brown or black in color. If the waste is a different color, a service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

<u>Paint Wastes</u>

Safety-Kleen handles both lacquer thinner waste generated from the paint gun cleaning process and paint waste:

Lacquer Thinner Waste

The significant criterion for determining whether lacquer thinner waste will be accepted is volume. The solvent is provided to customers in five-gallon pails. The paint gun cleaning machine operates as a closed system whereby there should never be a combined volume of more than 7.5 gallons of solvent in the two collection pails. The solvent is pumped from a tube in a left hand pail (facing the machine) through the machine into a right hand pail. The tube in the left hand pail extends exactly half way into the pail (i.e., to the 2.5 gallon mark). The left hand pail starts with five gallons of clean solvent which will be pumped out as the machine is used to clean the spray guns. This process will continue until the left hand pail contains 7.5 gallons of solvent. Any solvent above 7.5 gallons remaining in the left hand pail at the time of servicing will be pumped through the machine into the right hand pail by the Safety-Kleen service representative. Therefore, when the machine is serviced, the right hand pail will always contain five gallons of solvent. If a service representative discovers more than a total of 7.5 gallons of solvent in the two pails or there is an overfill from the right hand pail, the waste will be sampled for contamination in accordance with the procedures described above, or the waste will be rejected.

Paint Waste

The significant criterion for the inspection of paint waste is consistency. The waste should contain no more than 30 percent solids. The service representative will insert a three-foot-long glass tube into the container. The tube should glide easily down to the bottom of the container. If there is resistance to the insertion of the glass tube, it is assumed that the level of solids is in excess of 30 percent and the service representative will reject the waste.

The contents of the glass tube are also visually examined for consistency and water content. The material should be a "free flowing" liquid, but should not contain a significant amount of water. If there is more than approximately 10 inches of water in

the three-foot tube (the water and paint will separate in the tube and thus can be measured), the waste will be rejected.

Antifreeze Waste

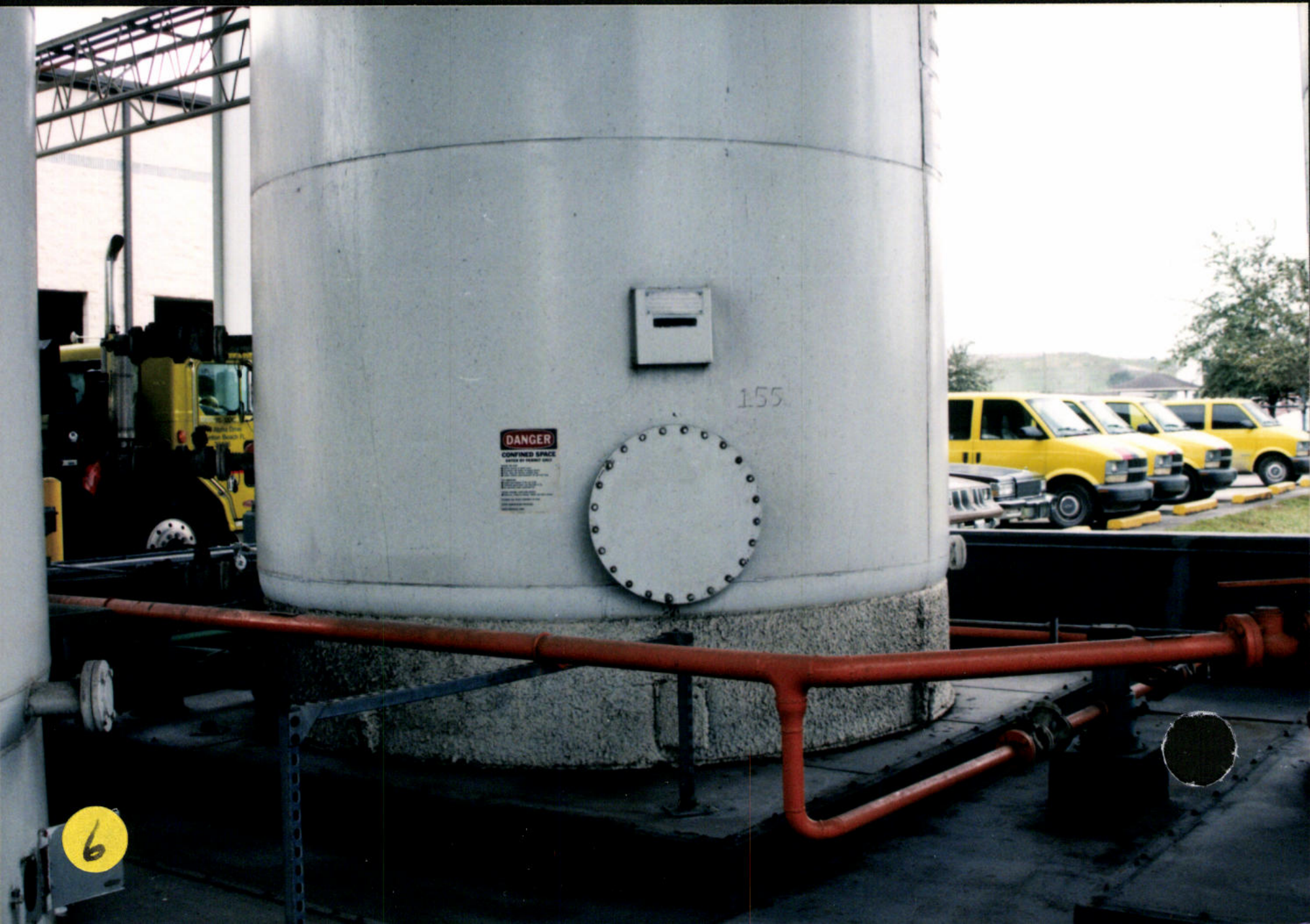
Spent antifreeze is collected in carboys or containers at a customer's place of business until it is picked up by Safety-Kleen and pumped into a tanker truck. Prior to transferring the spent antifreeze into the tanker truck, the Safety-Kleen service representative is responsible for visually inspecting the waste. Spent antifreeze is typically yellowish green to blue in color with traces of orange, red, or black discoloration due to ferric oxide (i.e., rust). A slight sheen may be present on the surface of the spent antifreeze due to the presence of oils or other petroleum products. Sediment (brownish or black) may collect in the carboy due to particulate matter from vehicle engines, rust, dirt, or other matter.

If the spent antifreeze does not meet the criteria described above, the Safety-Kleen service representative may collect a sample of the waste for analysis or request that the customer analyze the waste.

ONSITE ENVIRONMENTAL ACTIVITY REVIEW PROGRAM

Based on historical operating and analytical records, Safety-Kleen has determined that the characteristics of its customer's wastes (particularly the last 10 years) reflect that there has, in fact, been a continuing reduction in the trace levels of characteristically toxic constituents in these wastes. Therefore, in concert with the sampling described in this waste analysis plan, Safety-Kleen may conduct reviews of customer's waste streams. This review, in addition to the analytical baseline of information, will confirm that the hazardous waste streams managed at the Service Centers under conditions of the Part B Permit do not change from year to year. Annual process descriptions may be performed for Large Quantity Generators (LQGs) and Small Quantity Generators (SQGs) that generate these wastes.

3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1/24/98 Miami

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit, number HO 13-307336, to Safety-Kleen Corporation, to operate a hazardous waste storage facility. The project site is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166. This permit is issued under the Resource Conservation and Recovery Act (RCRA), Section 403.722, Florida Statutes (F.S.), and Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.).

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for 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 within forty-five (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.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5, F.A.C.

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at the above address by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following information: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference. (h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within forty-five (45) days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notices will specify the deadlines that then will apply for challenging the agency action and electing remedies under these two statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Southeast Florida District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401.

ACTION LINE

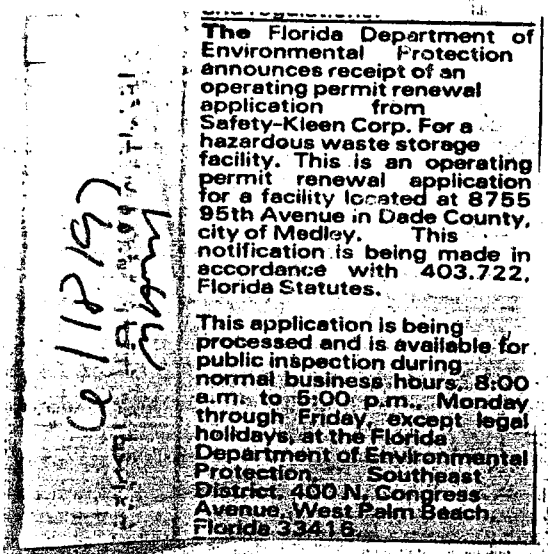
4/12/92 Miami

Q. Can you get to the bottom of why Metro-Dade's Department of Solid Waste Management is not going to accept used motor oil at the neighborhood trash dumps after July 1? After the hike in my tax assessment, I can't believe the expense would be an excuse. It seems to me this change will encourage illegal dumping.— Brian Sharp, Cutler Ridge

A. Hopefully not. Dade County residents will still have the opportunity to recycle used motor oil, just not at the five neighborhood trash and recycling centers that were participating in the collection. The July 1 change is not for financial reasons, said Gayle Love, communications manager for Metro-Dade Solid Waste. It's to have better control over what gets put into the tanks.

At times the waste attendant is preoccupied with others or is too far from the tank to see everything that's dumped. Liquids other than motor oil have been found mixed in with the used motor oil. By more closely controlling the recycling, this will be avoided. At the home chemical collection center, you'll hand your used oil to an attendant to be disposed of properly.

You can still recycle your used motor oil by calling 597-1768 to schedule an appointment at the home chemical collection center. It's open to the public, by appointment only, from 9 a.m. to 3 p.m. Wednesdays. Many gas station and auto supply stores have collection tanks and will accept used motor oil. Call the Florida Department of Environmental Protection, 1 (800) 741-4337. Give your zip code to find out the nearest location used oil collection center. If there is none in your zip code, leave your name and number and someone will call you.



The Florida Department of Environmental Protection announces receipt of an operating permit renewal application from Safety-Kleen Corp. For a hazardous waste storage facility. This is an operating permit renewal application for a facility located at 8755 95th Avenue in Dade County, city of Medley. This notification is being made in accordance with 403.722, Florida Statutes.

This application is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Southeast District, 400 N. Congress Avenue, West Palm Beach, Florida 33416.

safety-kleen®

26 March 1998

RECEIVED
MAR 30 1998
DEPT OF ENV PROTECTION

Mr. Vincent Peluso
Florida DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Affidavit for Broadcast of Permit Notice
Safety-Kleen Corp., Medley FL Service Center
Facility EPA ID # FLD984171694

Dear Mr. Peluso:

Enclosed is a notarized Affidavit of Performance from radio station WINZ 940-AM, attesting that the announcement of the Medley Permit Renewal was broadcast on February 25, 1998.

If you have any questions or need additional information, please contact me at (561) 736-2267.

Sincerely,

Scott A. Schneider

Scott A. Schneider
EHS Manager

enclosure

5610 ALPHA DRIVE BOYNTON BEACH, FL 33426 561/736-1339

PRINTED ON RECYCLED PAPER

INVOICE / AFFIDAVIT OF PERFORMANCE

WINZ - AM
194 N.W. 187th St.
Miami, FL 33169

Business Hours 8:30 - 5:30 . (305) 654-9494 . FAX (305) 654-9090

BILL TO: SAFETY KLEEN
8755 N W 95TH STREET
MEDLEY, FL 33178

X

PAGE: 1 **DATE:** 03/10/98

ORDER: 3171
SAF600 INVOICE: 53933

DATE	DESCRIPTION	BROADCAST TIME	LENGTH	QTY	RATE	AMOUNT
02/25/98		0118p	120	1	250.00	250.00
		SUBTOTAL:	120	1	250.00	
				TOTAL	CHARGES:	250.00
SALESPERSON: 31 TONY VISCARDI						

Total
250.00

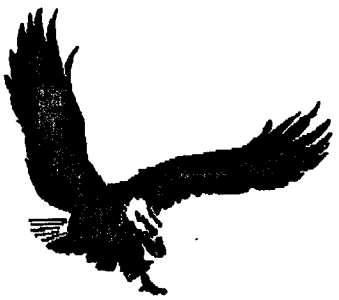
This is to certify that the foregoing announcements were broadcasting on the dates and at the times shown within 15 minutes, except as otherwise noted, according to the official station logs.

Bonnie J. Fleischman
Signature

3-20-98
Date

Bonnie J. Fleischman
MY COMMISSION # CC616863 EXPIRES
January 28, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

safety-kleen®



Fax

To: Vincent Peluso From: Tim Sholl

Fax #: Pages: 2 including cover page

Phone #: Date: 3-23-98

Comments: Copy of broadcast affidavit of performance

hard copy to follow in mail. Any questions

Please call Scott Schneider at 561-736-2267

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

If you do not receive all of the pages, Please call Safety-Kleen Corp. at

(305) 884-0123 or 1-800-769-5763.

6755 NW 95TH STREET MEDLEY, FL 33178 305/884-0123

PRINTED ON RECYCLED PAPER

INVOICE / AFFIDAVIT OF PERFORMANCE

WINZ - AM
194 N.W. 187th St.
Miami, FL 33169

Business Hours 8:30 - 5:30 . (305) 654-9494 . FAX (305) 654-9080

BILL TO: SAFETY KLEEN
8755 N W 95TH STREET
MEDLEY, FL 33178

X

PAGE: 1 DATE: 03/10/98

ORDER: 3171
INVOICE: 53933

SAF600

DATE	DESCRIPTION	BROADCAST TIME	LENGTH	QTY	RATE	AMOUNT
02/25/98		0118p	120	1	250.00	250.00
		SUBTOTAL:	120	1	250.00	
				TOTAL	CHARGES:	250.00
	SALESPERSON: 31 TONY VISCARDI					

Total
250.00

This is to certify that the foregoing announcements were broadcasting on the dates and at the times shown within 15 minutes, except as otherwise noted, according to the official station logs.

Bonnie J. Fleischman
Signature

3-20-98
Date

Bonnie J. Fleischman
MY COMMISSION # CC616553 EXPIRES
January 28, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

safety-kleen®

12 March 1998

RECEIVED
MAR 16 1998
DEPT OF ENVIRONMENTAL PROTECTION

Mr. Tony Viscardi
WINZ-AM
194 N.W. 187th Street
Miami, FL 33169

Re: Affidavit of Permit Notice Broadcast
Safety-Kleen Medley Service Center, FLD984171694

Dear Mr. Viscardi:

Thank you for the Affidavit of Performance for broadcast of our permit notice on February 25, 1998. I greatly appreciate your assistance with this matter. However, the Florida Department of Environmental Protection requires the Affidavit to be signed and notarized by the radio station before it is considered acceptable performance verification.

I am returning the document sent to the Medley Service Center, and requesting that it be signed and notarized by a representative of WINZ-AM. Upon completion, please send to my attention at the Medley Service Center:

Safety-Kleen Corp.
8755 N.W. 95th Street
Medley, FL 33178

If you have any questions, please contact me at (561) 736-2267. Thank you again for your assistance.

Sincerely,

Scott A. Schneider

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Vincent Peluso, DEP
Medley 999 File 1010

INVOICE / AFFIDAVIT OF PERFORMANCE

WINZ - AM
194 N.W. 187th St.
Miami, FL 33169

Business Hours 8:30 - 5:30 . (305) 654-9494 . FAX (305) 654-9090

BILL TO: SAFETY KLEEN
8755 N W 95TH STREET
MEDLEY, FL 33178

X

PAGE: 1 **DATE:** 03/10/98

SAF600

ORDER: 3171
INVOICE: 53933

DATE	DESCRIPTION	BROADCAST TIME	LENGTH	QTY	RATE	AMOUNT
02/25/98		0118p	120	1	250.00	250.00
		SUBTOTAL:	120	1	250.00	
				TOTAL	CHARGES:	250.00
SALESPERSON: 31 TONY VISCARDI						

Total
250.00

This is to certify that the foregoing announcements were broadcasting on the dates and at the times shown within 15 minutes, except as otherwise noted, according to the official station logs.

Signature _____ Date _____

CLEAR CHANNEL
South Florida

Miami/Ft. Lauderdale

A FAX FROM

TONY VISCARDI

DATE: 3-10-98

ATTENTION: Vincent Peluso

COMPANY: D.E.P.

FAX/PH#: (561) 681-6770

NUMBER OF PAGES (INCLUDING COVER): 2

RE: As per your Request!

The Palm Beaches

Florida Keys Network

CLEAR CHANNEL COMMUNICATIONS
SUPERTALK NETWORK
SUPERTALK 940/1290/1400
WINZ/WBZT/WFTL
3000 N. 28TH TERRACE
HOLLYWOOD, FL 33020

DADE (305) 690-6471 BROWARD (954) 426-4600 X6471

FAX (305) 690-6484

MAR.-10'98(TUE) 11:34

ORDER CONFIRMATION

DATE:03/10/98
TIME:10:37:21
PAGE: 1

CLEAR CHANNEL METROPLEX - WINZ-AM

Order Number	3171		SP 31	Agency		Billing Cycle	5 ESTD
Customer	SAF600	SAFETY KLEEN	Comm % 20.000	Comm %	0.000	Billing Type	2 UNIT
Co-Op For			G/L Key 1	G/L Key	0	Interest Chg	0 NO
						Billing Sta	1 NI
			Sales Tax 0	Rep.	0	Class	1
Package Price		0.00		Comm %	0.000	Affidavit	1 YES
Standard Billing		0.00		G/L Key	0	Bill From	2 LOG

DETAIL	PLACEMENT	GROUP	BILLING DESCRIPTION	START	END	AV	STA	PC	PRI	CART	LNGT	TYPE	ALT	M	T	W	T	F	S	WK
1	800-1759	0		02/25/98	02/25/98	3	1	19	2	FILE	120	CM	0	0	0	1	0	0	0	0

		MARCH 1998		APRIL 1998		MAY 1998		TOTAL SCHEDULE	
DETAIL	RATE	ANNS	BILLING	ANNS	BILLING	ANNS	BILLING	ANNS	BILLING
01	250.00	1	250.00	0	0.00	0	0.00	1	250.00
Gross		1	250.00	0	0.00	0	0.00	1	250.00

Average Unit Rate: 250.00

safety-kleen®

February 12, 1998

RECEIVED
FEB 17 1998
DEPT. OF ENV. PROTECTION

Mr. Vincent Peluso
Florida DEP - Southeast District
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: Public Announcement for Draft Permit HO 13-307336
Safety-Kleen Corp., Medley, FL - Service Center
Facility EPA ID # FLD984171694

Dear Mr. Peluso:

I had the required Notice of Intent published in The Miami Herald on January 26, 1998. Enclosed is the notarized Proof of Publication.

Upon receipt from WINZ AM-940, documentation verifying radio broadcast of the Notice will be forwarded to your office. 954 426 4600

If you have any questions or need additional information, please call me at (561) 736-2267.

Sincerely,

Scott A. Schneider
Environmental, Health & Safety Manager

cc: Mr. Tim Sholl, Safety-Kleen Corp.
Ms. Della Ridley, Safety-Kleen Corp.
999 File 1010

enclosure

Clear Channel Comm
Tony Viscardi (305) 690-6471
800 769 5886

8755 NW 95TH STREET MEDLEY, FL 33178 305/884-0123

PRINTED ON RECYCLED PAPER

PUBLISHED DAILY
MIAMI-DADE-FLORIDA

STATE OF FLORIDA
COUNTY OF DADE

The Miami Herald Publishing Company

Before the undersigned authority personally appeared:

JANEY ANDERSON

who on oath says that he/she is"

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issues of:

January 26, 1998

Affiant further says that the said The Miami Herald is a newspaper published at Miami, in the said Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered as second class mail matter at the post office in Miami, in said Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspapers(s).

Janey Anderson

Sworn to and subscribed before me this

28th Day Of January, 1998

My Commission Expires: October 17, 2001

Virginia J. Gallon

OFFICIAL NOTARY SEAL
VIRGINIA J GALLON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC682828
MY COMMISSION EXP. OCT. 17,2001

Virginia J. Gallon
Notary

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit, number HO 13-307336, to Safety-Kleen Corporation, to operate a hazardous waste storage facility. The project site is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166. This permit is issued under the Resource Conservation and Recovery Act (RCRA), Section 403.722, Florida Statutes (F.S.), and Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.).

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for 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 within forty-five (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.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5, F.A.C.

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at the above address by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following information: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference. (h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within forty-five (45) days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notices will specify the deadlines that then will apply for challenging the agency action and electing remedies under these two statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Southeast Florida District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401.

Department of Environmental Protection

6/4

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

PERMIT DATA FORM

PROJECT SOURCE NAME Safety-Kleen Medley.

Type Code HO Subcode 01 Check If: ___GP ___Exempt

Correct Fee 10,000
Amount Received 10,000.00
Amount Refund

Permit Processor's Initial VP Data Entry Operator's Initial BJ

Comments

HO 13-307336

Revised

693-8352

No. 1191131

Check No. 1191131

safety-kleen

CO. 0101
1000 North Randall Road
Elgin, Illinois 60123-7857

70-2382
719

147988

Pay

TEN THOUSAND AND NO/100 DOLLARS ****** DATE 05 28 97 *******10,000.00

To The Order Of
FLORIDA DEPT OF ENVIRO PROT
1900 S CONGRESS AVE STE A
PO BOX 15425
WEST PALM BEACH FL 33416

SAFETY - KLEEN CORP.
AUTHORIZED SIGNATURE

NOT VALID OVER $20,000

The Northern Trust Company
Payable Through Northern Trust Bank Du Page

safety-kleen®

June 2, 1997

RECEIVED
JUN 4 1997
DEPT. OF ENV. PROTECTION

Mr. John M. Jones
Supervisor - Hazardous Waste
Florida Department of
Environmental Protection
Southeast District
400 N. Congress Avenue
West Palm Beach, FL 33416

RE: Safety-Kleen Corp. Medley Facility - 8755 Northwest 95th Street
Medley, Florida; FLD 984 171 694; Permit Application HO13-216311;
Operating Permit Renewal Application

Dear Mr. Jones:

Enclosed are four copies of the above-referenced Operating Permit Renewal Application. Also enclosed is the $10,000 application fee.

A letter from the Chief Financial Officer of Safety-Kleen demonstrating the financial responsibility for revised closure costs through the financial test specified in Subpart H of 40 CFR Part 264, will be submitted to the Department upon completion of the application review process.

In accordance with Florida Statute 403.722(12), which requires public notice on the day that the application is submitted, a legal advertisement is being published in the *Miami Herald.* Also, a letter has been sent to the cities of Medley and Miami and to the Dade County Administrator. Copies of the letters attached. Proof of publication will be provided when it is received.

If you have any questions or comments, please contact me at (770) 449-0533.

Sincerely,

Della A. Ridley

Della A. Ridley
Regional Environmental Manager

Enclosures

PRINTED ON RECYCLED PAPER

safety-kleen

RECEIVED
JUN 4 1997
DEPT. OF ENV. PROTECTION

June 2, 1997

Certified Mail, Return Receipt Requested

Mayor Joe Carollo
3500 Pan American Drive
Miami, FL 33133

Dear Mayor Carollo:

This letter will serve as a formal Notice of Application established by the Florida Department of Environmental Protection (FDEP).

The FDEP announces receipt of an Operating Permit Renewal Application from Safety-Kleen Corp. for a hazardous waste storage facility. This Operating Permit Renewal Application is for a facility located at 8755 NW 95th Street in Dade County, City of Medley, Florida. This notification is being made in accordance with 403.722 Florida Statutes.

This application is being processed and is available for public inspection during normal business hours, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays, at the FDEP, 400 North Congress Avenue, West Palm Beach, Florida.

Sincerely,

Michael Starks (bk)

Della A. Ridley, CIH, CSP
Southeast Region Environmental Manager

djo

c: M. Starks - ERM

13112.21/01/APNOTICE.LTR/1

safety-kleen

June 2, 1997

Certified Mail, Return Receipt Requested

*Honorable Board of County Commissioners
111 NW 1st Street, Suite 220
Miami, FL 33128

Dear County Commissioners:

This letter will serve as a formal Notice of Application established by the Florida Department of Environmental Protection (FDEP).

The FDEP announces receipt of an Operating Permit Renewal Application from Safety-Kleen Corp. for a hazardous waste storage facility. This Operating Permit Renewal Application is for a facility located at 8755 NW 95th Street in Dade County, City of Medley, Florida. This notification is being made in accordance with 403.722 Florida Statutes.

This application is being processed and is available for public inspection during normal business hours, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays, at the FDEP, 400 North Congress Avenue, West Palm Beach, Florida.

Sincerely,

Della A. Ridley, CIH, CSP
Southeast Region Environmental Manager

djo

c: M. Starks - ERM

*Please distribute to all eight commissioners.

13112.21/01/APNOTICE.LTR/1

safety-kleen.

June 2, 1997

Certified Mail, Return Receipt Requested

Mr. Jim Murphy
Building Official
City of Medley
7331 NW 74th Street
Medley, FL 33166

Dear Mr. Murphy:

This letter will serve as a formal Notice of Application established by the Florida Department of Environmental Protection (FDEP).

The FDEP announces receipt of an Operating Permit Renewal Application from Safety-Kleen Corp. for a hazardous waste storage facility. This Operating Permit Renewal Application is for a facility located at 8755 NW 95th Street in Dade County, City of Medley, Florida. This notification is being made in accordance with 403.722 Florida Statutes.

This application is being processed and is available for public inspection during normal business hours, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays, at the FDEP, 400 North Congress Avenue, West Palm Beach, Florida.

Sincerely,

Michael J. Starks (for)

Della A. Ridley, CIH, CSP
Southeast Region Environmental Manager

djo

c: M. Starks - ERM

AREA: SED_____ Cash Receiving Application CRAF006A
Collection Point Log Remittance Tot: _____$10,000.00

SYS$REMT: 183963__ Type: CP___ Recved Date: 04-JUN-1997 Status: RECEIVED
SYS$RCPT: 147988__ PNR: _____ Check #: 1191131___ Amount: _____10,000.00
SSN/FEI#: _____ Name: SAFETY_KLEEN_____
First: _____ Middle: _____ Title:_____ Suf: _____
Address1: 1000_NORTH_RANDALL_ROAD_____ Short Comments:
Address2: _____ SAFETY_-_KLEEN_MEDLEY____
City: ELGIN_____ ST: IL Zip: 60123-7857 Country: _____

P A Y M E N T (S)

SYS$PAYT	Distr CL Area..	Object Code/Description.....:	Payment Amount.....	Reference#	Applic/ Fund	S T A CO
190019__	SED___	002234 HAZAR/WASTE-OPE	____$10,000.00	HO13307336	PA_ PFTF__	CO
_____	_____	_____ _____	_____	_____	___ _____	__
_____	_____	_____ _____	_____	_____	___ _____	__
_____	_____	_____ _____	_____	_____	___ _____	__
_____	_____	_____ _____	_____	_____	___ _____	__

COMMIT FREQUENTLY _____$10,000.00 Payment total
Press_<TAB>_to_accept_Collection_Point_or_enter_F&A._____
Count: *1 <Replace>

1/24/98 Miami

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit, number HO 13-307336, to Safety-Kleen Corporation, to operate a hazardous waste storage facility. The project site is located at Safety-Kleen Corporation, Medley Branch Service Center, 8755 Northwest 95th Street, Medley, FL 33166. This permit is issued under the Resource Conservation and Recovery Act (RCRA), Section 403.722, Florida Statutes (F.S.), and Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.).

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for 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 within forty-five (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.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

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Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at the above address by the same deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following information: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference. (h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within forty-five (45) days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notices will specify the deadlines that then will apply for challenging the agency action and electing remedies under these two statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Southeast Florida District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401.

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

November 5, 2004

RECEIVED
NOV 12 2004
DEPT OF ENV PROTECTION
WEST PALM BEACH

CERTIFIED – RETURN RECEIPT
7000 0520 0021 3377 8346

Mr. Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

SUBJECT: **Safety-Kleen Systems, Inc. - Medley**
FLD 984 171 694
Operating Permit Modification 56019-HO-004
Dade County

Dear Mr. Hedrick:

Enclosed you will find a Department Permit Order (Intent to Issue), along with the draft Permit Modification, a Fact Sheet, (and) language for the required Public Notices of Agency Action. Please ensure publication and broadcast within the time allotted.

As Applicant, you are a person whose substantial interests will be determined by the Permit Modification, and the rights explained in the Intent to Issue apply to you. You have a period of 45 days from the date you receive this Intent to Issue in which to exercise your rights. Please contact John E. Griffin at (850)245-8785 if you have any questions.

Sincerely,

Tim Bahr, Administrator
Hazardous Waste Regulation Section

TJB/jeg

cc (with enclosure):

Jon Johnston, EPA/Region 4
Stephen Brown, DEP/West Palm Beach
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission
Mayor of the City of Medley
Dade County Commissioner

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Safety-Kleen Systems, Inc. - Medley
8755 Northwest 95th Street
Medley, Florida 33166

DEP File No.: 56019-HO-004
Dade County

/

INTENT TO ISSUE

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

The applicant, Safety- Kleen Systems, Inc., applied on May 24,2004, to the Department for a permit modification to add a Used Oil Tank Processing Facility at Safety- Kleen Systems, Inc.'s site at Medley, Florida. The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-730. 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 Permit Modification with the conditions included in the enclosed draft permit modification.

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 thirty (30) days in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. 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 fourteen (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 modification.

The Radio Announcement shall be broadcast one time only within thirty (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 fourteen (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 modification.

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. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. Persons who have filed such a petition may seek to mediate the dispute, and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (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 the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions by the permit applicant or any of the parties listed below must be filed within forty-five (45) days of receipt of this Intent. Petitions filed by other persons must be filed within forty-five (45) days of publication of the public notice or within forty-five (45) days of their receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within forty-five (45) days of receipt of such notice, regardless of the date of publication. 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 within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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 the Department'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 Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or 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 the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of the specific rules or statutes petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

A petition that does not dispute the material facts on which the Department'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 the Department'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 Department 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 within forty-five (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.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Dotty Diltz, Assistant Director
Division of Waste Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 245-8785

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on November 8, 2004.

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kim Thursby
Clerk

11-8-04
Date

cc: Jon Johnston, EPA/Region 4
Stephen Brown, DEP/West Palm Beach
Dade County Commissioner
Mayor of the City of Medley
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission

Newspaper Notice:

STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT MODIFICATION UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT, AS AMENDED BY THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984, SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO Safety- Kleen Systems, Inc. to add a Used Oil Tank Processing Facility at Safety-Kleen Systems, Inc.,Medley, Florida 33166, having assigned facility I.D. number FLD 984 171 694.

The draft RCRA permit modification, prepared in accordance with the provisions of Chapter 62-730 of the Florida Administrative Code (F.A.C.), contains the modifications for Permit 56019-HO-004. The permit modification is intended to be issued for the purpose of add a Used Oil Tank Processing Facility at Safety-Kleen's site at Medley, Florida.

Copies of the application and the draft permit modification 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 Florida Department of Environmental Protection, West Palm Beach District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600 and at Twin Towers Office Building, Division of Waste Management, Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road, Tallahassee, Florida 2399-2400, (850) 245-8785.

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 within forty-five (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.

A person whose substantial interests are affected by the above proposed agency action 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 the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within forty-five (45) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within forty-five (45) days of publication of this notice of intent or receipt of the written notice, 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 (or a request for mediation, as discussed below) within this time period shall constitute a

waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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 the Department'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 Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or 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 the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or 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 Department's action or proposed action.

A petition that does not dispute the material facts on which the Department'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 the Department'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 Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Radio Announcement:

STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice of its intent to issue a permit modification under Section 403.722, Florida Statutes, and Chapters 62-4 and 62-730 of the Florida Administrative Code to Safety-Kleen Systems, Inc., Medley, Florida, I.D. number FLD 984 171 694. The permit modification contains conditions to add a Used Oil Tank Processing Facility.

A person who is substantially affected by the Department's proposed permitting decision may file a petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. If a petition for a hearing is filed, the administrative hearing process is designed to formulate agency action. Any other person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. A petition for an administrative hearing or a request for a public meeting must be filed in the Office of General Counsel within forty-five days of broadcast of this radio announcement. The Department's final agency action may be different from the position taken in this preliminary statement, so persons who support the proposed agency action may also wish to intervene.

Mediation is not available in this proceeding.

For more information concerning the hearing process and the necessary time frames for filing, please contact the Office of General Counsel at (850) 245-2242. Copies of the application and the draft permit modification 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 the Department's Hazardous Waste Regulation Section, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, (850) 245-8785; and at the Department of Environmental Protection, West Palm Beach District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401, (561) 681-6600.

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Jeb Bush
Governor

Colleen M. Castille
Secretary

PERMITTEE:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

ATTENTION:
Matt Hedrick
Environmental Health & Safety Manager
5309 24th Avenue South
Tampa, Florida 33619

I.D. NUMBER: FLD 984 171 694
PERMIT/CERTIFICATION NUMBER: 56019-HO-005
DATE OF ISSUE:
EXPIRATION DATE: MARCH 19, 2008

COUNTY: DADE
LATITUDE / LONGITUDE: 25°51'38"N/80°20'25"W
PROJECT: Operation of a Hazardous Waste Container Storage Facility, Treatment Unit, HSWA Corrective Action Requirements and Used Oil Tank Processing Facility

Pursuant to the Solid Waste Disposal Act and 40 Code of Federal Regulations (CFR) 264.101 (as adopted in Rule 62-730.180, of the Florida Administrative Code [F.A.C.]) and 40 CFR Part 279, this permit modification is issued under the provisions of Sections 403.722 and 403.769, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-160, 62-522, 62-532, 62-550, 62-701, 62-710, 62-730, 62-737 and 62-762. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application, and 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 drum and tank storage units within a service accumulation center (See Attachment A – Facility Layout).

Tank Storage:

Utilization of one above ground 20,000 gallon storage tank for managing waste solvent under this permit. Two 20,000 gallon tanks are used for fresh solvent and shall not be used for hazardous waste. All tanks are underlain by 58 feet by 43 feet concrete slab surrounded by a 36 inches high concrete wall (See Attachment B) and utilization of one horizontal tank with a capacity of 10,000 gallon and one vertical tank with a capacity of 15,000 gallon for Used Oil Processing. The Used Oil Processing will be used by Atlantic Industrial Services, Inc. All tanks are above ground storage tanks.

Solvent Return / Fill Station:

Spent solvents enter the waste solvent storage tank through the two wet dumpsters located in the Solvent Return / Fill Station. The wet dumpsters can hold a maximum of 504 gallons each but are not intended for storage of liquid hazardous waste (See Attachment C).

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:

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.

Three solid waste management units have been identified at the facility in the United States Environmental Protection Agency (EPA) Hazardous and Solid Waste Amendments (HSWA) permit issued February 12, 1993 and in Appendix A of this permit. No remedial corrective action is required at the facility at this time.

HSWA Units: No further Action

- SWMU-1 Container Storage/Transfer Waste Area
- SWMU-2 Aboveground Storage Tank Area
- SWMU-3 Return/Fill Area

The State of Florida received authorization from EPA for implementing HSWA Corrective Action Program on November 17, 2000. This permit incorporates corrective action, including HSWA Corrective Action requirements and constitutes a full permit for Safety-Kleen Systems, Inc. Medley facility under the Resource Conservation and Recovery Act (RCRA).

The Permittee, pursuant to this permit, 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.

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. The Permittee must inform the Department of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

Pursuant to 40 CFR 264.10, the 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). 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 33166.

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.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

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, 403.727, or 403.859 through 403.861, 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 subsections 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 location reasonable necessary to assure compliance with this permit or Department rules.

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

8. 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:

   a. A description of and cause of noncompliance; and

   b. 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.

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 proscribed 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, 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 Department approval in accordance with Rule 62-4.120 and 62-730.300 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:
   a. Determination of Best Available Control Technology (BACT);

   b. Determination of Prevention of Significant Deterioration (PSD);

   c. Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and

   d. Compliance with New Source Performance Standards.

14. The Permittee shall comply with the following:

   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, and records of all data used to complete the application for this permit. 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:

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

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

(3). the dates 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.

15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. 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. In the case of an underground injection control permit, the following permit conditions also shall apply:

a. All reports or information required by the Department shall be certified as being true, accurate and complete.

b. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

c. Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

(1). The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

(2). The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.

d. The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

a. The following reports shall be submitted to the Department:

(1). 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.

(2). Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

(3). Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

b. Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

(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. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

d. All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

e. Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS

PART I - STANDARD REQUIREMENTS

1. All submittals in response to these conditions (except Specific Condition 2 of this Part) shall be as follows:

   a. Two (2) copies shall be sent to:

      Environmental Administrator
      Hazardous Waste Regulation Section
      M.S. 4560
      Bureau of Solid and Hazardous Waste
      Department of Environmental Protection
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

   b. One (1) copy shall be sent to:

      Hazardous Waste Supervisor
      Department of Environmental Protection
      400 North Congress Avenue
      West Palm Beach, Florida 33401

   c. One (1) copy shall be sent to:

      Chief, RCRA Programs Branch
      United States Environmental Protection Agency
      Region 4
      Sam Nunn Atlanta Federal Center
      61 Forsyth Street, S.W.
      Atlanta, Georgia 30303-3104

2. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(7), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

   Financial Officer
   Hazardous Waste Regulation Section
   M.S. 4560
   Bureau of Solid and Hazardous Waste
   Department of Environmental Protection
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   In the event a cost estimate for closure, postclosure, or corrective action increases, the financial instrument must be updated accordingly. Pursuant to 40 CFR Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount covered by the instrument within

60 days of the estimate increase. Those facilities using a financial test must cover the estimate increase in the next scheduled submittal. If the estimate increase causes the inability of facility to provide financial assurance through their currently selected mechanism, alternate financial assurance must be provided within 30 days. The Permittee shall provide assurances of financial responsibility for completion of off-site corrective action, if required, in accordance with Rule 62-730.180(7), F.A.C.

3. 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 Specific Condition(s) affected, and the permit number and project name of the permit involved. All documents modifying the approved permit must be submitted to the Department for review shall be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(7), F.A.C.

4. 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(8), F.A.C.

5. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapter 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 revisions to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the revisions to the addresses in Specific Condition 1 of this Part.

6. Prior to 180 calendar days before the expiration of this permit (Rule 62-730.260(2), F.A.C.), the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless closure 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 closure and termination of all corrective action, the Permittee must reapply for a postclosure permit in accordance with Rule 62-730.900(2), F.A.C.

   The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

   Florida Department of Environmental Protection
   Post Office Box 3070
   Tallahassee, Florida 32315-3070

   The Permittee shall submit the renewal to the addresses in Specific Condition 1 of this Part.

7. The Department of Environmental Protection's 24-hour emergency telephone number is (850)413-9911 or (800)320-0519. During normal business hours, the DEP District Office may be contacted at (561)681-6600.

8. The facility shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.184, F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from closure care requirements and all site-wide corrective action requirements.

9. The Permittee shall revise "Part I - General" of the **Application for a Hazardous Waste Facility Permit** [DEP Form 62-730.900(2)(a)] within thirty (30) days of any changes in the Part I information. The revised "Part I - General" must be submitted to the Department within thirty (30) days of such changes.

10. Before transferring ownership or operation of this facility during the operating, closure or postclosure period, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C. [40 CFR 264.12(c)]. The Permittee shall comply with Rule 62-730.300, F.A.C.

11. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the site security provisions of the permit application. If the site becomes a suspected or confirmed contaminated site where there may be a risk of exposure to the public, and therefore, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.181(3), F.A.C.

    a. Warning signs shall be at least 2 feet by 2 feet, made of durable weather resistant material, with a light background and lettering in a highly contrasting color. All lettering must be at least 1 inch high.

    b. Warning signs shall be unobstructed and mounted in such a manner that the center of the sign is approximately 56 inches above ground surface and is capable of being seen from at least 75 feet away.

    c. Warning sign text shall warn of danger, prohibit the entry of unauthorized persons, convey other information appropriate to site conditions, and include a telephone number to call for more information.

    d. The Permittee is responsible for supplying, installing and maintaining the warning signs.

12. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5 of the permit application during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 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.

13. Facility personnel must successfully complete the approved training program indicated in Section 6 of the permit application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained on-site. 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 and their respective job titles at the site [40 CFR 264.16].

14. 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 are described in the **Contingency Plan**, Section 5 of the permit application, as required by 40 CFR 264.32.

    b. The Permittee shall test and maintain the equipment specified in Specific Conditions 12 and 14.a of this Part as necessary to assure its proper operation in time of emergency, as required by 40 CFR 264.33.

    c. The Permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.

    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 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 as required by 40 CFR 264.35.

15. The contingency plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 CFR 264.54 are met. Amendments to the plan must be approved in writing by the Department.

16. The Permittee shall comply with the following conditions concerning the contingency plan:

    a. The Permittee shall immediately carry out the provisions of the emergency plan, Section 5 of the permit application, and follow the emergency procedures described by 40 CFR 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 fifteen (15) calendar days, must submit to the Department a written report which includes all information required in 40 CFR 264.56(j).

    b. The Permittee shall comply with the requirements of 40 CFR 264.53.

    c. Within seven (7) calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) and (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 (7) days of the change. All amended plans must be distributed to the appropriate agencies.

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

17. The Permittee shall comply with the manifest requirements of 40 CFR 264.71, 264.72 and 264.76.

    a. At least four weeks prior to accepting hazardous waste from a foreign source, the Permittee shall notify the Department in writing as required by 40 CFR 264.12(a). Subsequent shipments of the same waste from the same source in the same calendar year do not require this notice.

    b. Within three working days of receipt of a shipment subject to 40 CFR 262.80 through 40 CFR 262.89, the Permittee shall provide a copy of the tracking document bearing all required signatures to the notifier, the Department, the EPA Office of Enforcement and Compliance Assurance, and to competent authorities of other concerned countries.

    c. Prior to accepting a hazardous waste other than the permitted and transfer wastes shown in Table 7.1-1 of the permit application, the Permittee shall submit a request for permit modification which includes a waste analysis of the proposed new waste stream. The Permittee shall not accept a new waste stream until the permit has been modified by the Department. (40 CFR 264.13)

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

    a. The results of the waste analysis;

    b. A summary report and details of incidents that require implementation of the contingency plan;

    c. Manifests;

    d. The results of inspections;

    e. The closure plan and closure cost estimate;

    f. Biennial reports;

    g. Monitoring, testing, or analytical data where required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228;

    h. Inspections of emergency and safety equipment (Specific Condition 12 of this Part);

    i. Personnel training records (Specific Condition 13 of this Part);

    j. The Waste Minimization Program Plan (Specific Conditions 19 and 20 of this Part);

    k. The description and quantity of each hazardous waste received or generated;

    l. The location of each hazardous waste within the facility and the quantity at location;

    m. Biennial certification of waste minimization; and

    n. Notices to generators as specified in 40 CFR 264.12(b)

    These records must be maintained at the facility until the completion of closure (40 CFR 264.73)

19. The Permittee shall comply with 40 CFR 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). 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 record as required by 40 CFR 264.73(b)(9).

20. The Waste Minimization Program Plan, required in Specific Condition 19 of this Part, should include the following elements:

    a. Top Management Support

    (1). Dated and signed policy describing management support for waste minimization and for implementation of a waste minimization plan.

    (2). Description of employee awareness and training programs designed to involve employees in waste minimization planning and implementation to maximize the extent feasible.

    (3). Description of how a waste minimization plan has been incorporated into management practices so as to ensure ongoing efforts with respect to produce design, capital planning, production operations, and maintenance.

    b. Characterization of Waste Generation

    (1). Identification of types, amounts, and hazardous constituents of waste streams, with the source and date of generation.

    c. Periodic Waste Minimization Assessments

    (1). Identification of all points in a process where materials can be prevented from becoming a waste, or can be recycled.

    (2). Identification of potential waste reduction and recycling techniques applicable to each waste, with a cost estimate for capital investment and implementation.

    (3). Description of technically and economically practical waste reduction/recycling options to be implemented, and a planned schedule for implementation.

    (4). Specific performance goals, preferably quantitative, for the source reduction of waste by stream. Whenever possible, goals should be stated as weight of waste generated per standard unit of production, as defined by the generator.

d. Cost Allocation System

(1). Identification of waste management costs for each waste, factoring in liability, transportation, record keeping, personnel, pollution control, treatment, disposal, compliance, and oversight costs to the extent feasible.

(2). Description of how departments are held accountable for the wastes they generate.

(3). Comparison of waste management costs with costs of potential reduction and recycling techniques applicable to each waste.

e. Technology Transfer

(1). Description of efforts to seek and exchange technical information on waste minimization from other parts of the company, other firms, trade associations, technical assistance programs, and professional consultants.

f. Program Evaluation

(1). Description of types and amounts of hazardous waste reduced or recycled.

(2). Analysis and quantification of progress made relative to each performance goal established and each reduction technique to be implemented.

(3). Amendments to waste minimization plan and explanation.

(4). Explanation and documentation of reduction efforts completed or in progress before development of the waste minimization plan.

(5). Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

21. Facilities submitting a Waste Minimization Plan pursuant to Specific Conditions 19.b and 20 of this Part shall, no less often than annually, submit a Waste Minimization Evaluation Report, that includes, at a minimum, the following:

a. Description of types and amounts of hazardous waste generated in the past six months.

b. Description of types and amounts of hazardous waste eliminated or recycled.

c. Analysis and quantification of progress made relative to each performance goal established in accordance to Specific Condition 20 c. of this Part, and each reduction technique to be implemented.

d. Amendments to waste minimization plan and identification and description of waste streams and processes that develop during the previous six months, and was not included in the Waste Minimization Plan.

e. Explanation and documentation regarding impediments to hazardous waste reduction specific to the individual facility.

22. If, at any time, the Permittee or the Department determines that contamination has migrated, or is suspected to have migrated, into any media beyond the facility [40 CFR 260.10] (other than for immediate and short-term emergency response actions), or to other areas within the facility controlled by different operators, the Permittee shall notify the Department within seven calendar days of the initial discovery [Section 403.704(16) F.S., and 40 CFR 270.32(b)(2)]. This notification shall include a proposed notification letter to and a list of known and potentially affected property owners and operators, for Department approval, before the Permittee sends the notification letter to the parties listed below. Within 30 days of Department approval of the notification letter, the Permittee shall notify, by certified or registered mail, at a minimum the following list of people and agencies:

    a. All property owners onto which the contamination is known or suspected by the Permittee to have migrated;

    b. All onsite operators within the facility;

    c. Water Management District(s) with jurisdiction over the geographical area containing the contaminated properties;

    d. City, county or other local environmental agencies jurisdiction over the geographical area containing the contaminated properties; and

    e. EPA Region 4.

    In addition, if groundwater contamination has migrated into any media beyond the facility or to other areas within the facility with different operators, the Permittee shall immediately notify the local County Health Department and the Department of Health Bureau of Water Programs in Tallahassee at (850) 245-4240. Copies of the notification letters and proof of receipt must be submitted to the Department within 45 days of the Department's approval of the letter.

23. The Maximum Contaminant Levels, Groundwater Protection Standards, Residential Soil Cleanup Goals, Leachability Soil Cleanup Goals and Groundwater Target Cleanup Levels contained in this permit are to be used over the life of this permit, unless otherwise modified by the Department in writing.

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

25. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to 40 CFR Part 268 for at least three years from the date that the waste which is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal, or until corrective action 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.

26. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated Interim Measures (IM) under Condition **HSWA IV.2**, which impact known or suspected contamination at or from SWMUs or AOCs referenced in Specific Conditions **HSWA I.1, and HSWA I.6 and HSWA I.7**. The notice

shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.

27. Written notification of compliance or noncompliance with any item identified in the compliance schedule in Appendix D shall be submitted according to each schedule date. If the Permittee does not notify the Department within fourteen (14) calendar days of its compliance or noncompliance with the schedule, the Permittee shall be subject to an enforcement action. Submittal of a required item according to the schedule constitutes notification of compliance.

28. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Rule 62-730.310, F.A.C.

PART II – CONTAINER STORAGE AREA:

1. Container storage shall be conducted within the areas of the facility as depicted in Figure 8.1-1 of the application. Total container storage volume within this permitted area shall not exceed 29,400 gallons including no more than 6,912 gallons (432 16-gallon containers or their equivalent) of hazardous waste as per Section 8.1 of the permit application received on September 3, 2002.

   a. The Permittee shall notify the Department if the volume of hazardous waste in the container storage area exceeds the permitted capacity.

   b. The Permittee shall not stack any containers in the Container Storage Area over six feet high and no stack shall consist of more than two containers.

   c. Hazardous waste with a 10-day storage time limit shall be stored in an area designated for that material. On each business day, the Permittee shall inspect the container storage area and move all misplaced waste to its designated area.

2. Containers shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 40 CFR 264.173]

3. The Permittee shall use containers that are compatible with the hazardous waste to be stored. [40 CFR 264.172]

4. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste. [40 CFR 264.177]

5. The Permittee shall inspect the container loading/unloading areas as well as the container storage areas in accordance with the schedule and procedures identified in Section 8.4 of the permit application and 40 CFR 264.174.

6. The Permittee shall not store incompatible wastes in the same area or in areas having the same containment system. Incompatible waste shall be physically separated by a dike, berm or other approved device in accordance with 40 CFR 264.177(c) requirements.

7. Hazardous waste must be compatible with the secondary containment systems and liners of the storage area.

8. Spilled or leaked waste in the container storage area must be removed from the sump the same day the waste is discovered by the daily inspection in order to reduce potential overflow of the collection system [40 CFR 264.175(b)(5)].

9. The secondary containment provided at the container loading/unloading areas shall be clear of any liquids and/or debris at all times. Any rain water accumulation or non-hazardous waste debris present in these areas shall be removed within 24 hours or in a timely a manner as possible.

10. The Permittee shall comply with the 15 meters (50 foot) setback rule concerning the storage of ignitable and reactive wastes in containers as per 40 CFR Part 264.176 and shall comply with the requirements of 40 CFR 264.17.

11. All service vehicle trucks and tractor trailers shall be situated over a manmade surface which has emergency liquid containment or at one of the unloading areas when the vehicle contains hazardous waste.

12. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in accordance with Specific Condition I.26.

13. The Permittee shall document the placement of RCRA waste containers on board the transport vehicle designated for off-site disposal of such RCRA waste.

14. The container storage area shall be closed in accordance with Section 10 of the application as required by 40 CFR Part 264 Subpart G and 40 CFR 264.178.

15. The Permittee may store non-regulated materials in the regulated storage area provided:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in the regulated storage area.

    b. The Permittee shall maintain the required aisle spacing in the storage area for both the regulated and non-regulated materials in accordance with 40 CFR 264.35.

    c. The Permittee assures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.

    d. The Permittee provides a written record of non-regulated material in the facility operating record of any non-regulated materials in the regulated storage area. The notice shall include:

        i. The type and the quantity of the materials;
        ii. Verify adequate secondary containment;

iii. Confirm that appropriate aisle spacing is available; and
iv. Document compatibility of the non-regulated materials with all other materials already present in the storage area.

16. The Permittee shall manage all containers, which shall include containers of non-regulated waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.

17. The Permittee shall ensure that those containers being managed under the transporter/transfer station requirements of 40 CFR Part 263 are clearly identified.

18. The Permittee shall inspect the integrity of each containment areas to insure that it is free of cracks or gaps, and the concrete sealant remains impervious to leaks.

PART III – TANK SYSTEM:

Tank system, for Part III of this permit, is defined as the tank storage unit, appurtenant equipment and associated secondary containment structures for storage of fresh and waste solvent and for processing used oil.

1. The Permittee is allowed to store only used parts washer solvent in the 20,000 gallon tank designated for hazardous waste storage. This tank is shown in Figure 9.2-1 of the permit application.

2. The Permittee shall not place waste into any tank if that waste is incompatible with the construction materials of the tank (40 CFR 264.192(a)) or the residue of any material previously in the tank (40 CFR 264.199) or if there are any conditions that may cause the waste to ignite or react (40CFR264.198).

3. The Permittee shall maintain, inspect, and operate the tank system in such a manner that any leakage or release of hazardous waste from the unit shall be detected within 24 hours of occurrence.

4. The Permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank system in accordance with 40 CFR 264.194.

5. The Permittee shall report any release greater than 1 lb. resulting from a leak or spill to the environment within 24 hours of its detection to the Department (40 CFR 264.196(d)). The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. (40 CFR 264.196(b)(2)).

6. The Permittee shall submit to the Department a report that satisfies the requirements of 40 CFR 264.196(d)(3) within thirty (30) calendar days of detection of a release to the environment.

7. The Permittee shall report any changes, component replacement or extensive repairs to the tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report as required by 40 CFR 264.196(f) has been submitted to the Department and approved.

8. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the application and 40 CFR 264.195.

9. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

   a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release in compliance with 40 CFR 264.196(a).

   b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time in accordance with 40 CFR 264.196(b).

   c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues in compliance with 40 CFR 264.196(c).

   d. Comply with the notification and report requirements of 40 CFR 264.196(d).

   e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).

   f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

10. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193(b) and (d).

11. The two wet dumpsters in the Solvent Return/Fill Station contain drum washers and solvent. At least once in each 24-hour period, all liquids and sludge shall be removed from each Dumpster and all drums shall be removed from the Return/Fill Station.

PART IIIA – USED OIL PROCESSING REQUIREMENTS:

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: Safety-Kleen Systems, Inc. shall maintain records on DEP Form 62-701.900 (13) or on substantially equivalent forms which contain at least the same information as the Department form.

   (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

      1. The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;

      2. The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;

      3. The quantities of each type of used oil accepted and date of acceptance; and

4. Waste stream approval number and the off load tank number.

(b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

1. The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;

2. The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;

3. The quantities of used oil shipped and date of shipment; and

4. The tracking number corresponding to analytical results that demonstrate that the shipment meets the used oil on-specification criteria.

(c) Record retention: The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.

2. Pursuant to 40 CFR 279.57, the Permittee must keep a written operating record at the Facility and maintained until closure of the Facility, which includes the following information:

(a) Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55.

(b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.711, F.A.C., for aboveground storage tanks, integral piping, and process tanks.

4. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501, F.A.C., or existing shop fabricated/field erected tanks Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

5. The Permittee shall submit the proposed or constructed new tanks as built drawings within 30 days of completion of construction. Each drawing shall be certified by a Professional Engineer registered in Florida.

6. The Permittee shall register its used oil activities annually and display the validated registration form and identification number in a prominent place at the facility in accordance with Rule 62-710.500(4), F.A.C.

7. No later than March 1 of each year, the Permittee shall submit an annual report for the preceding calendar year to the Department on DEP form 62-701.900(14). The report shall summarize the records kept pursuant to 40 CFR 279.57(b) and 62-710.510, F.A.C., Record Keeping: The records described in this paragraph shall include:

   (a) The EPA identification number, name, and address of the processor/ re-refiner;

   (b) The calendar year covered by the report; and

   (c) The quantities of used oil accepted for processing/ re-refiner and the manner in which the used oil is processed/ re-refined, including the specific processes employed.

8. The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements. The Permittee shall notify the Department Southeast District Office, Hazardous Waste Section at (561) 681-6600.

PART IV – CLOSURE:

1. The Permittee shall have a written closure plan as required by 40 CFR 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 CFR 264.115, and accepted by the Department.

2. The Permittee shall submit a written request for a permit modification to authorize a change in the closure plans in accordance with the procedures in Chapter 62-730, F.A.C. The written request must include a copy of the amended closure plan for Department approval as per 40 CFR 264.112.

3. The Permittee shall manage all hazardous waste, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the units in accordance with the applicable provisions of 40 CFR Parts 260 through 268 and DEP Form 62-730.900(2), including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with closure certification.

4. The Permittee shall close the hazardous waste units in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous waste constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere as per 40 CFR 264.111.

5. Closure or partial closure of the container storage area, tank system, and wet dumpsters shall be conducted in accordance with plans specified in Section 10 of the application and 40 CFR Part 264 Subpart G.

6. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s) as per 40 CFR 264.112.

7. The Permittee shall complete closure activities within 180 days after Department approval of the closure plan. Any changes in the time allowed for closure of the units after approval shall require prior Departmental approval as per 40 CFR 264.113.

8. The Permittee shall decontaminate or dispose of as hazardous waste all facility equipment, structures, and residues resulting from the closure activities as required by 40 CFR 264.114.

9. Within 60 days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a letter signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the facility has been closed in compliance with the closure plan as required by 40 CFR 264.115.

10. Used oil storage and processing tanks and all integral piping will be closed pursuant to Rule 62-761.800, F.A.C.

11. In addition, pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store or process used oil in above ground tanks must comply with the following requirement:

    At closure of a tank system, the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.

12. Within 90 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 264.197(a), the Permittee shall submit a permit application to close the facility and perform post closure care as required by 40 CFR 264.310.

PART V - ORGANIC AIR EMISSIONS REQUIREMENTS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, and valves according to detailed plans contained in Section 11 of the application.

2. The Permittee shall keep complete and current the Equipment Inventory Log [40 CFR 264.1064(b)(1)].

3. The Permittee shall operate and maintain containers and tanks subject to 40 CFR Part 264 Subpart CC in accordance with Section 11 of the permit application.

4. The Permittee shall keep, as part of the operating records, results of inspections, monitoring reports, repairs, and other documents required by 40 CFR Part 264 Subparts AA, BB and CC for a minimum of three years [40 CFR 264.1064].

5. Prior to constructing, installing or modifying any equipment or unit such that it will become subject to 40 CFR 264 Subparts AA, BB or CC, the Permittee shall supply the specific information required pursuant to 40 CFR Part 270.14, .15, .16, .17, .24, .25, and .27, as applicable. The submittal of information for constructing, installing or modifying a unit (container, tank, surface impoundment or miscellaneous unit) such that it will become subject to 40 CFR Part 264 Subpart CC will also require modification of the permit and the appropriate fee.

6. On December 6, 1994, EPA published the final rule for Phase II Organic Air Emissions Standards (40 CFR Part 264 and 265, Subpart CC) for hazardous waste treatment, storage and disposal facilities, including certain hazardous waste generators accumulating waste on-site in RCRA permit-

exempt (90-day) tanks and containers. Major clarifications to the rule were published on February 9, 1996, November 25, 1996, and December 8, 1997. In general, under these standards air emissions controls must be used for tanks, surface impoundments, containers and miscellaneous units which contact hazardous waste containing an average organic concentration greater than 500 ppmw at the point of origination determined by the procedures outlined in 40 CFR Part 264.1083(a), except as specifically exempted under 40 CFR Parts 264.1080 .1082.

PART VI – MISCELLANEOUS:

1. The permittee shall comply with the storage limits of 2,000 kilograms or less of mercury containing lamps and 100 kilograms or less of mercury-containing devices not to exceed a storage period of one (1) year in accordance with Rules 62-737.400(2) and 62-737.400(7), F.A.C.

2. The permittee must be able to demonstrate the length of time mercury containing lamps and devices are stored as specified in 40 CFR 273.15(c).

HSWA CONDITIONS

HSWA PART I – CORRECTIVE ACTION

1. The Conditions of this Part apply to:

   a. The solid waste management units (SWMUs) and areas of concern (AOCs) identified in **Appendix A.1**, which require a RCRA Facility Investigation (RFI);

   b. The SWMUs and AOCs identified in **Appendix A.2**, which require no further action under this permit at this time;

   c. The SWMUs and AOCs identified in **Appendix A.3**, which require confirmatory sampling;

   d. The SWMUs and AOCs identified in **Appendix A.4**, which require corrective action;

   e. 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 hazardous constituents to the environment; or

      (3). receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment; and

   f. Contamination that has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary 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 (5) 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 damages, costs, or expenses, including expert and attorneys' fees, 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-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC discovered under Specific Condition 1.e of this Part. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (*e.g.*, media affected, hazardous constituents released, magnitude of release, *etc.*). The Department may conduct, or require that the Permittee conduct, further assessment (*i.e.*, Confirmatory Sampling) in order to determine the status of the suspected AOC. The Department will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Department determines that further investigation of an AOC is required, the permit will be modified in accordance with Rule 62-730.290, F.A.C.

3. The Permittee shall notify the Department in writing, within fifteen (15) calendar days of discovery, of any additional SWMU discovered under Specific Condition 1.e of this Part.

4. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Specific Condition 3 of this Part. At a minimum, the SAR shall provide the following information:

   a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR 270.14(b)(19).

   b. Designation of type and function of unit(s).

   c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).

   d. Dates that the unit(s) was operated.

   e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

   f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

5. Based on the results of the SAR, the Department shall determine the need for further investigations at the SWMUs covered in the SAR. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Conditions **HSWA III.2** or **HSWA II.2.**

6. The Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Specific Condition 1.e of this Part or SWMUs or AOCs identified in Specific Condition 1.e of this Part for which further investigation under Specific Condition 5 of this Part was not required.

7. If the Department determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2.**

HSWA PART II – CONFIRMATORY SAMPLING (CS)

1. The Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for each unit identified under Specific Condition **HSWA I.1.c**. The CS Work Plan shall be submitted within forty-five (45) calendar days from the effective date of this permit. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not a release has occurred. It shall also address applicable requirements and 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.

2. Upon notification by the Department, the Permittee shall prepare and submit a CS Work Plan for suspected AOCs per Specific Condition **HSWA I.2** or for newly identified SWMUs per Specific Condition **HSWA I.5**. The work plan shall be submitted within forty-five (45) calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall meet the basic requirements listed in Specific Condition 1 of this Part.

3. The CS Work Plan must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the CS Work Plan schedule in the letter approving the CS Work Plan. If the Department disapproves the CS Work Plan, the Department shall either:

   a. Notify the Permittee in writing of the CS Work Plan's deficiencies and specify a due date for submission of a revised CS Work Plan;

   b. Revise the CS Work Plan and notify the Permittee of the revisions; and

   c. Conditionally approve the CS Work Plan and notify the Permittee of the conditions.

4. The Permittee shall implement the confirmatory sampling in accordance with the approved CS Work Plan.

5. The Permittee shall prepare and submit to the Department in accordance with the schedule in the approved CS Work Plan, a CS Report identifying all SWMUs or AOCs that have released hazardous waste or hazardous constituents into the environment. The CS Report shall include all data,

including raw data, and a summary and analysis of the data that supports the above determination. If submittal of the CS Report coincides with submittal of the RFI Report, then the CS Report and the RFI Report may be combined into one submittal.

6. Based on the results of the CS Report, the Department shall determine the need for further investigations at the SWMUs or AOCs covered in the CS Report. If the Department determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations as outlined in Specific Condition **HSWA III.2**. The Department will notify the Permittee of any no further action decision.

HSWA PART III - RCRA FACILITY INVESTIGATION (RFI)

1. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of the effective date of this permit, a RCRA Facility Investigation (RFI) Work Plan(s) for those units identified in Specific Condition **HSWA I.1.a**. This Work Plan shall be developed to meet the requirements of Specific Condition 3 of this Part.

2. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of notification by the Department, an RFI Work Plan for those units identified under Specific Conditions **HSWA I.5**, **HSWA I.7**, or **HSWA II.6**. The RFI Work Plan(s) shall be developed to meet the requirements of Specific Condition 3 of this Part.

3. The RFI Work Plan(s) shall meet the requirements of Appendix B. The RFI Work Plan(s) shall include schedules for implementation and completion of specific actions necessary to determine the nature and extent of contamination and the potential pathways of contaminant releases to the air, soil, surface water, and groundwater. The Permittee must provide sufficient justification and associated documentation that a release is not probable or has already been characterized if a unit or a media/pathway associated with a unit (groundwater, surface water, soil, subsurface gas, or air) is not included in the RFI Work Plan(s). Such deletions of a unit, media or pathway from the RFI(s) are subject to the approval of the Department. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix B. Such omissions or deviations are subject to the approval of the Department. In addition, the scope of the RFI Work Plan(s) shall include all investigations necessary to ensure compliance with 40 CFR 264.101(c).

4. The RFI Work Plan(s) must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the RFI Work Plan schedule in the letter approving the RFI Work Plan(s). If the Department disapproves the RFI Work Plan(s), the Department shall either:

   a. Notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submission of a revised RFI Work Plan;

   b. Revise the RFI Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved RFI Work Plan; or

   c. Conditionally approve the RFI Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the RFI(s) in accordance with the approved RFI Work Plan(s) and Appendix B. The Permittee shall notify the Department at least twenty (20) days prior to any sampling activity within the scope of the RFI Work Plan.

6. The Permittee shall prepare and submit to the Department Draft and Final RCRA Facility Investigation Report(s) for the investigations conducted pursuant to the RFI Work Plan(s) submitted under Specific Conditions 1 through 4 of this Part. The Draft RFI Report(s) shall be submitted to the Department for review in accordance with the schedule in the approved RFI Work Plan(s). The Final RFI Report(s) shall be submitted to the Department within thirty (30) calendar days of receipt of the Department's final comments on the Draft RFI Report. The RFI Report(s) shall include an analysis and summary of all required investigations of SWMUs and AOCs and their results. The summary shall describe the type and extent of contamination at the facility, including sources and migration pathways, identify all hazardous constituents present in all media, and describe actual or potential receptors. The RFI Report(s) shall also describe the extent of contamination (qualitative/quantitative) in relation to background levels indicative of the area. If the Draft RFI Report is a summary of the initial phase investigatory work, the report shall include a work plan for the final phase investigatory actions required based on the initial findings. Approval of the final phase work plan shall be carried out in accordance with Specific Condition 4 of this Part. The objective of this task shall be to ensure that the investigation data are sufficient in quality (*e.g.*, quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support a CMS, if necessary.

7. The Permittee shall prepare and submit to the Department, along with the Draft and Final RFI Report(s), Screening Levels for each of the hazardous constituents reported in Specific Condition 6 of this Part. Screening Levels shall be calculated as specified in Appendix E of this permit.

8. The Department will review the RFI Report(s), including the Screening Levels described in Specific Condition 7 of this Part. The Department shall notify the Permittee of the need for further investigative action if necessary and, if appropriate at this moment of the investigation, inform the Permittee, if not already notified, of the need for a CMS to meet the requirements of HSWA Part V and 40 CFR 264.101. The Department will notify the Permittee of any no further action decision. Any further investigative action required by the Department shall be prepared and submitted in accordance with a schedule specified by the Department and approved in accordance with Specific Condition 4 of this Part.

9. If the time required to conduct the RFI(s) is greater than one hundred eighty (180) calendar days, the Permittee shall provide the Department with quarterly RFI Progress Reports (90 day intervals) beginning ninety (90) calendar days from the start date specified by the Department in the RFI Work Plan approval letter. The Progress Reports shall contain the following information at a minimum:

   a. A description of the portion of the RFI completed;

   b. Summaries of findings;

   c. Summaries of any deviations from the approved RFI Work Plan during the reporting period;

   d. Summaries of any significant contacts with local community public interest groups or State government;

e. Summaries of any problems or potential problems encountered during the reporting period;

f. Actions taken to rectify problems;

g. Changes in relevant personnel;

h. Projected work for the next reporting period; and

i. Copies of daily reports, inspection reports, data, *etc.*

HSWA PART IV – INTERIM MEASURES (IM)

1. Upon notification by the Department, the Permittee shall prepare and submit an Interim Measures Work Plan for any SWMU or AOC that the Department determines is necessary. IM are necessary in order to minimize or prevent the further migration of contaminants and to limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in Specific Condition 2 of this Part. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

2. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Specific Condition I.26. The Department will process Permittee-initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Specific Condition 1 of this Part. Permittee-initiated IM shall be considered conditionally approved unless the Department specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee-initiated IM. The scope and success of Permittee-initiated IM conditionally approved per Specific Condition 2 of this Part (in other words, **this** Specific Condition) shall be subject to subsequent in-depth review; the Department will either comment on or approve the Permittee-initiated IM. Permittee-initiated IM must follow the progress and final reporting requirements in Specific Conditions 8 and 9 of this Part.

3. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and are consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives, procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

4. The IM Work Plan imposed under Specific Condition 1 of this Part must be approved by the Department, in writing, prior to implementation. The Department shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Department disapproves the IM Work Plan, the Department shall either:

   a. Notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan;

   b. Revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan; or

c. Conditionally approve the IM Work Plan and notify the Permittee of the conditions.

5. The Permittee shall implement the interim measures imposed under Specific Condition 1 of this Part in accordance with the approved IM Work Plan.

6. The Permittee shall give notice to the Department as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Specific Condition 1 of this Part or initiated by the Permittee under Specific Condition 2 of this Part.

7. Final approval of corrective action required under 40 CFR 264.101 which is achieved through IM shall be in accordance with Rule 62-730.290, F.A.C. and **HSWA Part VI** as a permit modification.

8 If the time required for completion of interim measures imposed under Specific Condition 1 of this Part or implemented under Specific Condition 2 of this Part is greater than one year, the Permittee shall provide the Department with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee-initiated IM. The Progress Reports shall contain the following information at a minimum:

a. A description of the portion of the IM completed;

b. Summaries of findings;

c. Summaries of any deviations from the IM Work Plan during the reporting period;

d. Summaries of any problems or potential problems encountered during the reporting period; and

e. Projected work for the next reporting period.

9. The Permittee shall prepare and submit to the Department, within ninety (90) calendar days of completion of IM conducted under this Part, an IM Report. The IM Report shall contain the following information at a minimum:

a. A description of IM implemented;

b. Summaries of results;

c. Summaries of all problems encountered;

d. Summaries of accomplishments and/or effectiveness of IM; and

e. Copies of all relevant laboratory/monitoring data, *etc.*

HSWA PART V – CORRECTIVE MEASURES STUDY (CMS)

1. The Permittee shall prepare and submit a CMS Work Plan for those units requiring a CMS within ninety (90) calendar days of notification by the Department that a CMS is required. This CMS Work Plan shall be developed to meet the requirements of Specific Condition 2 of this Part. The Permittee may seek approval from the Department for concurrent RFI/CMS. The CMS may be performed concurrent with the RFI process if the Department determines that sufficient investigative details are available to allow concurrent action.

2. The CMS Work Plan shall meet the requirements of Appendix C at a minimum. The CMS Work Plan shall include schedules for implementation and completion of specific actions necessary to complete a CMS. The Permittee must provide sufficient justification and/or documentation for any unit deleted from the CMS Work Plan. Such deletion of a unit is subject to the approval of the Department. The CMS shall be conducted in accordance with the approved CMS Work Plan. The Permittee shall provide sufficient written justification for any omissions or deviations from the minimum requirements of Appendix C. Such omissions or deviations are subject to the approval of the Department. The scope of the CMS Work Plan shall include all investigations necessary to ensure compliance with Chapter 62-730, F.A.C., 40 CFR 264.101, 40 CFR 264.552, and 40 CFR 270.32(b)(2). The Permittee shall implement corrective actions beyond the facility boundary, as set forth in Specific Condition **HSWA I.1.f.**

3. The Department shall either approve or disapprove, in writing, the CMS Work Plan. If the Department disapproves the CMS Work Plan, the Department shall either:

   a Notify the Permittee in writing of the CMS Work Plan's deficiencies and specify a due date for submittal of a revised CMS Work Plan;

   b. Revise the CMS Work Plan and notify the Permittee of the revisions; or

   c. Conditionally approve the CMS Work Plan and notify the Permittee of the conditions.

   This revised CMS Work Plan becomes the approved CMS Work Plan. Any disapproval and subsequent revision of a CMS Work Plan or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

4. The Permittee shall begin to implement the CMS according to the schedules specified in the CMS Work Plan, no later than fifteen (15) calendar days after the Permittee has received written approval from the Department for the CMS Work Plan. Pursuant to Specific Condition 2 of this Part, the CMS shall be conducted in accordance with the approved CMS Work Plan.

5. The Permittee shall prepare and submit to the Department a draft and final CMS Report for the study conducted pursuant to the approved CMS Work Plan and in accordance with Appendix C. The draft CMS Report shall be submitted to the Department in accordance with the schedule in the approved CMS Work Plan. The final CMS Report shall be submitted to the Department within thirty (30) days of receipt of the Department's final comments on the draft CMS Report. The CMS Report shall summarize any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. If a remedial alternative requires the use of a Corrective Action Management Unit (CAMU), the CMS report shall include all information necessary to establish and implement the CAMU. The CMS Report shall present all information gathered under the approved CMS Work Plan. The CMS Final Report must contain adequate information to support the Department's decision on the recommended remedy, described under HSWA Part VI.

6. If the Department determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition 5 of this Part, the Department may disapprove the CMS Final Report. If the Department disapproves the CMS Final Report, the Department shall notify the Permittee in writing of deficiencies in the CMS Final Report and specify a due date for submittal of a revised CMS Final Report. The Department will notify the Permittee of any no

further action decision. Any disapproval and subsequent revision of a CMS Report or any requirement for additional evaluation under this paragraph shall be subject to HSWA Part IX.

7. As specified under Specific Condition 6 of this Part, based on preliminary results and the CMS Final Report, the Department may require that the Permittee evaluate additional remedies or particular elements of one or more proposed remedies.

HSWA PART VI – REMEDY APPROVAL AND PERMIT MODIFICATION

1. A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any IM implemented to date.

2. Upon Department approval of the Remedy (Specific Condition 1 of this Part), the Permittee shall public notice the Statement of Basis in accordance with Rule 62-730.220(9)(c), F.A.C. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

3. Within one hundred-twenty (120) calendar days after permit modification for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy in accordance with Rule 62-730.180(7), F.A.C.

HSWA PART VII – MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

1. If at any time the Department or the Permittee determines that modification of the Corrective Action Schedule of Compliance is necessary, the permit may be modified to reflect the change(s) to the Schedule of Compliance (Appendix D), with Department approval.

2. Modifications that are initiated and finalized by the Department will be in accordance with the applicable provisions of Chapter 62-730, F.A.C. The Permittee may also request a permit modification in accordance with Rule 62-730.290(3), F.A.C., to change the Schedule of Compliance.

3. If the Department determines that steps or dates in Appendix D may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.

HSWA PART VIII – WORK PLAN AND REPORT REQUIREMENTS

1. All work plans and schedules shall be subject to approval by the Department prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Department. Upon approval the Permittee shall implement all work plans and schedules as written.

2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Department based on the Permittee's demonstration that sufficient justification for the extension exists.

3. If the Department or the Permittee at any time determines that the SAR information required under HSWA Part I, the CS Work Plan under HSWA Part II, or RFI Work Plan(s) required under HSWA Part III no longer satisfy the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Department within ninety (90) calendar days of such determination.

HSWA PART IX – APPROVAL/DISAPPROVAL OF SUBMITTALS

1. The Department will review the work plans, reports, schedules, and other documents ("submittals") which require the Department's approval in accordance with the conditions of this permit. The Department will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore.

HSWA PART X – DISPUTE RESOLUTION

1. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (**Administrative Procedures Act**) and the Department's existing Rules and Procedures.

HSWA PART XI – LAND DISPOSAL RESTRICTIONS

1. 40 CFR 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 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR 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 approval of such application.

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

3. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

HSWA PART XII – DEFINITIONS

1. For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270, unless this permit specifically provides otherwise. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

   a. "Screening Levels" for the purposes of this permit are the Department's risk-based concentrations of hazardous constituents determined to be indicators for the protection of human health and/or the environment.

b. The term "area of concern" (AOC) for purposes of this permit includes any area having a probable release of a hazardous waste or hazardous constituent which is not from a solid waste management unit and is determined by the Department to pose a current or potential threat to human health or the environment. Such areas of concern may require investigations and remedial action as required under RCRA Section 3005(c)(3) and 40 CFR 270.32(b)(2) in order to ensure adequate protection of human health and the environment.

c. "Corrective Action Management Unit" (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility (40 CFR Part 264 Subpart S).

d. "Corrective measures" for purposes of this permit, include all corrective action necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in the unit, as required under 40 CFR 264.101. Corrective measures may address releases to air, soils, surface water or groundwater.

e. "Extent of contamination" for the purposes of this permit is defined as the horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above detection limits or background concentrations indicative of the region, whichever is appropriate as determined by the Department.

f. A "hazardous constituent" for purposes of this permit is any substance listed in 40 CFR Part 261 Appendix VIII and Part 264 Appendix IX.

g. "Interim Measures" (IM) for purposes of this permit are actions necessary to minimize or prevent the further migration of contaminants and limit actual or potential human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented.

h. "Land Disposal" for purposes of this permit and 40 CFR Part 268 means placement in or on the land except for a CAMU or staging pile and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, underground mine or cave, or concrete vault or bunker intended for disposal purposes.

i. A "release" for purposes of this permit includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of any hazardous waste or hazardous constituents.

j. A "solid waste management unit" (SWMU) for the purposes of this permit includes any unit which has been used for the treatment, storage, or disposal of solid waste at any time, irrespective of whether the unit is or ever was intended for the management of solid waste. RCRA regulated hazardous waste management units are also solid waste management units. SWMUs include areas that have been contaminated by routine and systematic releases of hazardous waste or hazardous constituents, excluding one-time accidental spills that are immediately remediated and cannot be linked to solid waste management activities (*e.g.*, product or process spills).

k. A "Temporary Unit" (TU) for the purposes of this permit includes any temporary tanks and/or container storage areas used solely for treatment or storage of hazardous remediation wastes during specific remediation activities. Designated by the Department, such units must conform to specific standards, and may only be in operation for a period of time as specified in this permit.

l. A "unit" for the purposes of this permit includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, septic tank, drain field, wastewater treatment unit, elementary neutralization unit, transfer station, or recycling unit.

Appendix A

Solid Waste Management Unit Summary

A.1. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring a RCRA Facility Investigation (RFI):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a RCRA Facility Investigation.				

A.2. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU-1	Container Storage/ Transfer Waste Area	Regulated Unit	1992 to Present
SWMU-2	Aboveground Storage Tank Area	Regulated Unit	1992 to Present
SWMU-3	Return/Fill Area	Regulated Unit	1992 to Present

A.3. List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring Confirmatory Sampling:

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Confirmatory Sampling (CS).				

A.4. List of solid waste management units (SWMUs) and areas of concern (AOCs) undergoing Corrective Action (CA):

SWMU/AOC No/Letter	SWMU/AOC Name	Unit Comment and Basis for CA	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring Corrective Action (CA).				

Appendix B

RCRA Facility Investigation (RFI) Outline

The purpose of the RFI portion of the RCRA corrective action process is to evaluate the nature and extent of releases of hazardous wastes and/or hazardous constituents and to gather necessary data to support the CMS and/or IM. Planning for the investigation is best accomplished through a logical progression of tasks:

1. Gather information on the source of the release(s) to the environment (Source Characterization),

2. Gather information on the physical aspects of the environment which will affect the migration and fate of the release and identification of exposure pathways for both humans and non-human members of the environment (Environmental Setting) and

3. Use Source Characterization and Environmental Setting to develop a conceptual model of the release which will be used to plan and conduct a program to define the nature, rate and extent of the release (Sampling and Analysis Plan).

An RFI Work Plan and RFI Report are generally required elements of the RCRA corrective action process. The requirements for a full, detailed RFI are listed in this Appendix. The Department recognizes that each facility is unique. Therefore, the scope and requirements of the RFI shall be focused to fit the complexity of the site-specific situation. The work plan requirements listed in this Appendix in no way limit the site-specific opportunities for a Permittee. For example, the RFI may be implemented in phases. Relevant information contained in previously developed documents, such as a RCRA Part B permit application, may be referenced as appropriate, but must be summarized in either the RFI Work Plan or the RFI Report. In addition, the Department understands that Risk Assessments are becoming more widely utilized to place characterization information into context and to aid in determining remedial solutions. If a Risk Assessment is expected to be performed in the future, the Permittee and the contractor should meet with the Department to discuss the general format and process the Department expects a Risk Assessment to follow.

In some cases, it may be possible to implement the RFI concurrent with the CMS (also see Appendix C). This approach can save time and money because the earlier in the corrective action process potential remedies can be identified, the more effectively information gathering can be focused. The Department anticipates that a concurrent RFI/CMS approach may be appropriate in the following types of situations, among others: facilities where removal remedies have been proposed by the owner/operator, facilities with straightforward remedial solutions or where presumptive remedies can be applied, facilities where few remedial options are available, and facilities where the remedy is phased. The Department will determine on a case-by-case basis if a concurrent RFI/CMS is appropriate. Because of the unique data collection requirements necessary for a remedial solution which includes natural attenuation of contaminants in groundwater, if natural attenuation is expected to be part of the remedial solution, then the Sampling and Analysis Plan should be crafted to include monitoring of specific water quality parameters unique to natural attenuation (*e.g.*, nitrites/nitrates, ferrous iron, sulfides, dissolved oxygen, methane, hydrogen, *etc.*).

I. RFI WORK PLAN REQUIREMENTS - ELEMENTS OF THE RFI WORK PLAN

The RFI Work Plan shall include, at a minimum, the following elements:

A. Introduction - Summary of any relevant existing assessment data

The Permittee shall describe the purpose or objective of the RFI Work Plan and provide a summary of any existing environmental data, which is relevant to the investigation. The summary should provide the following items, at a minimum:

1. Land ownership history;
2. Facility operating dates;
3. Facility's product(s);
4. Raw materials used in facility operations, wastes generated;
5. Nature and extent of any known contamination;
6. Summary of an ongoing IM and past assessments; and
7. Summary of permit objective and how this objective will be satisfied.

B. Environmental Setting

The Permittee shall provide information on the environmental setting at the facility. The Permittee shall characterize the Environmental Setting as it relates to identified sources, pathways and areas of releases of hazardous constituents from Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs). Data gaps pertinent to characterization of releases shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The Environmental Setting shall cover the following items, at a minimum:

1. Hydrogeology

   The Permittee shall provide a summary of the hydrogeologic conditions at the facility. This discussion shall include, but not be limited to, the following information:

   a. A description of the regional and facility specific geologic and hydrogeologic characteristics affecting groundwater flow beneath the facility, including:

      (1). Regional and facility specific stratigraphy: description of strata including strike and dip, identification of stratigraphic contacts;

      (2). Structural geology: description of local and regional structural features (*e.g.*, folding, faulting, tilting, jointing, metamorphic foliation, *etc.*);

      (3). Depositional history;

(4). Regional and facility specific groundwater flow patterns (porous media, fracture media, karst media); and

(5). Identification and characterization of areas and amounts of recharge and discharge (springs in karst terrain, base level streams and rivers).

b. An analysis of any topographic features that might influence the groundwater flow system (*e.g.*, sinkholes and sinking streams in karst terrains).

c. Based on any existing field data, tests (*e.g.*, pump tests, tracer tests), and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (*i.e.*, the aquifers and any intervening saturated and unsaturated units), including:

(1). Hydraulic conductivity and porosity (total and effective), groundwater flow velocity, groundwater basin discharge;

(2). Lithology, grain size, sorting, degree of cementation;

(3). An interpretation of hydraulic interconnections between saturated zones (*i.e.*, aquifers) and surface waters; and

(4). The attenuation capacity and mechanisms of the natural earth materials (*e.g.*, ion exchange capacity, organic carbon content, mineral content, *etc.*).

d. Based on data obtained from groundwater monitoring wells and piezometers installed upgradient, water wells and/or springs downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring including:

(1). Water-level contour and/or potentiometric maps, including seasonal variations;

(2). Hydrologic cross sections showing vertical gradients;

(3). The flow system, including the vertical and horizontal components of flow; and

(4). Any temporal changes in hydraulic gradients, for example, due to tidal or seasonal influences and for karst terrain, stormflow.

e. A description of man-made influences that may affect the hydrology of the site, identifying:

(1). Local water supply and production wells with an approximate schedule of pumping; and;

(2). Man-made hydraulic structures (pipelines, french drains, ditches, roofs, runways, parking lots, *etc.*).

2. Soils

The Permittee shall provide an explanation of the soil and rock units above the water table in the vicinity of contaminant release(s). This summary may include, but not be limited to, the following types of information as appropriate:

a. Surface soil distribution;

b. Soil profile, including ASTM classification of soils;

c. Transects of soil stratigraphy;

d. Hydraulic conductivity (saturated and unsaturated);

e. Relative permeability;

f. Bulk density;

g. Porosity;

h. Soil sorption capacity;

i. Cation exchange capacity (CEC);

j. Soil organic content;

k. Soil pH;

l. Particle size distribution;

m. Depth of water table;

n. Moisture content;

o. Effect of stratification on unsaturated flow;

p. Infiltration;

q. Evapotranspiration;

r. Storage capacity;

s. Vertical flow rate; and

t. Mineral content.

3. Surface Water and Sediment

The Permittee shall provide a description of the surface water bodies in the vicinity of the facility. This summary may include, but not be limited to, the following activities and information:

a. Description of the temporal and permanent surface water bodies including:

(1). For lakes and estuaries: location, elevation, surface area, inflow, outflow, depth, temperature stratification, and volume;

(2). For impoundments: location, elevation, surface area, depth, volume, freeboard, and construction and purpose;

(3). For streams, ditches, and channels: location, elevation, flow, velocity, depth, width, seasonal fluctuations, flooding tendencies (*i.e.*,, 100 year event), discharge point(s), and general contents;

(4). Drainage patterns; and

(5). Evapotranspiration.

b. Description of the chemistry of the natural surface water and sediments. This includes determining the pH, total dissolved solids, total suspended solids, biological oxygen demand, alkalinity, conductivity, dissolved oxygen profiles, nutrients, chemical oxygen demand, total organic carbon, specific contaminant concentrations, *etc.*

c. Description of sediment characteristics including:

(1). Deposition area;

(2). Thickness profile; and

(3). Physical and chemical parameters (*e.g.*, grain size, density, organic carbon content, ion exchange capacity, pH, *etc.*).

4. Air

The Permittee shall provide information characterizing the climate in the vicinity of the facility. Such information may include, but not be limited to:

a. A description of the following parameters:

(1). Annual and monthly rainfall averages;

(2). Monthly temperature averages and extremes;

(3). Wind speed and direction;

(4). Relative humidity/dew point;

(5). Atmospheric pressure;

(6). Evaporation data;

(7). Development of inversions; and

(8). Climate extremes that have been known to occur in the vicinity of the facility, including frequency of occurrence (*i.e.*, Hurricanes)

b. A description of topographic and man-made features which affect air flow and emission patterns, including:

(1). Ridges, hills or mountain areas;

(2). Canyons or valleys;

(3). Surface water bodies (*e.g.*, rivers, lakes, bays, *etc.*); and

(4). Buildings.

C. Source Characterization

For those sources from which releases of hazardous constituents have been detected, the Permittee shall provide analytical data to completely characterize the wastes and the areas where wastes have been placed, to the degree that is possible without undue safety risks, including: type, quantity; physical form; disposition (containment or nature of deposits); and facility characteristics affecting release (*e.g.*, facility security, and engineering barriers). Data gaps on source characterization shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. This summary shall include quantification of the following specific characteristics, at each source area:

1. Unit/Disposal Area Characteristics:

a. Location of unit/disposal area;

b. Type of unit/disposal area;

c. Design features;

d. Operating practices (past and present);

e. Period of operation;

f. Age of unit/disposal area;

g. General physical conditions; and

h. Method used to close the unit/disposal area.

2. Waste Characteristics:

a. Type of wastes placed in the unit;

(1). Hazardous classification (*e. g.*, flammable, reactive, corrosive, oxidizing or reducing agent);

(2). Quantity; and

(3). Chemical composition.

b. Physical and chemical characteristics such as:

(1). Physical form (solid, liquid, gas);

(2). Physical description (*e.g.*, powder, oily sludge);

(3). Temperature;

(4). pH;

(5). General chemical class (*e.g.*, acid, base, solvent);

(6). Molecular weight;

(7). Density;

(8). Boiling point;

(9). Viscosity;

(10). Solubility in water;

(11). Cohesiveness of the waste; and

(12). Vapor pressure.

c. Migration and dispersal characteristics of the waste such as:

(1). Sorption capability;

(2). Biodegradability, bioconcentration, and biotransformation;

(3). Photodegradation rates;

(4). Hydrolysis rates; and

(5). Chemical transformations.

D. Potential Receptors

The Permittee shall provide data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Data gaps pertinent to receptor analysis shall be identified and provisions made in Section E to obtain the relevant information to fill the data gap. The following characteristics shall be identified at a minimum:

1. Current local uses and planned future uses of groundwater:

   a. Type of use (*e.g.*, drinking water source: municipal or residential, agricultural, domestic/non-potable, and industrial);

   b. Location of groundwater users, to include withdrawal and discharge wells and springs, within one mile of the impacted area.

   The above information should also indicate the aquifer or hydrogeologic unit used and/or impacted for each item.

2. Current local uses and planned future uses of surface waters directly impacted by the facility:

   a. Domestic and municipal (*e.g.*, potable and lawn/gardening watering);

   b. Recreational (*e.g.*, swimming, fishing);

   c. Agricultural;

   d. Industrial; and

   e. Environmental (*e.g.*, fish and wildlife propagation).

3. Human use of or access to the facility and adjacent lands, including but not limited to:

   a. Recreation;

   b. Hunting;

   c. Residential;

   d. Commercial; and

   e. Relationship between population locations and prevailing wind direction.

4. A general description of the biota in surface water bodies on, adjacent to, or affected by the facility.

5. A general description of the ecology within the area adjacent to the facility.

6. A general demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age; sex; and sensitive subgroups.

7. A description of any known or documented endangered or threatened species near the facility.

E. Sampling and Analysis Plan(s) for Characterization of Releases of Hazardous Waste/Hazardous Constituents

The Permittee shall prepare a plan to document all monitoring procedures necessary to characterize the extent, fate and transport of releases (*i.e.*, identify sample locations, sample procedures and sample analysis to be performed during the investigation to characterize the environmental setting, source, and releases of hazardous constituents, so as to ensure that all information and data are valid and properly documented). The sampling strategy and procedures shall be in accordance with EPA Region 4 Environmental Compliance Branch's **Standard Operating Procedure and Quality Assurance Manual** (SOP) (most recent version) or a Department-approved Quality Assurance Project Plan pursuant to Chapter 62-160, F.A.C. Any deviations from this reference must be requested by the applicant and approved by the Department. If a Risk Assessment is expected to be performed once release characterization is complete or nearly complete, Data Quality Objectives (DQO) for a Human Health Risk Assessment requires a Data Quality Objective of Level 3 or greater.

The Sampling and Analysis Plan must specifically discuss the following unless the SOP procedures are specifically referenced.

1. Sampling Strategy

   a. Selecting appropriate sampling locations, depths, *etc.*;

   b. Obtaining all necessary ancillary data;

   c. Determining conditions under which sampling should be conducted;

   d. Determining which media are to be sampled (*e.g.*, groundwater, air, soil, sediment, subsurface gas);

   e. Determining which parameters are to be measured and where;

   f. Selecting the frequency of sampling and length of sampling period;

   g. Selecting the types of samples (*e.g.*, composite *vs.* grab) and number of samples to be collected.

2. Sampling Procedures

   a. Documenting field sampling operations and procedures, including;

(1). Documentation of procedures for preparation of reagents or supplies which become an integral part of the sample (*e.g.*, filters, preservatives, and absorbing reagents);

(2). Procedures and forms for recording the exact location and specific considerations associated with sample acquisition;

(3). Documentation of specific sample preservation method;

(4). Calibration of field instruments;

(5). Submission of appropriate blanks (*e.g.*, field, equipment, trip, *etc.*);

(6). Potential interferences present at the facility;

(7). Construction materials and techniques, associated with monitoring wells and piezometers;

(8). Field equipment listing and sampling containers;

(9). Sampling order; and

(10). Decontamination procedures.

b. Selecting appropriate sample containers;

c. Sampling preservation; and

d. Chain-of-custody, including:

(1). Standardized field tracking reporting forms to establish sample custody in the field prior to shipment; and

(2). Pre-prepared sample labels containing all information necessary for effective sample tracking.

(3). Chain-of-custody seals for sample containers and shipping coolers.

3. Sample Analysis

Sample analysis shall be conducted in accordance with **SW-846: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods** (most recent version) or an alternate approved method. The sample analysis section of the Sampling and Analysis Plan shall specify the following:

a. Chain-of-custody procedures, including:

(1). Identification of a responsible party to act as sampling custodian at the laboratory facility authorized to sign for incoming field samples, obtain

documents of shipment, and verify the data entered onto the sample custody records;

(2). Provision for a laboratory sample custody log consisting of serially numbered standard lab-tracking report sheets; and

(3). Specification of laboratory sample custody procedures for sample handling, storage, and dispersement for analysis.

b. Sample storage (*e.g.*, maximum holding times for constituents);

c. Sample preparation methods;

d. Analytical Procedures, including:

(1). Scope and application of the procedure;

(2). Sample matrix;

(3). Potential interferences;

(4). Precision and accuracy of the methodology; and

(5). Method Detection Limits; and

(6). Practical Quantitative Limits

e. Calibration procedures and frequency;

f. Data reduction, validation and reporting;

g. Internal quality control checks, laboratory performance and systems audits and frequency, including:

(1). Method blank(s);

(2). Laboratory control sample(s);

(3). Calibration check sample(s);

(4). Replicate sample(s);

(5). Matrix-spiked sample(s);

(6). "Blind" quality control sample(s);

(7). Control charts;

(8). Surrogate samples;

(9). Zero and span gases; and

(10). Reagent quality control checks.

h. External quality control checks by the Department, including:

(1). Spikes and blanks at sampling events for which the Department or its technical representative provides oversight; and

(2). The equivalent of a CLP data package for samples split with the Department or for which the Department specifically requests the package.

i. Preventive maintenance procedures and schedules;

j. Corrective action (for laboratory problems); and

k. Turnaround time.

F. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation.

1. Data Record

The data record shall include the following:

a. Unique sample or field measurement code;

b. Sampling or field measurement location and sample or measurement type;

c. Sampling or field measurement raw data;

d. Laboratory analysis ID number;

e. Property or component measures; and

f. Result of analysis (*e.g.*,. concentration, data qualifiers).

2. Tabular Displays

The following data shall be presented in tabular displays:

a. Unsorted (raw) data;

b. Results for each medium, or for each constituent monitored;

c. Data reduction for statistical analysis, as appropriate;

d. Sorting of data by potential stratification factors (*e.g.*, location, soil layer, topography); and

e. Summary data.

3. Graphical Displays

The following data shall be presented in graphical formats (*e.g.*, bar graphs, line graphs, area or plan maps, isopleth plots, cross-sectional plots or transects, three dimensional graphs, *etc.*):

a. Display sampling location and sampling grid;

b. Indicate boundaries of sampling area, and area where more data are required;

c. Display geographical extent of contamination, both horizontally and vertically;

d. Illustrate changes in concentration in relation to distances from the source, time, depth or other parameters; and

e. Indicate features affecting inter-media transport and show potential receptors.

G. Project Management Plan - Schedule of Implementation

The Permittee shall prepare a Project Management Plan that will cover qualifications of personnel categories and the management control structure for the project. The Permittee shall also provide a schedule for completing the planned RFI activities. The schedule shall be as specific as possible (*i.e.*, it should indicate the number of days/weeks/months required for each major work plan task).

II. RFI REPORT REQUIREMENTS - ELEMENTS OF THE RFI REPORT

The RFI Report shall include, at a minimum, the following elements:

A. Introduction

The Permittee shall describe the purpose of the RFI Work Plan and provide a summary description of the project.

B. Environmental Setting

The Permittee shall describe the Environmental Setting in and around the facility. The RFI Work Plan should contain some, if not all, of the information on the Environmental Setting. Any information collected during work plan implementation that clarifies or improves understanding of the Environmental Setting should be provided in this section.

C. Source Characterization

The Permittee shall summarize the sources of contamination and nature of releases identified at the facility. The RCRA Facility Assessment and the RFI Work Plan should contain some, if not all, of the information on Source Characterization. Any information collected during work plan implementation or obtained from the sources (*e.g.*, voluntarily or from other Environmental Programs) that directly addresses Source Characterization shall be provided in this section.

D. Sampling and Analysis Results

The Permittee shall present data results obtained pursuant to the RFI Work Plan. The Permittee shall identify any work plan proposals that were not completed and explain why such actions were not finished. The Permittee shall also present its analysis/interpretation of how the sampling data meet the RFI objective and how the sampling data fits or modifies the contaminant conceptual model. For all analytical data, the Permittee shall discuss the results of data quality/data review.

E. Data Quality Assurance/Data Quality Data Review

The Permittee shall perform a Quality Assurance/Quality Control data review on all data present in the RFI. The Quality Assurance/Quality Control data review shall be in accordance with the USEPA Contract Laboratory Program National Functional Guidelines for Inorganic Data Review (EPA-540/R94-013) and the USEPA Contract Laboratory Program National Functional Guidelines for Organic Data Review (EPA-540/R94-012), unless the Permittee has a Department-approved Quality Assurance Project Plan. The data review shall address the following, at minimum:

1. Holding times;
2. Blanks;
3. Laboratory Control Samples;
4. Field Duplicates;
5. Surrogate Recoveries;
6. Matrix Spike/Matrix Spike Duplicates; and
7. Data Assessment - Data Usability.

F. Conclusions

The Permittee shall summarize the major conclusions reached after analysis of the environmental setting, source characterization, sampling and analysis results and data quality. Any data gaps needed to complete characterization of the scope and extent of the releases from SWMUs and/or AOCs or to refine further the contaminant conceptual model shall be identified and recommendations made in the Recommendations Section of the report.

G. Recommendations

The Permittee shall provide its recommendations on what, if any, further action is needed to complete the characterization of release(s) from SWMUs and/or AOCs.

H. Work Plan for Additional Investigations

If further investigations are determined to be needed to complete the objective of the RFI then the Permittee shall provide a work plan to complete characterization of the release(s).

Appendix C

Corrective Measures Study (CMS) Outline

The purpose of the CMS portion of the RCRA corrective action process is to identify and evaluate potential remedial alternatives for the releases of hazardous constituents that have been identified at the facility through the RFI or other investigations to need further evaluation. The scope and requirements of the CMS are balanced with the expeditious initiation of remedies and rapid restoration of contaminated media. The scope and requirements of the CMS should be focused to fit the complexity of the site-specific situation. It is anticipated that Permittees with sites with complex environmental problems may need to evaluate a number of technologies and corrective measure alternatives. For other facilities, however, the evaluation of a single corrective measure alternative may be adequate. Therefore, a streamlined or focused approach to the CMS may be initiated. Information gathered during any stabilizations or interim measures will be used to augment the CMS and, in cases where corrective action goals are met, may be a substitute for the final CMS.

Regardless of whether a streamlined/focused or a detailed CMS is required, a CMS Work Plan and CMS Report are generally required elements. The requirements for a full, detailed CMS are listed below. The Department has the flexibility not to require sections of the plan and/or report, where site-specific situations indicate that all requirements are not necessary. Additionally, the Department may require additional studies besides these discussed in order to support the CMS.

I. CMS WORK PLAN

A. Elements of the CMS Work Plan

The CMS Work Plan shall include at a minimum the following elements:

1. A brief site-specific description of the overall purpose of the CMS;

2. A brief description of the corrective measure objectives, including proposed target media cleanup standards (*e.g.*, promulgated Federal and State standards) and preliminary points of compliance or a description of how a risk assessment will be performed (*e.g.*, guidance documents);

3. A brief description of the specific corrective measure technologies and/or corrective measure alternatives which will be studied;

4. A brief description of the general approach to investigating and evaluating potential corrective measures;

5. A detailed description of any proposed pilot, laboratory and/or bench scale studies;

6. A proposed outline for the CMS Report including a description of how information will be presented;

7. A brief description of overall project management including overall approach, levels of authority (include organization chart), lines of communication, project schedules, budget

and personnel. Include a description of qualifications for personnel directing or performing the work;

8. A project schedule that specifies all significant steps in the process and when key documents (*e.g.*, CMS Progress Reports, draft CMS Report) are to be submitted to the Department; and

9. A detailed Public Involvement Plan.

II. CMS REPORT

The detail of a CMS may vary based upon the complexity of the site, on-going IM, *etc.* However, the CMS Report may include the following elements:

A. Introduction/Purpose

The Permittee shall describe the purpose of the CMS Report and provide a summary description of the project.

B. Description of Current Situation

The Permittee shall submit a summary and an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RCRA Facility Investigation (RFI) Report. This discussion should concentrate on those issues that could significantly affect the evaluation and selection of the corrective measures alternative(s). The Permittee shall provide an update to information presented in the RFI regarding previous response activities and interim measures that have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

C. Establishment of Proposed Media Specific Cleanup Standards

The Permittee shall describe the proposed media cleanup standards and point of compliance. The cleanup criteria must be either background, promulgated Federal and State standards, State cleanup criteria, or alternate risk-derived target cleanup levels. If media clean-up standards are not proposed, then the Department will unilaterally propose setting media clean-up standards to either background, promulgated Federal and State standards or the most conservative risk-derived standards.

D. Identification, Screening and Development of Corrective Measure Technologies

1. Identification: List and briefly describe potentially applicable technologies for each affected media that may be used to achieve the corrective action objectives. Include a table that summarizes the available technologies.

   The Permittee should consider innovative treatment technologies, especially in situations where there are a limited number of applicable corrective measure technologies.

2. Screening: The Permittee shall screen the corrective measure technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies that have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

   Site, waste, and technology characteristics used to screen inapplicable technologies are described in more detail below:

   a. Site Characteristics: Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration.

   b. Waste Characteristics: Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of *in-situ* methods, direct treatment methods, and land disposal (on/off-site).

   c. Technology Limitations: During the screening process, the level of technology development, performance record, and inherent construction, operation, and maintenance problems should be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

3. Corrective Measure Development: The Permittee shall assemble the technologies that pass the screening step into specific alternatives that have the potential to meet the corrective action objectives for each media. Options for addressing less complex sites could be relatively straightforward and may only require evaluation of a single or limited number of alternatives. Each alternative may consist of an individual technology or a combination used in sequence *(i.e.,* treatment train). Different alternatives may be considered for separate areas of the facility, as appropriate. List and briefly describe each corrective measure alternative.

E. Evaluation of a Final Corrective Measure Alternative

For each remedy that warrants a more detailed evaluation (*i.e.*, those that passed through the screening step), including those situations when only one remedy is being proposed, the Permittee shall provide detailed documentation of how the potential remedy will comply with each of the standards listed below. These standards reflect the major technical components of remedies including cleanup of releases, source control and management of wastes that are generated by remedial activities. The specific standards are as follows:

1. Protect human health and the environment.

2. Attain media cleanup standards set by the Department.

3. Control the source of releases to reduce or eliminate, to the extent practicable, further releases that may pose a threat to human health and the environment.

4. Comply with applicable standards for management of wastes. and

5. Other factors.

In evaluating the selected alternative or alternatives, the Permittee shall prepare and submit information that documents that the specific remedy will meet the standards listed above. The following guidance should be used in completing this evaluation.

1. Protect Human Health and the Environment

   Corrective action remedies must be protective of human health and the environment. Remedies may include those measures that are needed to be protective, but are not directly related to media cleanup, source control or management of wastes. An example would be a requirement to provide alternative drinking water supplies in order to prevent exposures to releases from an aquifer used for drinking water purposes. Therefore, the Permittee shall provide a discussion of any short term remedies necessary to meet this standard, as well as discuss how the corrective measures alternative(s) meet this standard.

2. Attain Media Cleanup Standards

   Remedies will be required to attain media cleanup standards. As part of the necessary information for satisfying this requirement, the Permittee shall address whether the potential remedy will achieve the remediation objectives. An estimate of the time frame necessary to achieve the goals shall be included. Contingent remedies may be proposed if there is doubt if the initial remedy will be successful (*e.g.*, contingent remedies to innovative technologies).

3. Control of Sources of Releases

   The Permittee shall address the issue of whether source control measures are necessary, and if so, the type of actions that would be appropriate. Any source control measure proposed should include a discussion on how well the method is anticipated to work given the particular situation at the facility and the known track record of the specific technology.

4. Comply With any Applicable Standards for Management of Wastes

   The Permittee shall include a discussion of how the specific waste management activities will be conducted in compliance with all applicable State and Federal regulations (*e.g.*, closure requirements, LDRs)

5. Other Factors

There are five general factors that will be considered as appropriate by the Department in selecting/approving a remedy that meets the four standards listed above. These five decision factors include:

a. Long-term reliability and effectiveness;

b. Reduction in the toxicity, mobility or volume of wastes;

c. Short-term effectiveness;

d. Implementability; and

e. Cost.

Examples of the type of information to include are provided below:

(1). Long-term reliability and effectiveness: The Permittee may consider whether the technology, or combination of technologies, have been used effectively under analogous site conditions, whether failure of any one technology in the alternative would have any immediate impact on receptors, and whether the alternative would have the flexibility to deal with uncontrollable changes at the site. Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. In addition, each corrective measure alternative should be evaluated in terms of the projected useful life of the overall alternative and of its component technologies. Useful life is defined as the length of time the level of effectiveness can be maintained.

(2). Reduction in the toxicity, mobility or volume of wastes: As a general goal, remedies will be preferred that employ techniques that are capable of eliminating or substantially reducing the potential for the wastes in SWMUs and/or contaminated media at the facility to cause future environmental releases. Estimates of how the corrective measure alternative will reduce toxicity, mobility and or volume of the waste is required and may be accomplished through a comparison of initial site conditions to expected post-corrective measures conditions.

(3). Short-term effectiveness: The Permittee shall evaluate each corrective measure alternative for short-term effectiveness. Possible factors to consider are fire, explosion, exposure to hazardous constituents, and potential threats associated with the treatment, excavation, transportation and re-disposal or containment of the waste material.

(4). Implementability: Information to consider when assessing implementability include:

(a). The administrative activities needed to implement the corrective measure alternative (*e.g.*, permits, rights of way, *etc.*) and the length of time these activities will take;

(b). The constructibility, time for implementation, and time for beneficial results;

(c). The availability of adequate off-site treatment, storage capacity, disposal services, needed technical services and materials; and

(d). The availability of prospective technologies for each corrective measure alternative.

(5). Cost: The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include both capital and operation and maintenance costs. The capital costs shall include, but are not limited to, costs for: engineering, site preparation, construction, materials, labor, sampling/analysis, waste management/disposal, permitting, health and safety measures, *etc.* The operation and maintenance costs shall include labor, training, sampling and analysis, maintenance materials, utilities, waste disposal and/or treatment, *etc.* Costs shall be calculated as the net present value of the capital and operation and maintenance costs.

F. Justification and Recommendation of the Corrective Measure or Measures

The Permittee shall justify and recommend in the CMS Report a corrective measure alternative for consideration by the Department. Such a recommendation should include a description and supporting rationale for the preferred alternative that is consistent with the corrective action standards and remedy selection decision factors discussed above. In addition, this recommendation shall include summary tables that allow the alternative or alternatives to be understood easily. Trade-offs among health risks, environmental effects, and other pertinent factors shall be highlighted. The Department will select the corrective measure alternative or alternatives to be implemented based on the results presented in the CMS Report.

Appendix D

Schedule of Compliance

Schedule of Compliance	Due Date
Notification of Newly Identified SWMUs and AOCs *Specific Conditions HSWA I.2 and HSWA I.3.*	Within fifteen (15) calendar days of discovery
SWMU Assessment Report *Specific Condition HSWA I.4.*	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs *Specific Condition HSWA I.6.*	Within fifteen (15) calendar days of discovery
CS Work Plan for SWMUs or AOCs identified in **Appendix A.3** *Specific Condition HSWA II.2*	Within forty-five (45) calendar days after effective date of permit
CS Work Plan for SWMUs identified under Condition *HSWA I.5.*, or AOCs identified under Specific Condition *HSWA I.2.* *Specific Condition HSWA II.2.*	Within forty-five (45) calendar days of notification by the Department
CS Report *Specific Condition HSWA II.5.*	In accordance with the approved CS Work Plan
RFI Work Plan for SWMU(s) and AOC(s) identified under Specific Condition **HSWA I.1.a.** *Specific Condition HSWA III.1.*	Within ninety (90) calendar days from effective date of permit
RFI Work Plan for SWMU(s) and AOC(s) Identified under Specific Conditions **HSWA I.5, HSWA I.7,** or **HSWA II.6.** *Specific Condition HSWA III.2.*	Within ninety (90) calendar days after receipt of notification by the Department which SWMUs or AOCs require an RFI

Schedule of Compliance	Due Date
Draft RFI Report *Specific Condition HSWA III.6.*	In accordance with the approved RFI Work Plan
Final RFI Report *Specific Condition HSWA III.8.*	Within thirty (30) calendar days after receipt of Department's final comments on Draft RFI Report
RFI Progress Reports *Specific Condition HSWA III.9.*	Quarterly, beginning ninety (90) calendar days from the start date specified by the Department*
IM Work Plan *Specific Condition HSWA IV.1.*	Within thirty (30) calendar days of notification by the Department
IM Progress Reports *Specific Condition HSWA IV.8.*	In accordance with the approved IM Work Plan ** or semi-annually for Permittee-initiated IM
IM Report *Specific Condition HSWA IV.9.*	Within ninety (90) calendar days of completion
CMS Work Plan *Specific Condition HSWA V.1.*	Within ninety (90) calendar days of notification by the Department that a CMS is required
Implementation of CMS Work Plan *Specific Condition HSWA V.4.*	Within fifteen (15) calendar days after receipt of the Department approval of Plan
Draft CMS Report *Specific Condition HSWA V.5.*	In accordance with the schedule in the approved CMS Work Plan
Final CMS Report ***Specific Condition HSWA V.5.***	Within thirty (30) calendar days of the Department's final comments on Draft CMS Report
Demonstration of Financial Assurance *Specific Condition HSWA VI.3.*	Within one hundred twenty (120) calendar days after permit modification for remedy

Schedule of Compliance	Due Date
Noncompliance/Imminent Hazard Report ***General Condition 8.***	Oral within 24 hours and written within fifteen (15) calendar days of becoming aware of the hazardous circumstances
Written report of noncompliance of tanks, surface impoundments or containers with 40 CFR 264.1082(c)(1) or (c)(2) (Subpart CC).	Within fifteen (15) calendar days of becoming aware of noncompliance
The above reports must be signed and certified in accordance with 40 CFR 270.11 and Rule 62-730.220(6), (7) and (8), F.A.C. * This applies to Work Plan execution that requires more than one hundred-eighty (180) calendar days ** This applies to Work Plan execution that requires more than one year.	

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
DOTTY DILTZ, ASSISTANT DIRECTOR
DIVISION OF WASTE MANAGEMENT

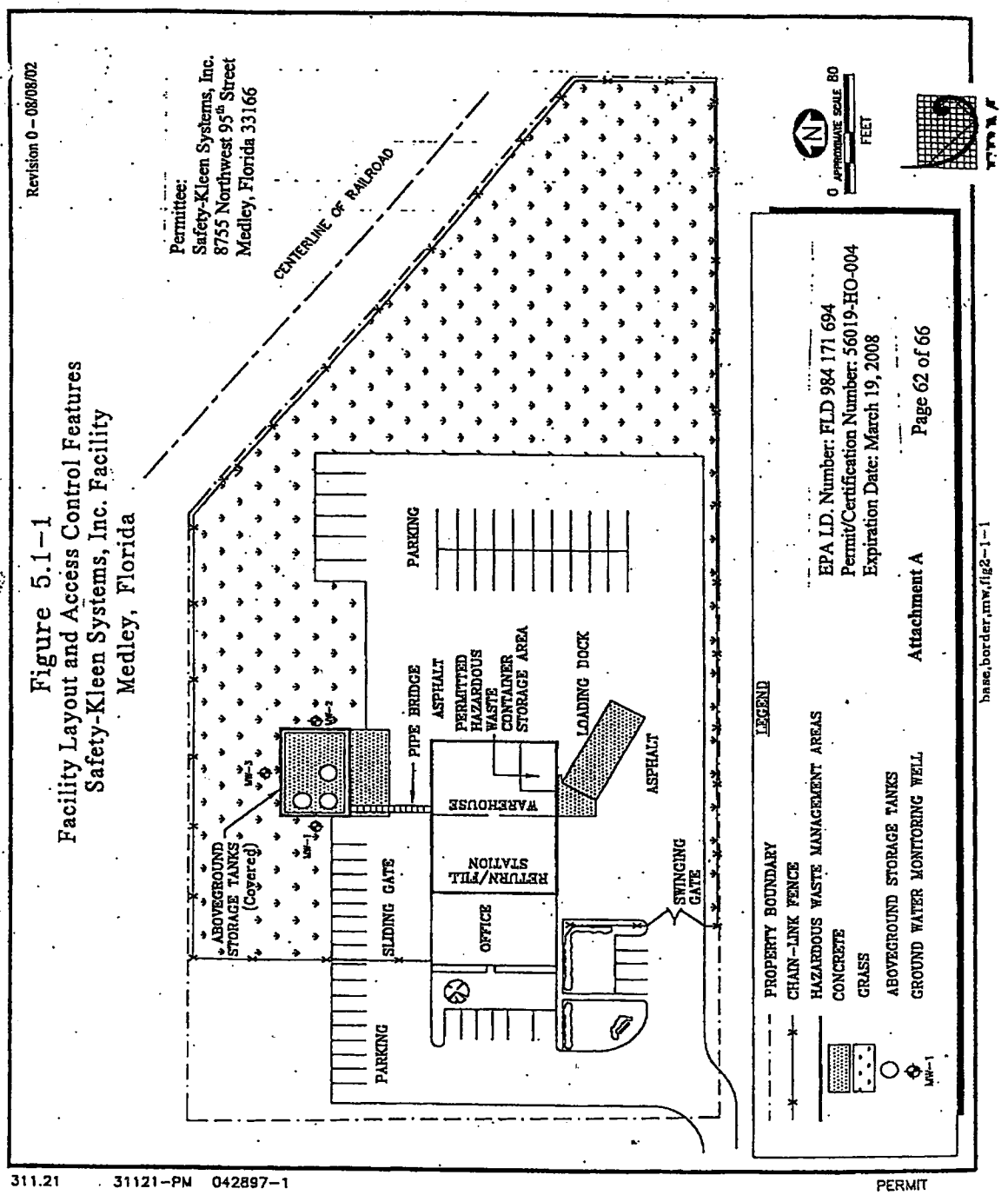
Filing and Acknowledgment

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

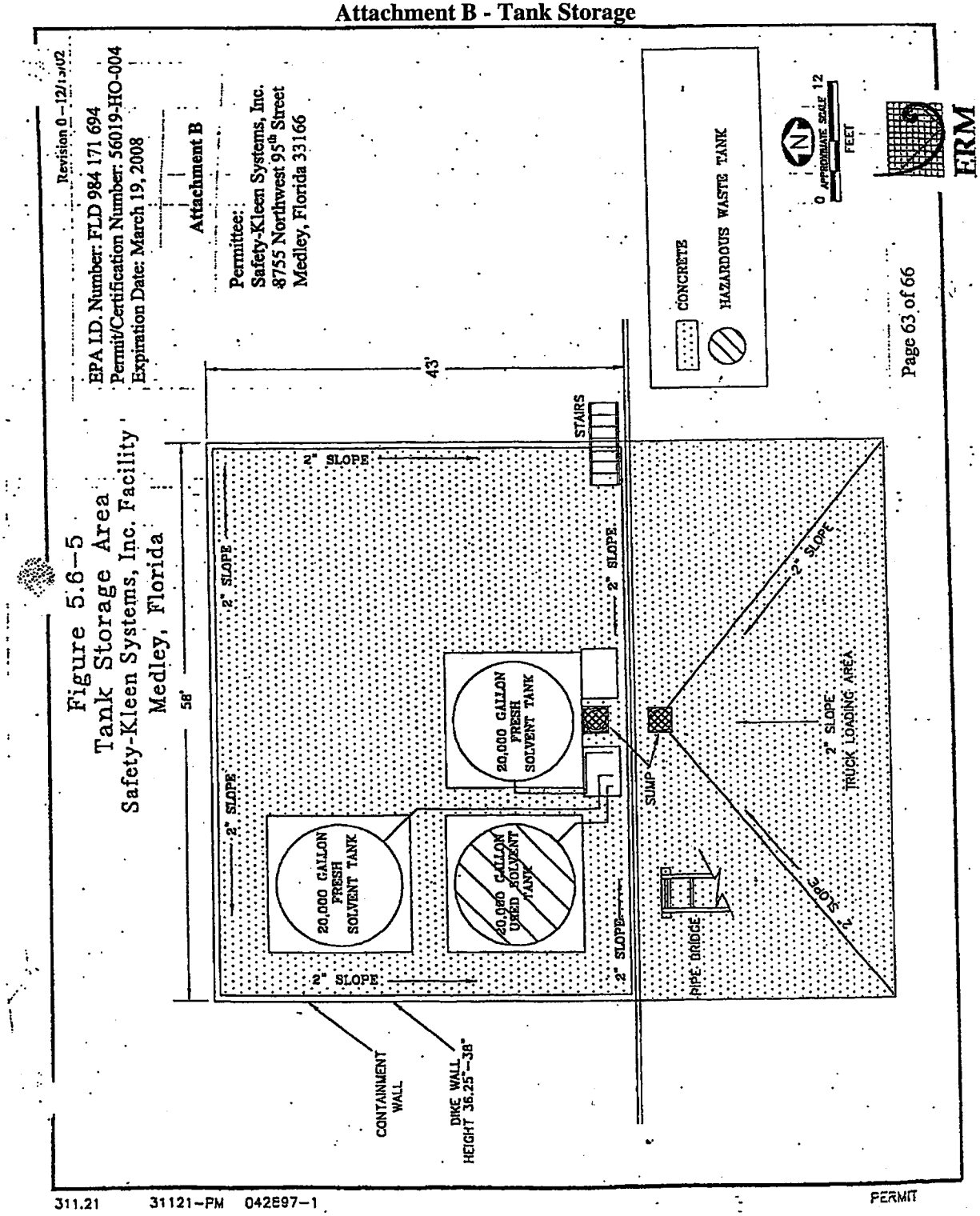
_____ _____
CLERK DATE

This is to certify that this Notice of Permit was mailed before
close of business on _____.

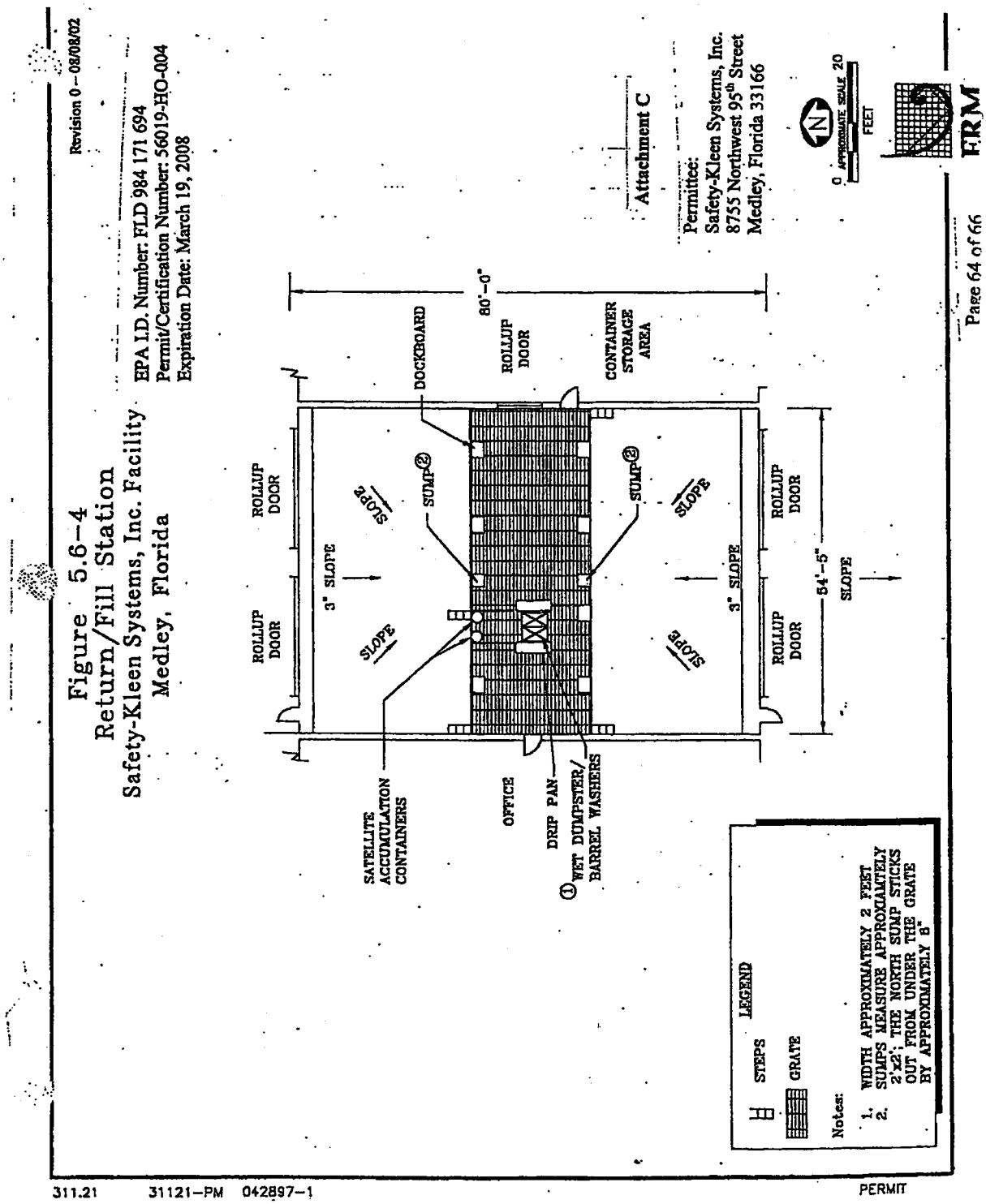
Attachment A - Facility Layout



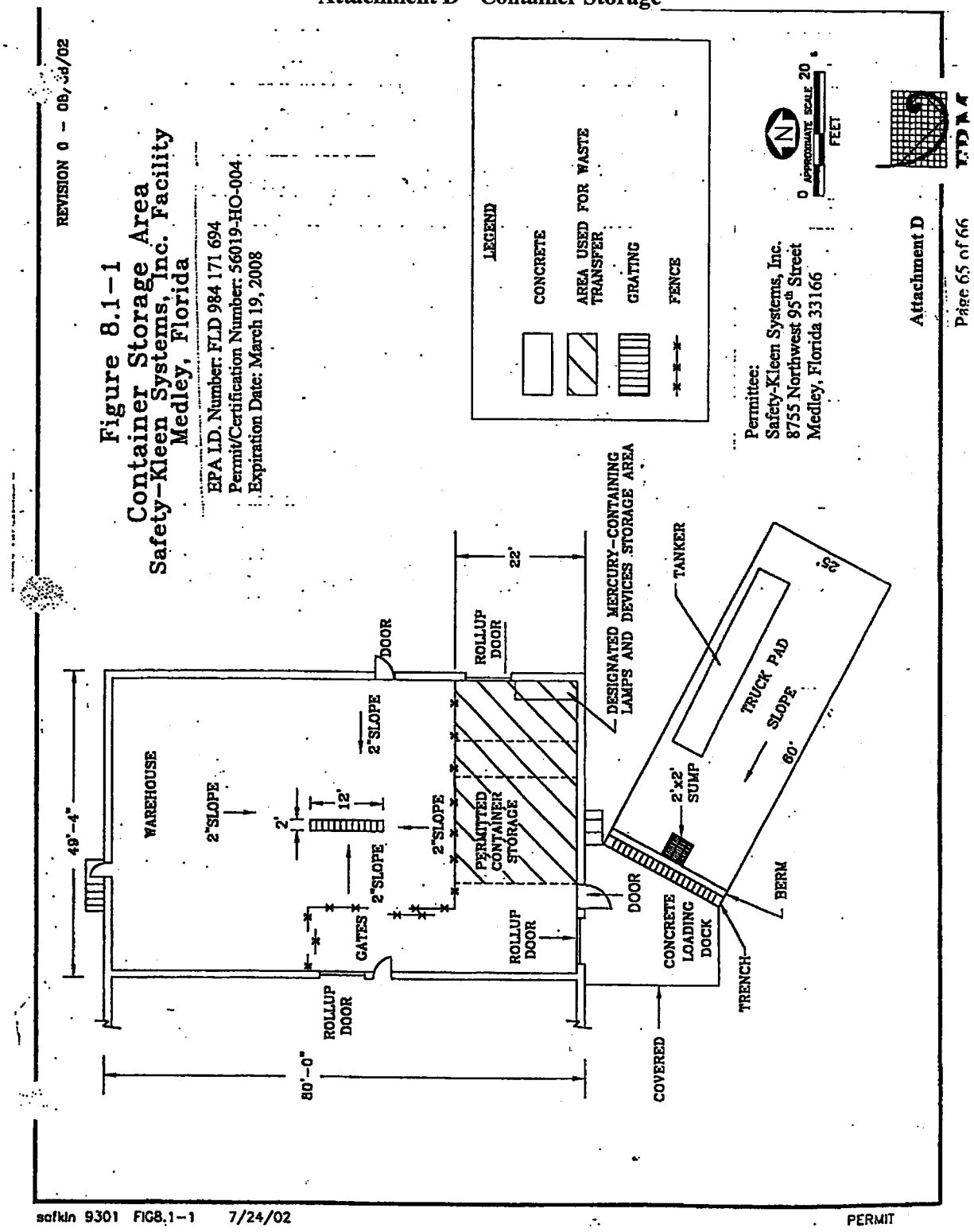
Attachment B - Tank Storage



Attachment C - Solvent Return/ Fill Station



Attachment D - Container Storage



Attachment E - Permitted and Transfer Wastes

Revision 0 - 08/08/02

Permittee:
Safety-Kleen Systems, Inc.
8755 Northwest 95th Street
Medley, Florida 33166

Attachment E

EPA I.D. Number: FLD 984 171 694
Permit/Certification Number: 56019-HO-004
Expiration Date: March 19, 2008

TABLE 5.1-1
PERMITTED AND TRANSFER WASTES

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01 ***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	D009

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

* This waste will be stored in containers in the container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.

** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.

*** This waste will be held for transfer in containers in the transfer area.

Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650
Fax: 407/433-2666

Carol M. Browner, Secretary

DEC 2 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dade County
HW - Safety-Kleen/Medley

Mr. Scott E. Fore
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

Dear Mr. Fore:

Enclosed is Permit Number HO 13-216311 to operate a hazardous waste storage facility issued pursuant to Section 403.722, Florida Statutes.

Acceptance of the permit constitutes notice and agreement that the Department will periodically review this permit for compliance, including site inspections where applicable.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Mary E. S. Williams

Mary E. S. Williams, Director of District Management
1900 South Congress Avenue, Suite A
West Palm Beach, FL 33406
407/433-2650

BAC:km:gml/12.8

Copies furnished to:

cc: Alan Farmer/EPA Region IV, Atlanta
Satish Kastury, DER/Tallahassee
Robert E. Johns, DERM
Hazardous Waste, DER/WPB

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on DEC 2 1992 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Sally Tanglay
Clerk

DEC 2 1992
Date

Recycled Paper

Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650
Fax: 407/433-2666

Carol M. Browner, Secretary

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Mr. Victor L. San Agustin,
Regional Environmental Engineer
Tampa Region

I.D. NUMBER: FLD984171694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
COUNTY: Dade County
LATITUDE/LONGITUDE: 25°51'90"N/80°20'25W
PROJECT: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-4 and 17-730, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and 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 Hazardous Waste Storage Facility consisting of a container storage area, return/fill area and above-ground storage tanks.

CONTAINER STORAGE AREA:

All containers are stored in the container storage area. The storage area is totally contained by a concrete floor and the container area's four walls. The containment system is free of cracks and coated with a concrete sealer that is compatible with and resistant to chemicals stored at this facility. All containers are stored on pallets whenever possible.

The floor has a two-inch inward slope (four sides) that will direct a spill toward the collection trench located in the center of the room. Six openings (doorways) in the containment area exist. Four of these lead to other containment areas, the container fill/return and the enclosed concrete dock. The other two openings (doorways) are located on the west side of the containment area behind a locked chain link fence. The containment capacity was measured to be 2,996 gallons.

The container storage area is equipped with the following features: Fire suppression system and controlled access (inside fenced area with locked gate). The maximum container storage area design capacity is 29,400 gallons. The total volume of product and hazardous waste stored within the container storage area is not permitted to exceed the maximum volume of 29,400 gallons. The volume of hazardous waste permitted in the container storage area at any point in time is 6,912 gallons. This 6,912 gallon amount is to be the total volme of both permitted and transfer (FRS) waste (432 16-gallon containers or the equivalent). The hazardous waste to be stored in the containers is as follows:

Mineral Spirits
Dumpster Sediment
Spent Immersion Cleaner
Dry Cleaning Wastes
Paint Wastes
Transfer/Fluid Recovery Service Waste (FRS)
Spent Ethylene Glycol

The waste codes for these waste streams are listed in the table labeled as Attachment I to this permit.

The transfer/fluid recovery service waste will be stored within the container storage area, but apart from those wastes with manifests which are terminated at the facility.

The facility will manage the FRS waste in accordance with Section 17-730.171, F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate, area. A diagram of the facility is included as Attachment II to this permit.

DER Form 17-1.201(5)
Effective November 30, 1982

Recycled Paper

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Mr. Victor L. San Agustin,
Regional Environmental Engineer
Tampa Region

I.D. NUMBER: 984171694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
COUNTY: Dade County
LATITUDE/LONGITUDE: 25°51'90"N/80°20'25W

RETURN/FILL AREA:

The return/fill area is located in the service center building between the office and container storage area. A slight, nondetectable slope (three inches) exists, which terminates at the sumps (2' long, 2' wide, and 2' deep). The sloped floors and containment sump were measured to have a containment capacity of 3,693 gallons. A 20-foot wide steel grate dock (approximately 33 inches above the floor) is located perpendicular to the floor and extends the full width of this area. The concrete floor in this area is coated with a concrete sealer that is compatible with and resistant to chemicals handled in this area. Any spill which occurs on the concrete floor is directed by gravity into the sumps. Any residue remaining on the floor must be cleaned up immediately through the use of mops, wet/dry vacuums, or sorbent materials, should a spill occur. Spilled waste is contained and sent for recycling/reclamation. Doors in this area include four overhead roll-up doorways for trucks entering/exiting the service building, two personnel doorways for employees entering/exiting the service building, one overhead doorway connecting the container fill/return area and the container storage area, and one doorway connecting the container fill/return area and the offices. The office floor and the container storage area floor are approximately 33 inches above the container fill/return area floor and are flush with the steel grate dock. Therefore, spills originating in the container fill/return area will go into the sump beneath the grate in the return/fill area and will not flow into these areas.

ABOVE-GROUND STORAGE TANKS:

The tank area, with all six tanks and their associated displacement taken into account, is provided with 20,320 gallons of secondary containment which is in excess of the single largest tank (20,000 gallons). This secondary containment capacity is based on the presence of six tanks. Only three of these tanks are currently installed. The capacity of the waste mineral spirits (D001, D004-D011, D018, D019, D021-D030 and D032-D043) tank is 20,000 gallons. The capacity of the used antifreeze (D004-D011, D018, D019, D021-D030, D032-D043) tank is 20,000 gallons. The tanks will be constructed with adequate secondary containment/leak detection systems and operated at a volume of 95% of their total capacity. Each tank may be filled beyond 95% of their total capacity only for testing purposes. The tank testing will be provided to ensure the proper functioning of each tank's high level alarm system.

The containment area is only slightly sloped. Any spilled material is removed by pump or wet vacuum. The tanks loading/unloading area is a concrete pad. This concrete pad has a slight slope directed to a sump. When rainwater accumulates in the containment area, and it has been verified that no spill has occurred, then the rainwater will be discharged to the ground surface. Only the branch Manager or someone operating under his direct orders may discharge to the ground surface. A written record will be kept of all discharges to the ground surface. If it is not possible to verify that a spill has not occurred or the water exhibits an iridescent sheen, then the rainwater will be pumped into the used mineral spirits tank. Any spills which occur on the pad will be cleaned up and the area decontaminated.

IN ACCORDANCE WITH: Application DER Form 17-730.900(2) dated July 17, 1992 additional information submitted July 20, 1992, July 30, 1992, August 12, 1992, October 26, 1992, November 5, 1992, November 12, 1992 and Public Notices dated October 1, 1992 and October 12, 1992.

LOCATED AT: Safety-Kleen Corporation, N.W. 96 St. and N.W. 89th Avenue, Medley, Florida.

SUBJECT TO: General Conditions 1-17 and Specific Conditions 1-37.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: 0984177694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, 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 Subsections 403.087(6) and 403.722(5), Florida Statutes, 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 acknowledgement 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, 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 or 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, access to the premises, at reasonable times, where the permitted activity is located or conducted to:

   (a) Have access to and copy any records that must be kept under the 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 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. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

   (a) a description of and cause of non-compliance; and

   (b) the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

GENERAL CONDITIONS Cont'd:

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 arising under the Florida Statutes or Department rules, except where such use in prescribed by Sections 403.73 and 403.111, Florida Statutes. 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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12.. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

    (a) Determination of Best Available Control Technology (BACT)
    (b) Determination of Prevention of Significant Deterioration (PSD)
    (c) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
    (d) Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

    (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 this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. 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:

        1. the date, exact place, and time of sampling or measurements;
        2. the person responsible for performing the sampling or measurements
        3. the date(s) analyses were performed;
        4. the person responsible for performing the analyses;
        5. analytical techniques or methods used; and
        6. results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that 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 submitted or corrected promptly.

GENERAL CONDITIONS Cont'd:

16. In the case of an underground injection control permit, the following permit conditions also shall apply:

(a) All reports or information required by the Department shall be certified as being true, accurate and complete.

(b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

17. The following conditions also shall apply to a hazardous waste facility permit.

(a) The following reports shall be submitted to the Department:

1. 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.

2. Unmanifested waste report. The permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

3. Annual report. An annual report covering facility activities during the previous calendar year shall be submitted pursuant to Chapter 17-730, F.A.C.

(b) Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. the written submission shall contain:

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) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

(d) All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984 .694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

SPECIFIC CONDITIONS:

1. The permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source (40 CFR 264.12).

2. This permit allows the permittee to store only those wastes specified, in Attachment I to the permit, at the facility. Prior to acceptance of new hazardous waste, the permittee shall submit to the Department, for approval, waste analysis of the proposed new waste stream. This analysis must also be incorporated in the general waste analysis plan and retained on-site (40 CFR 264.13).

3. The permittee shall employ the security procedures described in Part IIA, Attachment II.A.4(a) of the application to control access to the facility (40 CFR 264.14).

4. The permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedule approved in Part IIA, Table II.A.4(b)-2 of the application. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record at the facility (40 CFR 264.15 and 264.174).

5. Facility personnel must successfully complete the approved training program indicated in Part IIA, Attachment II.A.4(e) of the application. Verification of this training shall be kept with the personnel training records and maintained on site. Personnel shall not work unsupervised until training has been completed (40 CFR 264.16).

6. In accordance with 40 CFR 264.56, whenever there is an imminent or actual hazardous waste emergency situation, the permittee shall follow the emergency procedures specified in the approved contingency plan that is described in Part IIA, Attachment II.A.4(b) of the application. The permittee shall give proper notification to the Department of any incident that requires implementing the contingency plan; including, within fifteen (15) days, submitting a written report of the incident documenting all information required in 40 CFR 264.56(j).

7. The contingency plan must be amended and distributed to the appropriate agencies if:

   (1) The facility permit is revised.
   (2) The plan fails in an emergency.
   (3) The facility changes in its design, construction, operation, maintenance or other circumstances in a way that increases the potential for fires, explosions or release of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency.
   (4) The list of emergency coordinators changes.
   (5) The list of emergency equipment changes (40 CFR 264.54(7).

8. The permittee shall comply with the manifest requirements indicated in 40 CFR 264.71.

9. The permittee shall maintain compliance with Part 264, 40 CFR Subpart H, Financial Requirements.

10. The permittee shall keep a written operating record at the facility which includes:

    (a) The description and quantity of each hazardous waste received, including the FRS wastes.
    (b) The location of each hazardous waste within the facility and the quantity at each location.
    (c) The results of the waste analysis.
    (d) A summary report and details of incidents that require implementation of the contingency plan.
    (e) Manifest records (for 3 years).
    (f) Notices to off-site generators (if applicable).
    (g) The results of inspections (for 3 years).
    (h) Closure plan and cost estimates.
    (i) Annual certification of waste minimization.

    These records must be updated in a timely manner and maintained at the facility until completion and certification of closure. (40 CFR 264.73 and 264.12)

SPECIFIC CONDITIONS Cont'd:

11. The permittee must certify in the operating record, no less often than annually, that the permittee has a program in place to reduce the volume and toxicity of hazardous waste the permittee generates to the degree determined by the permittee as economically practicable; and that the method of storage is the best practicable to minimize the present and future threat to human health and the environment. (40 CFR 264.73).

12. The permittee shall submit an application for renewal of the permit at least 135 days prior to expiration of this permit (F.A.C. 17-730.300(1)). This permit will remain in effect beyond the permit's expiration date if the applicant has submitted a timely, completed application and the Department has not taken final agency action.

13. The permittee shall apply for a closure permit at least 180 days prior to beginning closure at the facility. (F.A.C. 17-730.260)

14. The Department may modify the conditions of this permit if any of the conditions of FAC 17-730.290(1) apply.

CONTAINER STORAGE AREA:

15. The permittee is allowed to store the hazardous waste(s) approved in Table I.D.3-1 of the permit application, in the container storage area. The FRS wastes are to be managed as a segregated transfer facility waste stream. The FRS transfer waste will be stored within the container storage area but apart from the wastes which have their manifests terminated at the facility. The facility will manage the FRS waste in accordance with Section 17-730.171, F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate area. Containers must be managed in accordance with the approved operation plan. Containers shall be kept closed except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be overpacked or transferred to another container in good condition. Containers shall be made or lined with materials which will not react with, and are otherwise compatible with the hazardous waste to be stored in them. All containers shall be managed in accordance with the plan approved in Part IIB, Attachment II.B.1 of the application.

16. The maximum container storage area design capacity is 29,400 gallons. The total volume of product and hazardous waste stored within the container storage area is not permitted to exceed the maximum volume of 29,400 gallons. The volume of hazardous waste permitted in the container storage area at any point in time is 6,912 gallons. This 6,912 gallon amount is to be the total volume of both permitted and transfer (FRS) wastes (432 16-gallon containers or the equivalent). (40 CRF 265.17 and 40 CFR 264.173)

17. Spilled or leaked waste must be removed from the collection system, analyzed and disposed of in accordance with Part II B, Attachment II.B.1. of the application (40 CFR 264.175).

18. The permittee shall take precautions to prevent accidental ignition or reaction of reactive wastes as described in 40 CFR 264.17.

19. Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility property line. (40 CFR 264.17)

20. Incompatible Waste shall not be stored or placed in unwashed containers that have previously held an incompatible waste. (40 CFR 264.177) Waste streams and container sizes will be managed in accordance with Table II.B.4-1 of the permit application.

21. The permittee shall pump the liquid in the spill collection system into a compatible container upon a discovery of any spills or leaks.

22. The permittee shall handle the compatible containers of the spilled hazardous material as hazardous waste and dispose of it under the appropriate RCRA rules and regulations.

SPECIFIC CONDITIONS Cont'd:

23. The permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility operation in an emergency. The storage of non-hazardous waste containers within the container storage area must not interfere in complying with this specific condition.

RETURN/FILL AREA:

24. The permittee shall pump the liquid in the spill collection trench into a compatible container or tank upon discovery of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations.

25. Each (two) drum washer may have three sixteen (16) gallon satellite accumulation containers staged at or near the drum washer units. The containers are to be labeled as "Waste Sludge", "Glass/Metal", and "Rags/Absorbents". The containers must be managed in compliance with 40 CFR 262.34(c)(1) and (2).

26. Each drum washer is constructed with a drain pan designed to accumulate any inadvertent spillage occuring as containers of used solvent are being poured into the drum washers. The drain pans are connected to a five (5) gallon safety container by a pipe. The safety containers will be kept closed except at times of receiving waste solvent or emptying waste solvent back into the drum washers. The safety containers are periodically emptied into the barrel washers. The drum washer's five (5) gallon safety containers are considered to be satellite accumulation containers and must be managed in compliance with 40CFR 262.34(c)(1) and (2) and 264.173.

ABOVE-GROUND STORAGE TANKS:

27. The used mineral spirits tank (20,000 gallon capacity) may be operated at a maximum volume of 19,000 gallons (95 percent of total capacity) and the used antifreeze tank (20,000 gallon capacity) may be operated at a maximum volume of 19,000 gallons (95 percent of total capacity) as provided in Part IIC, Attachment II.C.2., (40 CFR 264.194(b)). Each tank may be filled beyond 95% of its maximum capacity only for testing purposes in order to ensure that each tank's high level alarm system is functional.

28. The permittee shall pump the liquid in the spill collection trench into a compatible container or tank within 24 hours of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations. (40 CFR 264.193(c)(4)).

29. The permittee must keep on file at the facility the written statements certifying the design of the tank system in accordance with 40 CFR 264.193(b) and (f) which attest that the tank system has been designed, installed and maintained as per 40 CFR 264.193(b) and (d).

30. The permittee must inspect daily the tank and ancillary equipment documenting the daily inspections in the operating record of the facility in accordance with Part II.C, Attachment II.C.10 of the application. (40 CFR 264.195(b) and (d)).

31. The permittee, as the application presents in Part II.C, Attachment II.C.10, will have each hazardous waste tank inspected once every five years by a Professional Engineer registered in Florida. A general structural inspection, hydraulic test of the tank, internal inspection and wall thickness inspection will be conducted. The inspection must verify that the integrity of structure and performance is maintained equal to the original design specifications assessed and certified in Part II.C, Attachment II.C.1, of the application.

32. The permittee shall prevent the release of hazardous waste or hazardous constituents to the environment. The secondary containment system should be maintained according to Part IIC, Attachment II.C.7. of the application and shall comply with the requirements of 40 CFR 264.193.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984 694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
DATE OF MODIFICATION:

SPECIFIC CONDITIONS Cont'd:

33. The permittee shall satisfy the requirements of 40 CFR 264.196 when a tank system or secondary containment system produces a leak or spill, or is determined to be unfit for use. These requirements include, as they are made applicable by 40 CFR 264.196:

    (a) Cessation of use; prevent flow or addition of waste.
    (b) Removal of waste from tank system or secondary containment system.
    (c) Containment of identifiable releases to the environment.
    (d) Notifications, reports.
    (e) Provision of secondary containment, repair or closure.
    (f) Certification of major repairs.

34. The permittee shall comply with the protective distance requirements of the tank placement as set forth in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981) as required by 40 CFR 264.198(b).

35. The permittee shall not store incompatible waste in tanks or place it in contaminated tanks that have previously held incompatible waste in accordance with 40 CFR Part 264.199.

36. The permittee shall, as part of the general operating requirements of 40 CFR 264.194:

    (a) Not place hazardous wastes or treatment reagents in a tank system if possibility exists that this may cause the tank system to fail.
    (b) Use appropriate controls and practices to prevent spills and overflows, and
    (c) Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.

37. The permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank storage units in accordance with 40 CFR Part 264.194.

Issued this 30th **day of** November **1992**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Mary E. S. Williams

Mary E. S. Williams
Director of District Management

DER Form 17-1.201(5)
Effective November 30, 1982

TABLE I.D.3-1
SAFETY-KLEEN CORP.
MEDLEY, FLORIDA
PART 1 ATTACHMENT

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Mineral Spirits	S01* S02**	813	D001 and D-Codes Listed in Note Below
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Spent Ethylene Glycol	S01* S02***	5,000	D-Codes Listed in Note Below
Spent Immersion Cleaner (Old Formula)	S01*	28	F002, F004, and D-Codes Listed in Note Below
(New Formula)	S01*	Included Above	D-Codes Listed in Note Below
Dry Cleaning Waste	S01*	271	D001 or F002 and D-Codes Listed in Note Below
Paint Waste	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS Waste)	S01****	250	D001, D002, and D-Codes, F-Codes, K-Codes, and U-Codes Listed in Note Below

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

F-Codes: F001, F002, F003, F004, F005, F006, F019, F024, F039

TABLE I.D.3-1 (Continued)

K-Codes: K006, K016, K019, K022, K029, K030, K031, K048, K049, K050, K051, K052, K085, K086, K095, K096, K009, K010, K011, K013, K014, K015, K002, K003, K004, K005

U-Codes: U001, U002, U003, U009, U031, U037, U043, U044, U051, U052, U055, U056, U057, U068, U069, U070, U071, U072, U075, U077, U078, U079, U080, U083, U084, U107, U108, U110, U112, U113, U117, U118, U121, U125, U140, U154, U159, U161, U162, U165, U169, U171, U188, U191, U196, U210, U211, U213, U220, U226, U227, U228, U239, U359

* These wastes will be stored in containers in the container storage area. The maximum drum capacity in the container storage area for hazardous waste and product is 29,400 gallons with 6,912 gallons being waste.

** The spent mineral spirits storage tank has a maximum storage capacity of 20,000 gallons.

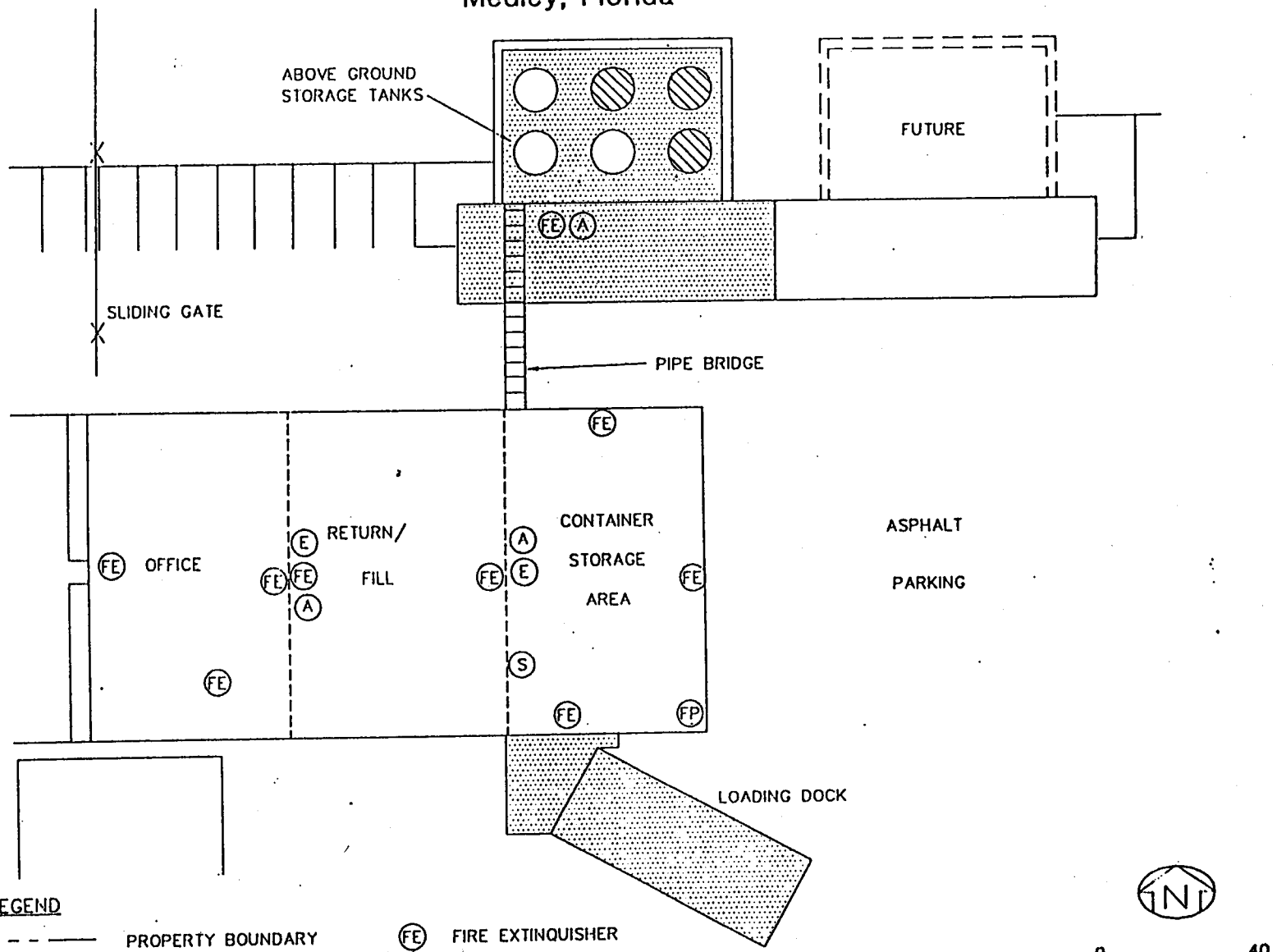
*** The spent ethylene glycol storage tank has a maximum storage capacity of 20,000 gallons.

****FRS wastes are transfer wastes only.

13112.21/31121LEE/071692-5

II.A.4(b)-15A

Figure II.A.4(b)-2
Location of Emergency Equipment
Safety-Kleen Corp. Facility
Medley, Florida



The ERM Group ®

Attachment II

RECEIVED
SEP 18 2000
DEPT OF ENV PROTECTION
WEST PALM BEACH

Jim –

We might have to FAX this to OGC, if they have not seen it yet. VK

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 11
SAFETY-KLEEN CORP., et al.,	:	Case No. 00-2303 (PJW)
Debtors.	:	Jointly Administered

NOTICE OF DEADLINE FOR FILING PROOFS OF CLAIMS

ALL POTENTIAL HOLDERS OF CLAIMS PLEASE TAKE NOTICE OF THE FOLLOWING:

On August 11, 2000, the United States Bankruptcy Court for the District of Delaware (the "Court") entered an order (the "Bar Date Order") establishing October 31, 2000 at 4:00 p.m. prevailing Eastern Time as the deadline (the "Bar Date") for holders of Claims (as defined below) in the chapter 11 cases of the above-captioned debtors and debtors-in-possession (the "Debtors") to file proofs of claim against the debtors. The Bar Date Order requires all persons or entities holding a Claim to file a proof of claim, substantially in the form of Official Form No. 10 ("Proof of Claim Form") no later than the Bar Date.

PERSONS OR ENTITIES WHO MUST FILE A PROOF OF CLAIM

Bankruptcy Rule 3003(c)(3) requires all persons and entities, including, without limitation, individuals, partnerships, corporations, estates, trusts, indenture trustees, unions and governmental units that assert a Claim (as defined in section 101(5) of the Bankruptcy Code) arising before June 9, 2000 against any of the Debtors listed on the annexed Exhibit 1 to file a proof of claim. Any person or entity holding a Claim must file a proof of claim on or before the Bar Date. Section 101(5) of the Bankruptcy Code defines "Claim" to mean:

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

SPECIAL NOTICE TO GOVERNMENTAL UNITS ONLY:

Please take notice that, pursuant to 11 U.S.C. § 502(b)(9), the claims bar date for governmental units shall be December 6, 2000 at 4:00 p.m., prevailing Eastern Time. Except for the extended date prescribed by statute, all other provisions of this Notice and the Bar Date Order shall be applicable to governmental units and such units must file proofs of claim in the manner prescribed in this Notice or be forever barred as provided herein.

CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM

ANY PERSON OR ENTITY HOLDING A CLAIM THAT FAILS TO FILE PROOF OF ITS CLAIM ON OR BEFORE THE BAR DATE SHALL BE FOREVER BARRED AND ESTOPPED FROM ASSERTING A CLAIM AGAINST THE DEBTORS, THEIR ESTATES OR THE PROPERTY OF ANY OF THEM, SHALL NOT BE ENTITLED TO VOTE ON ANY PLAN OF REORGANIZATION IN THESE CASES OR PARTICIPATE IN ANY DISTRIBUTIONS, AND SHALL NOT RECEIVE ANY FURTHER NOTICES IN THESE CHAPTER 11 CASES ON ACCOUNT OF SUCH CLAIM.

TIME AND PLACE FOR FILING PROOFS OF CLAIM

For any proof of claim to be timely and properly filed, a person or entity holding a Claim must submit a signed original proof of claim asserting such Claim, together with accompanying documentation, to Trumbull Services Company ("Trumbull"), c/o Safety-Kleen Corp., P.O. Box 267, Windsor, Connecticut, 06095-0267 (for U.S. mail) or Griffin Center, 4 Griffin Road North, Windsor, Connecticut 06095 (for overnight mail), so as to be delivered to and received by Trumbull no later than 4:00 p.m., prevailing Eastern Time on the Bar Date. Any proof of claim may be submitted in person or by courier service, hand delivery or mail addressed to Trumbull at the foregoing addresses. *Any proof of claim submitted by facsimile will not be accepted and will not be deemed filed until such proof of claim is submitted by one of the methods described in the foregoing sentence.* Any proof of claim will be deemed filed only when actually received by Trumbull. If you wish to receive acknowledgment of Trumbull's receipt of your proof of claim, you must also submit a copy of your original proof of claim and a self-addressed, stamped envelope. **If you wish to assert Claims against more than one Debtor, you must file a separate proof of claim in the chapter 11 case of each Debtor against which you believe you hold a Claim. You may request additional Proof of Claim Forms from Trumbull at (860) 687-3916.**

PERSONS OR ENTITIES WHO NEED NOT FILE A PROOF OF CLAIM

You need not file a proof of claim if:

1. You do not have a Claim against any of the Debtors under section 101(5) of the Bankruptcy Code. That you received this Notice does not mean that you have a Claim.

2. You own or hold any of the Debtors' stock or other equity securities and are filing a proof of claim or interest solely on account of your ownership interest or possession of such equity securities; provided, however, you must file a proof of claim for any other Claims you may have with respect to such stock or equity securities, including, but not limited, to Claims for recission of a purchase or sale of such stock or equity security, Claims for damages arising from the purchase or sale of such stock or equity security, or Claims for indemnification, reimbursement or contribution arising from or related to such Claims.

3. You are a party to an executory contract or unexpired lease that is not an assumed contract and wish to submit a rejection damages claim arising from the Debtors' rejection of such executory contract or unexpired lease during these chapter 11 cases. Such a proof of claim need not be filed until the later of (a) thirty days after the date of the Court order authorizing the rejection of such contract or lease or (b) the Bar Date. Any other Claims arising prior to June 9, 2000, respecting any contracts or leases that are not assumed contracts, must be filed by the Bar Date.

4. You hold a Claim against any Debtor which is listed in the schedules or any amendments thereto, that is not therein listed as "contingent," "unliquidated" or "disputed," and that is not disputed as to amount, Debtor, or classification.

5. You have already properly filed a proof of claim against the correct Debtor.

6. You hold a Claim against a Debtor that previously has been allowed by, or paid pursuant to, an order of the Court.

7. Your Claim against a Debtor is as a beneficial or record holder ("Holder") of any of the Debtors' 9¼% Senior Subordinated Notes due 2008 (the "2008 Notes") or any of the Debtors' 9¼% Senior Notes due 2009 (the "2009 Notes"). Proofs of claim solely with respect to the 2008 Notes and the 2009 Notes shall be filed on behalf of such Holders by the appropriate indenture trustee, pursuant to section 504 of the indentures governing the 2008 Notes and 2009 Notes, dated as of May 29, 1998 and May 17, 1999, respectively; provided, however, that you must file a proof of claim for any other Claims you may have with respect to the 2008 Notes or the 2009 Notes, including, but not limited to, Claims for the recission of a purchase or sale, Claims for damages arising from the purchase or sale, or Claims for indemnification, reimbursement or contribution arising from or related to such Claims.

ADDITIONAL INFORMATION

If you require additional information regarding the filing of a proof of claim, you may contact Trumbull by telephone at (860) 687-3916 between 10:00 a.m. and 4:00 p.m., prevailing Eastern Time, or by writing to Trumbull at P.O. Box 267, Windsor, Connecticut 06095-0267, when sending U.S. mail or 4 Griffin Road North, Griffin Center, Windsor, Connecticut 06095, for overnight mail. The claims register for the Debtors will be available in Trumbull's office and at the United States Bankruptcy Court for the District of Delaware.

By order of the Court, dated August 11, 2000.

/s/ Peter J. Walsh
Honorable Peter J. Walsh
Chief United States Bankruptcy Judge

Exhibit 1

SAFETY-KLEEN CORP. - 00-2303(PJW)	SAFETY-KLEEN (BARTOW), INC. - 00-2341(PJW)
SAFETY-KLEEN SERVICES, INC. - 00-2304(PJW)	SAFETY-KLEEN (CALIFORNIA), INC. - 00-2342(PJW)
SAFETY-KLEEN (CONSULTING), INC. - 00-2305(PJW)	SAFETY-KLEEN (CHATTANOOGA), INC. - 00-2343(PJW)
SAFETY-KLEEN (LONE AND GRASSY MOUNTAIN), INC. - 00-2306(PJW)	SAFETY-KLEEN (PECATONICA), INC. - 00-2344(PJW)
SAFETY-KLEEN (TULSA), INC. - 00-2307(PJW)	SAFETY-KLEEN (PINEWOOD), INC. - 00-2345(PJW)
SAFETY-KLEEN (SAN ANTONIO), INC. - 00-2308(PJW)	SAFETY-KLEEN (WHITE CASTLE), INC. - 00-2346(PJW)
SAFETY-KLEEN (WICHITA), INC. - 00-2309(PJW)	SAFETY-KLEEN (PUERTO RICO), INC. - 00-2347(PJW)
SAFETY-KLEEN (DELAWARE), INC. - 00-2310(PJW)	SAFETY-KLEEN (BRIDGEPORT), INC. - 00-2348(PJW)
SK SERVICES (EAST), L.C. - 00-2311(PJW)	SAFETY-KLEEN (DEER PARK), INC. - 00-2349(PJW)
SK SERVICES, L.C. - 00-2312(PJW)	SAFETY-KLEEN (BATON ROUGE), INC. - 00-2350(PJW)
SAFETY-KLEEN (ROSEMOUNT), INC. - 00-2313(PJW)	SAFETY-KLEEN (PLAQUEMINE), INC. - 00-2351(PJW)
SAFETY-KLEEN (SAWYER), INC. - 00-2314(PJW)	SAFETY-KLEEN (CUSTOM TRANSPORT), INC. - 00-2352(PJW)
SAFETY-KLEEN (PPM), INC. - 00-2315(PJW)	SAFETY-KLEEN (LOS ANGELES), INC. - 00-2353(PJW)
NINTH STREET PROPERTIES, INC. - 00-2316(PJW)	SAFETY-KLEEN (TIPTON), INC. - 00-2354(PJW)
SAFETY-KLEEN (SAN JOSE), INC. - 00-2317(PJW)	SAFETY-KLEEN (GLOUCESTER), INC. - 00-2355(PJW)
CHEMCLEAR, INC. OF LOS ANGELES - 00-2318(PJW)	SAFETY-KLEEN (DEER TRAIL), INC. - 00-2356(PJW)
USPCI, INC. OF GEORGIA - 00-2319(PJW)	SAFETY-KLEEN (MT. PLEASANT), INC. - 00-2357(PJW)
SAFETY-KLEEN HOLDINGS, INC. - 00-2320(PJW)	SAFETY-KLEEN (MINNEAPOLIS), INC. - 00-2358(PJW)
SAFETY-KLEEN (WESTMORLAND), INC. - 00-2321(PJW)	SAFETY-KLEEN (ARAGONITE), INC. - 00-2359(PJW)
SAFETY-KLEEN (BUTTONWILLOW), INC. - 00-2322(PJW)	SAFETY-KLEEN (SUSSEX), INC. - 00-2360(PJW)
SAFETY-KLEEN (NE), INC. - 00-2323(PJW)	SAFETY-KLEEN (ENCOTEC), INC. - 00-2361(PJW)
SAFETY-KLEEN (CROWLEY), INC. - 00-2324(PJW)	SAFETY-KLEEN SYSTEMS, INC. - 00-2362(PJW)
SAFETY-KLEEN (LAPORTE), INC. - 00-2325(PJW)	ECOGARD, INC. - 00-2363(PJW)
SAFETY-KLEEN (TG), INC. - 00-2326(PJW)	SK EUROPE, INC. - 00-2364(PJW)
SAFETY-KLEEN (ROEBUCK), INC. - 00-2327(PJW)	DIRT MAGNET, INC. - 00-2365(PJW)
SAFETY-KLEEN (TS), INC. - 00-2328(PJW)	THE MIDWAY GAS AND OIL CO. - 00-2366(PJW)
SAFETY-KLEEN (COLFAX), INC. - 00-2329(PJW)	ELGINT CORP. - 00-2367(PJW)
GSX CHEMICAL SERVICES OF OHIO, INC. - 00-2330(PJW)	SAFETY-KLEEN ENVIROSYSTEMS COMPANY - 00-2368(PJW)
LEMC, INC. - 00-2331(PJW)	SAFETY-KLEEN ENVIROSYSTEMS COMPANY OF PUERTO RICO, - 00-2369(PJW)
SAFETY-KLEEN CHEMICAL SERVICES, INC. - 00-2332(PJW)	PETROCON, INC. - 00-2370(PJW)
SAFETY-KLEEN (ALTAIR), INC. - 00-2333(PJW)	PHILLIPS ACQUISITION CORP. - 00-2371(PJW)
SAFETY-KLEEN (FS), INC. - 00-2334(PJW)	SK REAL ESTATE INC. - 00-2372(PJW)
SAFETY-KLEEN (BDT), INC. - 00-2335(PJW)	SAFETY-KLEEN INTERNATIONAL, INC. - 00-2373(PJW)
SAFETY-KLEEN (GS), INC. - 00-2336(PJW)	SAFETY-KLEEN OIL RECOVERY CO. - 00-2374(PJW)
SAFETY-KLEEN (CLIVE), INC. - 00-2337(PJW)	SAFETY-KLEEN OIL SERVICES, INC. - 00-2375(PJW)
SAFETY-KLEEN (WT), INC. - 00-2338(PJW)	THE SOLVENTS RECOVERY SERVICE OF NEW JERSEY, INC. - 00-2376(PJW)
SAFETY-KLEEN OSCO HOLDINGS, INC. - 00-2339(PJW)	
SAFETY-KLEEN (NASHVILLE), INC. - 00-2340(PJW)	

FORM B10 (Official Form 10)(4/98)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

PROOF OF CLAIM
Chapter 11

In Re: Safety-Kleen Corp., et al.,	**Case Numbers 00-2303(PJW) through 00-2376(PJW)Jointly Administered**
Name of Debtor SAFETY-KLEEN SYSTEMS, INC.	**Case Number:** 00-2362(PJW)

Your claim is scheduled as follows

Class UNSECURED NON PRIORITY

Amount Contingent, Unliquidated

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C § 503.

Name of Creditor (The person or other entity to whom the debtor owes money or property):

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROT 7 1326968
400 N. CONGRESS AVE.
PO BOX 15425
WEST PALM BEACH, FL 33416

- ☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
- ☐ Check box if you have never received any notices from the bankruptcy court in this case.
- ☐ Check box if the address differs from the address on the envelope sent to you by the court.

If address differs from above, please complete the following:
Creditor Name: Telephone #

Address:

City/St/Zip:

10162203

This Space is for Court Use Only

Account or other number by which creditor identifies debtor:

Check here if this claim ☐ replaces ☐ amends a previously filed claim, dated _____

1. Basis for Claim
- ☐ Goods sold
- ☐ Services performed
- ☐ Money loaned
- ☐ Personal injury/wrongful death
- ☐ Taxes
- ☐ Other _____

- ☐ Retiree benefits as defined in 11 U.S.C. §1114(a)
- ☐ Wages, salaries, and compensation (fill out below)
  Your SS #: _____ _____ _____
  Unpaid compensation for services performed
  from _____ (date) to _____ (date)

2. Date debt was incurred:

3. If court judgment, date obtained:

4. Total Amount of Claim at Time Case Filed: $_____
If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.
☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

5. Secured Claim.
☐ Check this box if your claim is secured by collateral (including a right of setoff).
Brief Description of Collateral:
☐ Real Estate ☐ Motor Vehicle
☐ Other_____

Value of Collateral: $_____

Amount of arrearage and other charges at time case filed included in secured claim, if any: $_____

6. Unsecured Priority Claim.
☐ Checkthis box if you have an unsecured priority claim.
Amount entitled to priority $_____
Specify the priority of the claim:
- ☐ Wages, salaries, or commissions (up to $4,300),* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).
- ☐ Contributions to an employee benefit plan - 11 U.S.C. §507(a)(4).
- ☐ Up to $ 1,950* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).
- ☐ Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).
- ☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
- ☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(__).

**Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.*

7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

8. Supporting Documents: *Attach copies of supporting documents,* such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

This Space is for Court Use Only

Date	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

Penalty for presenting fraudulent claim: Fine of up to $500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

022277

Instructions for Proof of Claim Form

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

DEFINITIONS

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also Unsecured Claim)

Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number:
Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor:
Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money *or* property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1. Basis for Claim:
Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

2. Date Debt Incurred:
Fill in the date when the debt first was owed by the debtor.

3. Court Judgments:
If you have a court judgment for this debt, state the date the court entered the judgment.

4. Total Amount of Claim at Time Case Filed:
Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5. Secured Claim:
Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

6. Unsecured Priority Claim:
Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

7. Credits:
By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

8. Supporting Documents:
You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

FRI-35723 spec-1 #06 00-02303
Safety-Kleen
C/O Trumbull Bankruptcy Services
P.O. Box 512
Windsor CT 06095

022277 22277 1 AT 0.261 33416 4 4 1260-1-34002

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROT 7 1326968
400 N. CONGRESS AVE.
PO BOX 15425
WEST PALM BEACH, FL 33416

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA

MEETING ATTENDANCE

DATE: 9/15/00 PROGRAM: HAZARDOUS WASTE
MEETING SUBJECT: SAFETY KLEEN -- CONTINUED USE PROGRAM

MEETING ROOM:	NO. OF PARTICIPANTS:	TELEPHONE:	VOICE POINT:

NAME	REPRESENTING	TELEPHONE #
Jim Ayers	FDEP	(561) 681-6673
MORGAN LEIBRANDT	FDEP - TALLAHASSEE	850-488-0300
MICHAEL REDIG	FDEP - TALLAHASSEE	850-488-0300 x955
JEFFREY Smith	FDEP - West Palm Bch	561/681-6670
RONALD King	FDEP WPB	561/681-6731
CHRIS AOUSSAT	FDEP - CENTRAL	407-893-3823
JOHN WHITE	FDEP CENTRAL	407-893-3323
Alan A. Annicella	FDEP - Northeast District (Jax)	(904) 448-4320
Scott A. Schneider	SK - Boynton Beach	561-736-2267
Marc Mason	SK Boynton Beach	561-736-1339
Ed Genovese	SK, Tampa Regional	800 769-5755
DAVID DeSHA	S-K, COLUMBIA, SC	(864) 576-1085
Phillip Retallick	S-K, Columbia, SC	(803) 933-6430
Jim Childress	S-K, Nashville, TN	(615) 350-5369
Satish Kastwry	DEP - Tallahassee	850-488-0300
Bill Kellenberger	DEP. Pensacola	850-595-8360 x1264

mtattend 1/98

Safety-Kleen Corp.

September 15, 2000 Continued Use Meeting Agenda
Florida Department of Environmental Protection
West Palm Beach, FL

I. Introductions

II. Program Overview (Handouts)

III. Current Status of Continued Use at S-K Branches
- A. Boynton Beach
- B. Medley
- C. Orange Park
- D. Port Charlotte
- E. Sanford
- F. Tampa
- G. Tallahassee

IV. Discussion of FL DEP Continued Use Issues

- A. S-K's FL Continued Use Customers
- B. Continued Use Solvent Cleaning Effectiveness
- C. Sludge in the Continued Use Product
- D. Training
  1. S-K Personnel
  2. S-K Customers
- E. Implementation and Administration
  1. Markings on Parts Washer Unit
  2. Indicators (e.g., Labeling) on Continued Use Containers
  3. Shipping Papers
  4. Recordkeeping/Branch Operating Log
- F. RCRA Permit Modification
  1. S-K's Rationale
  2. FL DEP Expectations
  3. Status of Branch Permit Modifications
- G. Continued Use Program Differentiation Amongst Other States
- H. Issues in Other States
  1. North Carolina
  2. New York

V. Conclusion/Adjourn

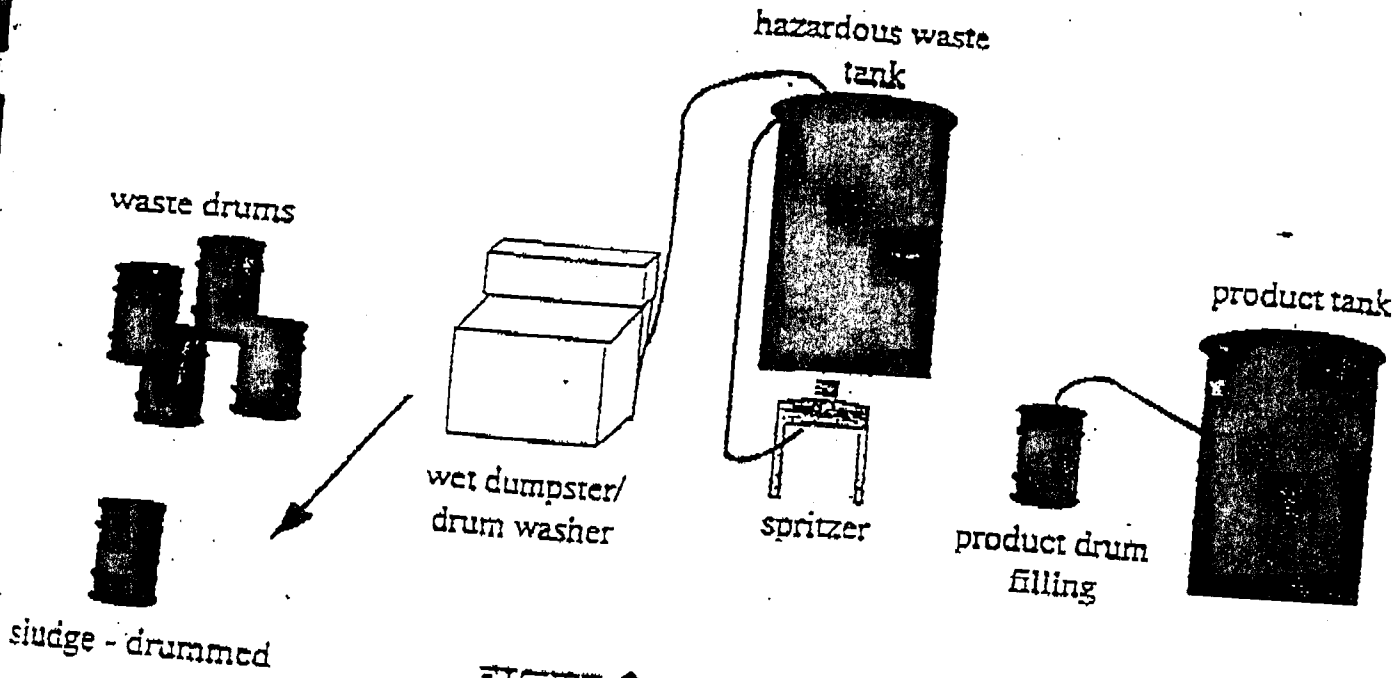


FIGURE 2 - CURRENT NORMAL CONFIGURATION

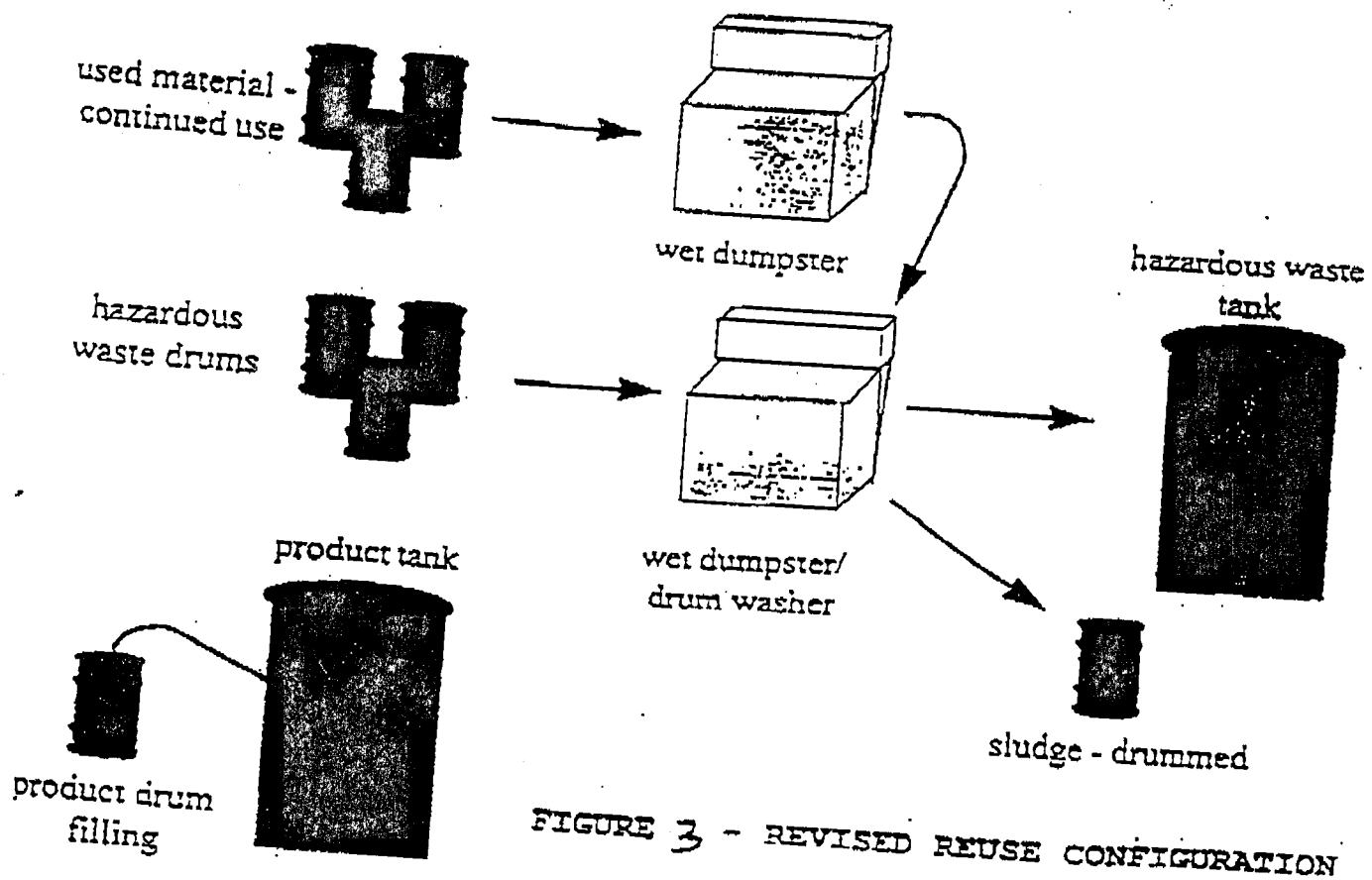
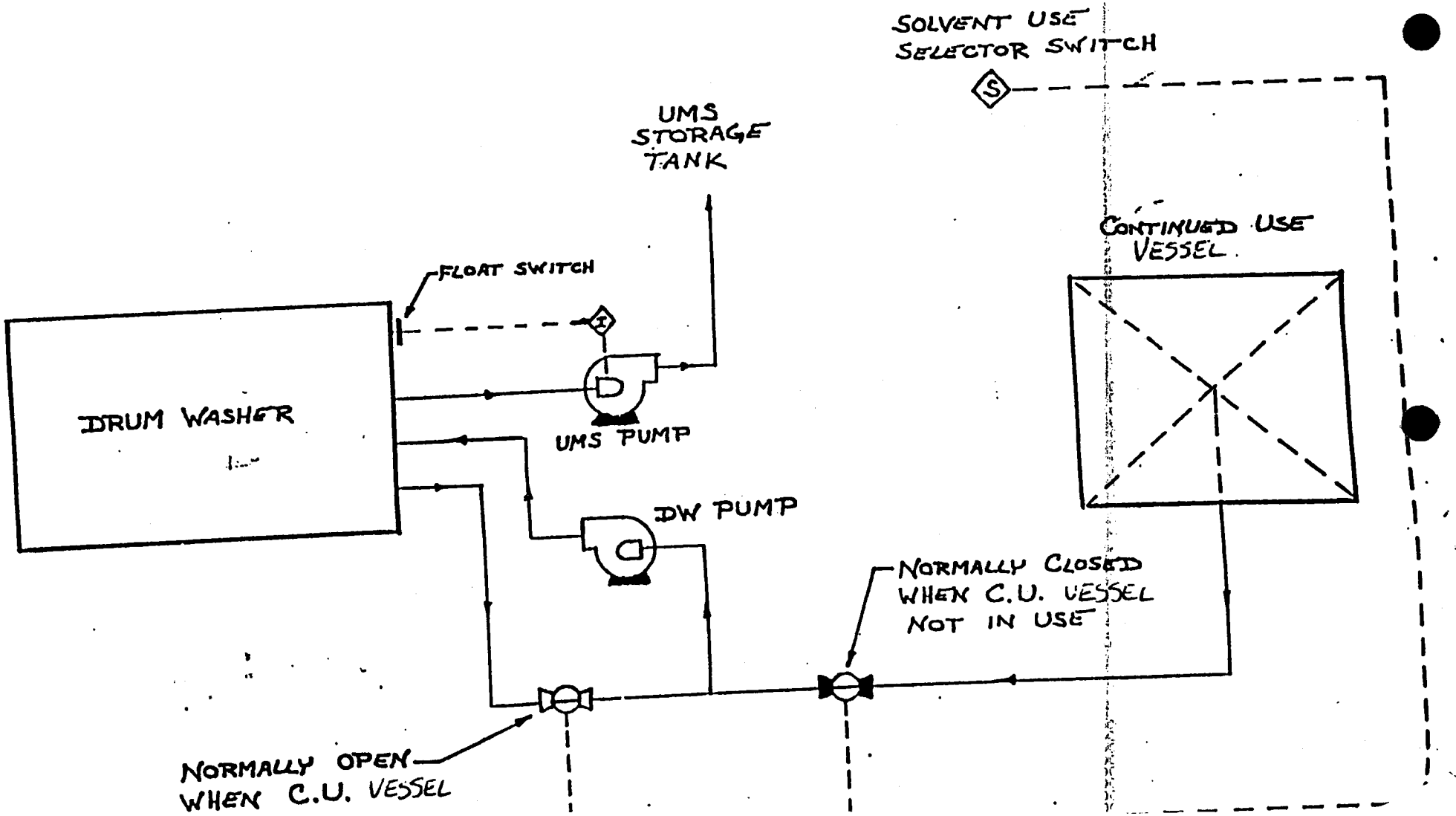


FIGURE 3 - REVISED REUSE CONFIGURATION

CONTINUED USE

R/F SCHEMATIC



Study of Drum Cleaning with Continued Use Solvent

Robert Janicki & Dennis Brinkman
Safety-Kleen Corp.

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APR - 6 2000
DEPT OF ENV PROTECTION
WEST PALM BEACH

September 24, 1997

Study of Drum Cleaning with Continued Use Solvent

Robert Janicki & Dennis Brinkman
Safety-Kleen Corp.

INTRODUCTION

This report provides the results of an engineering study of drum cleaning at Safety-Kleen branch facilities. The study established a standard system to assure adequate cleaning of drums prior to their return to customers. Drums will be cleaned with solvent that has been initially used by our customers and returned to our branches for continued-use as a cleaning solvent. After use as a drum washing agent, the material will be recycled.

Parts washing involves the use of various cleaning agents to remove deposits or surface contamination from hard surfaces. Over the years, the primary agent has been a hydrocarbon distillate variously called mineral spirits, Stoddard Solvent, or petroleum naphtha. During initial use, this solvent becomes unacceptable for the intended application and fresh solvent is provided. However, the partially used solvent still retains the capacity for less rigorous cleaning applications, such as drum washing.

This multiple use of the solvent allows maximum value out of this commodity.

DRUM WASHING SCENARIOS

Existing Drum Washer/Dumpster System

For many years, Safety-Kleen has used a system that combines drum washing within a large trough that is used as a receptacle for receiving parts washer solvent returned from our customers. The trough portion of this unit is typically 1.5 ft wide x 3 ft. long x 1.5 ft. deep. It allows easy access for the emptying of drums and typically contains up to 40 gallons of solvent.

The drum washer mechanism sits to the side of the dumpster trough and within a unified containment area (see Figure 1). The complete system is 3 ft. wide x 5 ft. long x 6 ft high. As shown in Figure 2, it is fitted with a brush and nozzle assembly designed to wash bottom interior and exterior sidewalls of drum. Solvent is pumped from the bottom of this trough to a nozzle that sprays solvent inside drums that rotate around a large brush that scrubs the inside surface.

A maximum volume of 40 gallons is retained in the bottom of the drum washing unit. A float switch controls a second pump that moves excess solvent to a storage tank. This solvent is then transported to a recycling plant..

New Continued Use System

Continued use material will be deposited in a 200-gallon open top vessel is (3 ft. wide x 4 ft. long x 5 ft. high) which has been fitted with a sloped bottom directed to a centered 1 ½" threaded outlet. This tank has a full lid which is closed when not in use and is held open with a fusible-link for emergency closure during use. As shown in Figure 3, solvent for drum washing is taken preferentially from this dumpster until it is empty. This vessel is the primary source of drum washing solvent. When this vessel is empty, solvent residing in the bottom of the main dumpster is recirculated through the drum washer for any remaining requirements.

EQUIPMENT DESCRIPTION

Pumps

This system utilizes two ITT Marlow pumps (Model 1½HR49EC) which are 1½-inch open impeller centrifugal-type units powered by a 1½ HP (3450 RPM) motor. These pumps are specially useful for handling liquids with substantial solids loading.

Valves

The drum-washing solvent feed is controlled by two Watts Mfg. 1½" motor-driven ball valves (Model 1801-212). These valves are electrically-controlled. The valve between the final dumpster and the continued use solvent storage vessel are manually controlled by the operator from a control panel.

Nozzles

Two styles of nozzles are utilized in the drum washing assembly. The primary interior nozzle is a Spraying Systems; Model H-U ¾ 65200 Brass unit. The primary working dimension for this nozzle is its 11/32-inch orifice diameter, which yields a flowrate of 22 gal/min.

Three Model H-U ¼ 6510 Brass nozzles are utilized for exterior washing. The primary working dimension for this nozzle is a 3/16-inch orifice (this is drilled out from the normal 5/64-inch orifice), which yields a liquid stream instead of a mist spray to minimize air emissions.

Both of these nozzles were selected to give good area coverage with maximum cleaning efficiency without excessive vaporization.

Electrical Logic

The primary electrical circuit regulates the use of solvent from each dumpster unit. A single switch panel controls each valve simultaneously and has indictor lights to verify open (green)/ closed (red) positions. The drum washer pump will only operate when each valve is opposite each other, assuring that solvent cannot be mixed during the wash cycle (i.e., two illuminated green lights will lock out the washer pump).

A timer located in the drum washer control panel automatically stops the washer pump. The timer has a 1-9,999 second range. This assures that a specific volume of solvent is utilized during each wash cycle. Part of the objectives of this test was to establish the setting for this timer.

SYSTEMS OPERATION

The drum washer/dumpster and reuse dumpster are integrated by a pump dedicated to washing drums, as shown in the system layout in Figure 4. The two motor-driven valves control the inlet to this pump from each dumpster unit. The valves operate simultaneously opposite each other to maintain a sufficient solvent flow and specify which solvent is to be used for washing drums. The reuse dumpster is always the primary source. The washer pump is activated manually once a dirty drum is in place and is automatically stopped following the preset wash cycle period.

The second pump is dedicated to removing excess solvent from the drum washer/dumpster and is automatically controlled by a float switch mounted in the trough area of this unit.

EXPERIMENTAL RESULTS AND DISCUSSION

The volume of solvent required to remove sediment from parts washer drums is related to a time factor to be incorporated into the wash cycle since the solvent flowrate is constant and reproducible. All sediment settles to the bottom of a drum and a proper cleaning is considered accomplished when the interior drum bottom is visually free on any residue. It is extremely rare that the exterior is still dirty once the interior is clean.

Studies were performed at two locations to substantiate a time period required to obtain clean drums. The Safety-Kleen Branches at Elgin, IL and South Bend, IN are representative of all Safety-Kleen Branches, since all drum washer installations are identical. Approximately 100 drums were cleaned at each location to generate the data for this study.

In each test, drums were washed for a 10 second period and inspected. Additional cleaning was performed in 5 second intervals until each drum was finished. The following chart associates the percentage of drums determined to be clean to the required time to achieve the desired results.

In each test, the washer was metered at a 22 gal./min. flow rate. This was determined by extending the nozzle into a drum via a 1-inch diameter X 5-ft hose and measuring the volume using a drum and calibrated dip stick.

Table 1 presents the data for South Bend, IN.

% Clean Drum	Wash Time	Solvent Volume
31%	10 sec.	3.7 gal.
70%	15 sec.	5.5 gal.
88%	20 sec.	7.3 gal.
96%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

Table 2 presents the data for Elgin, IL.

% Clean Drum	Wash Time	Solvent Volume
35%	10 sec.	3.7 gal.
66%	15 sec.	5.5 gal.
92%	20 sec.	7.3 gal.
99%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

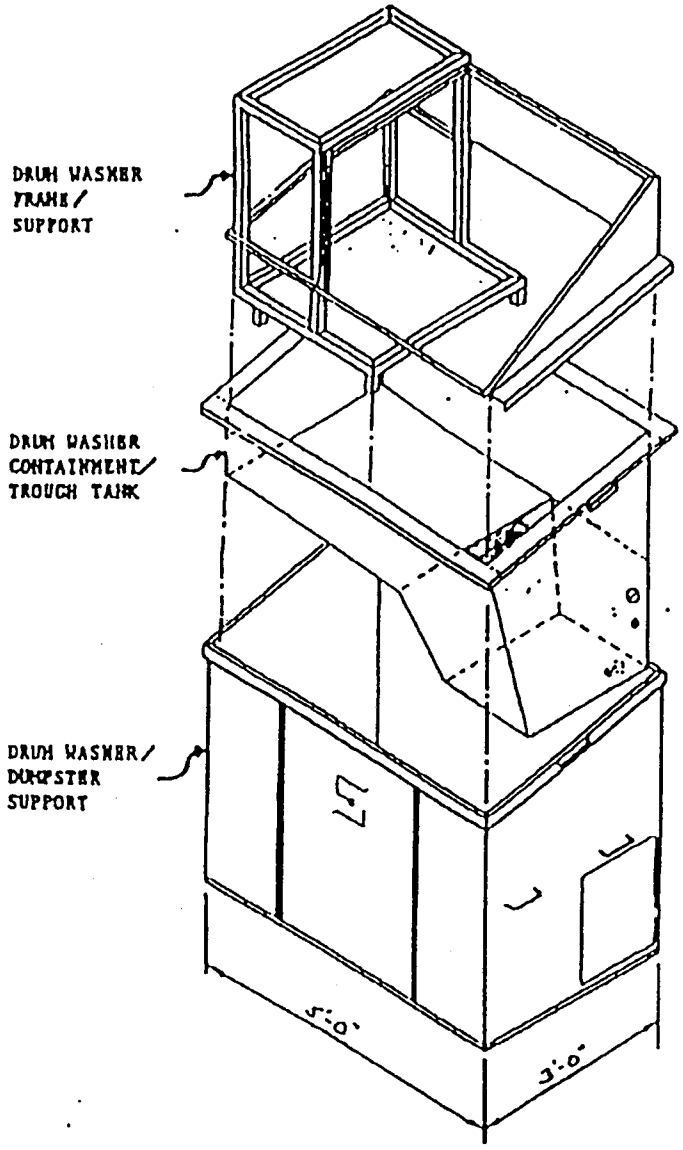
As can be seen, the data are very similar. By combining all of the data and utilizing the known flow rate to associate a solvent volume with each time interval, Table 3 presents both the time and solvent volume required to clean dirty solvent drums. If one assumes the goal is to only rarely run any drums through a second time, the timer will need to be set at 35 seconds and a total volume of solvent of around 13 gallons will be required. This is around the typical volume brought back in an average drum of dirty solvent.

% Clean Drum	Wash Time	Solvent Volume
33%	10 sec.	3.7 gal.
68%	15 sec.	5.5 gal.
90%	20 sec.	7.3 gal.
98%	25 sec.	9.2 gal.
100%	35 sec.	12.8 gal.

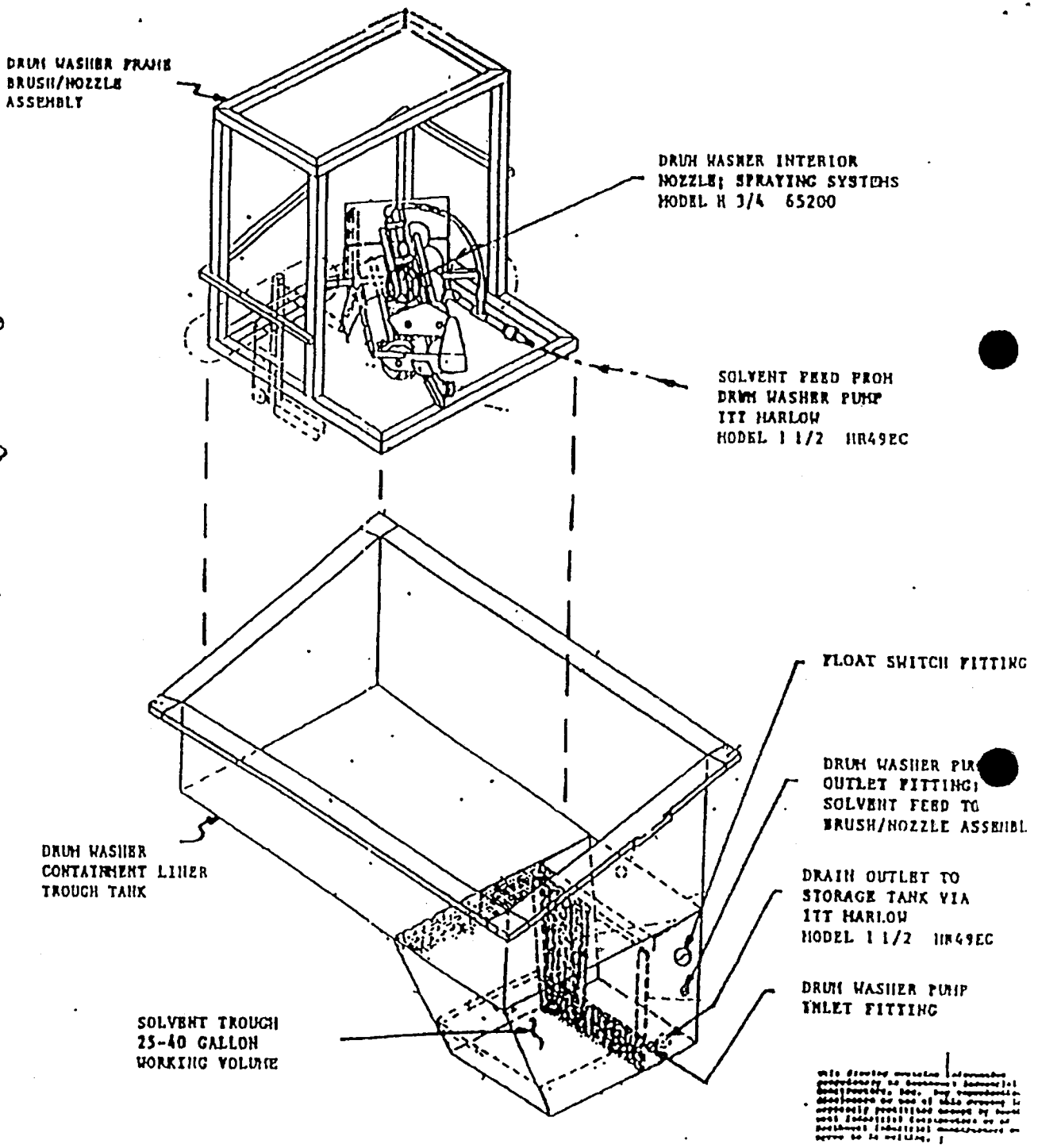
CONCLUSIONS

The average total flowrate for the drum washer is 22 gal/minute. Our study showed the time needed for cleaning all but the most highly contaminated drums was 35 seconds. Thus, 13 gallons of solvent per drum is required. When this continued use system is installed, all pumps, nozzles, and timers will be standardized to be identical to these operating parameters.

FIGURE 1



DRUM WASHER/DUMPSTER



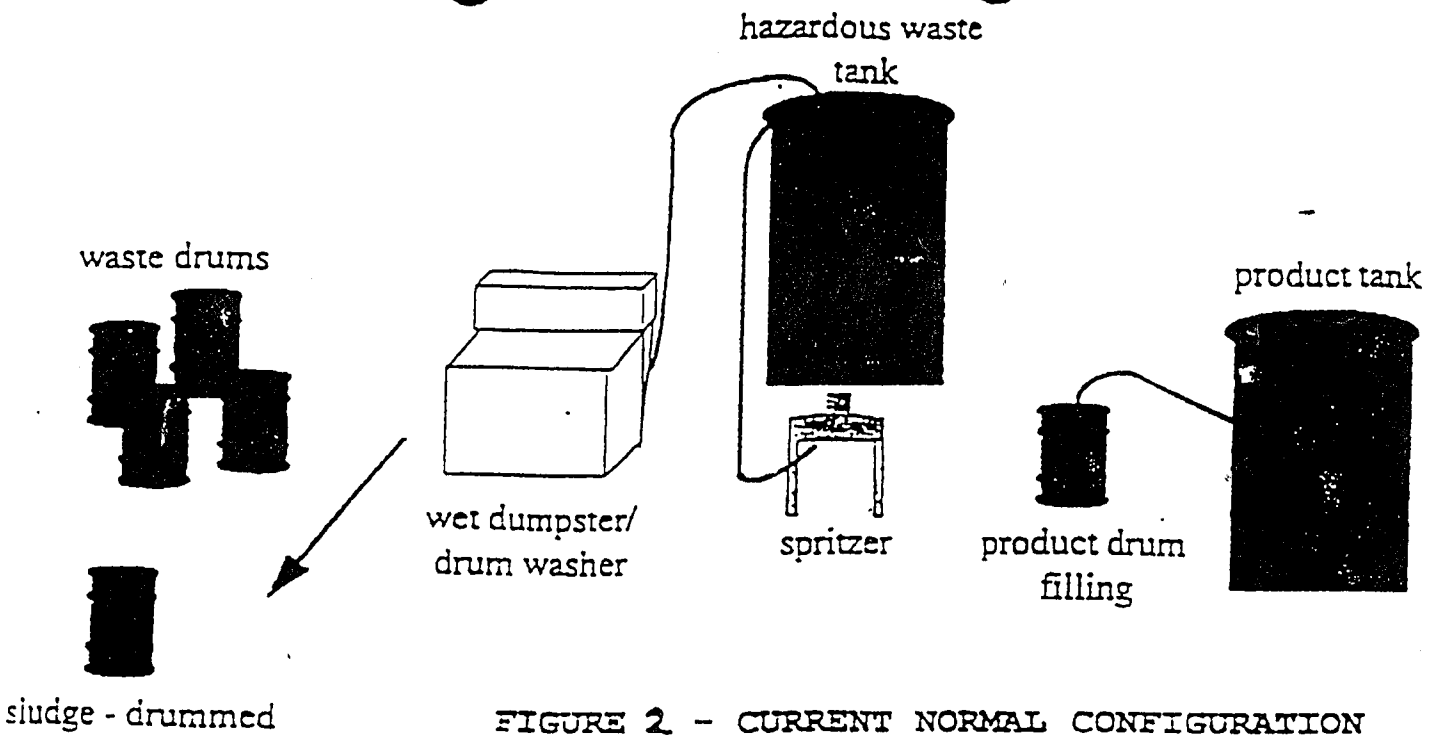


FIGURE 2 - CURRENT NORMAL CONFIGURATION

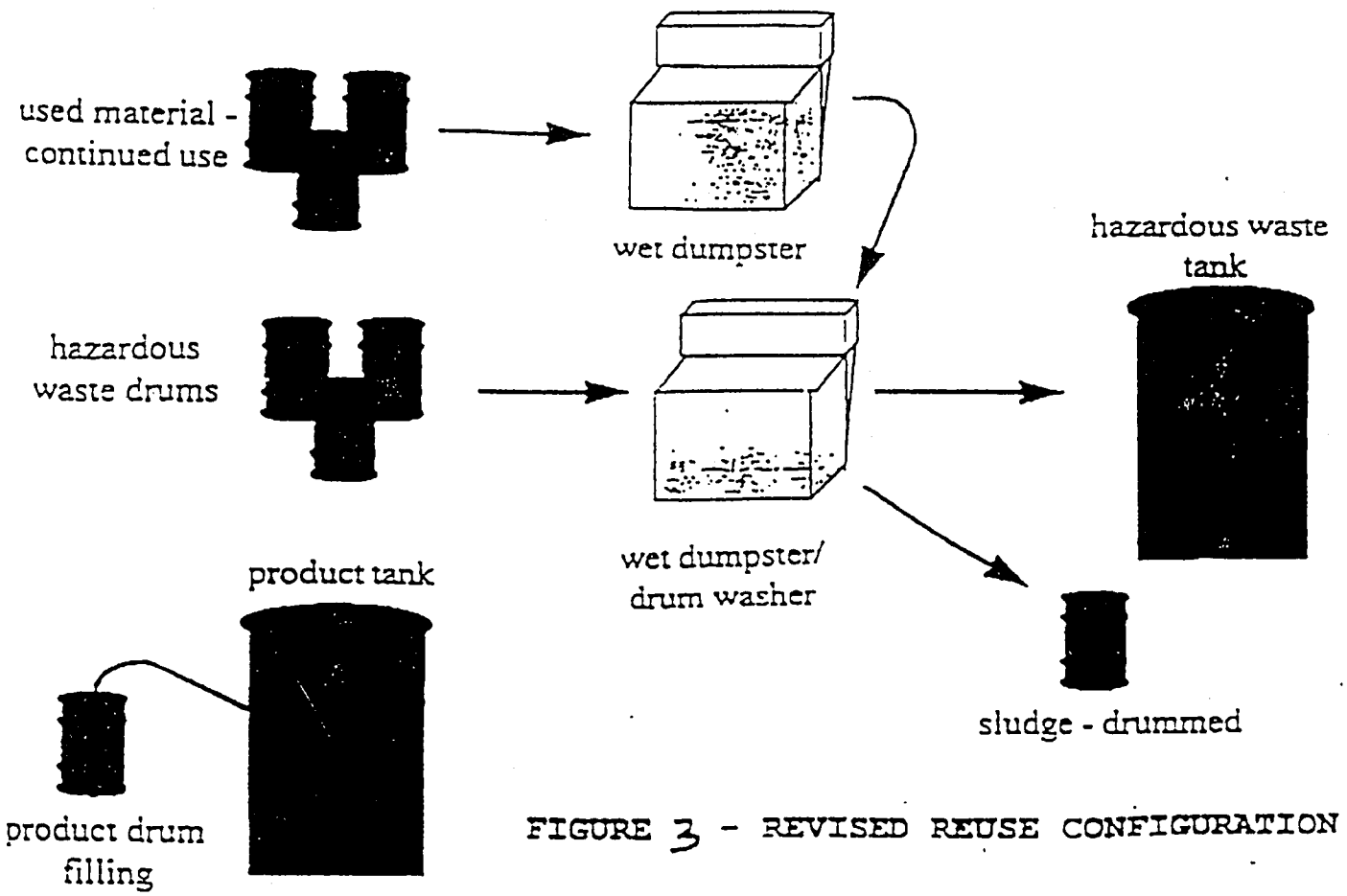


FIGURE 3 - REVISED REUSE CONFIGURATION

BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING SCHEMATIC

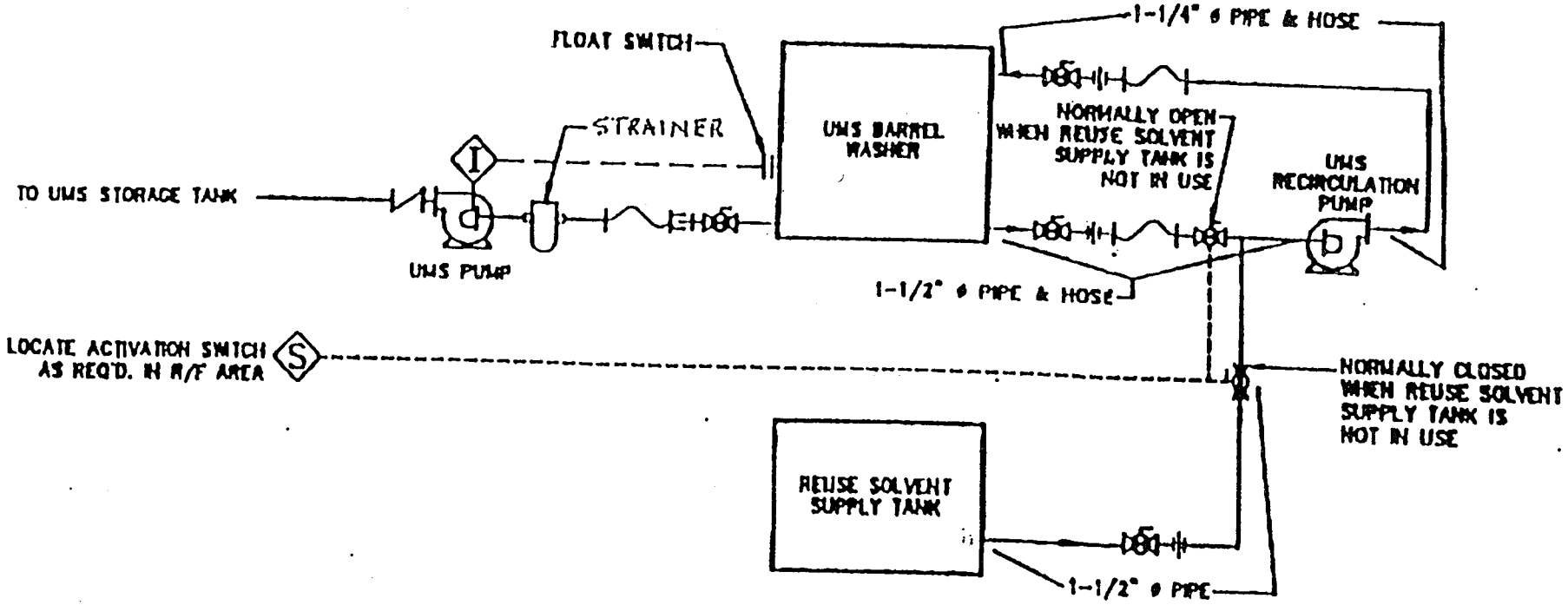
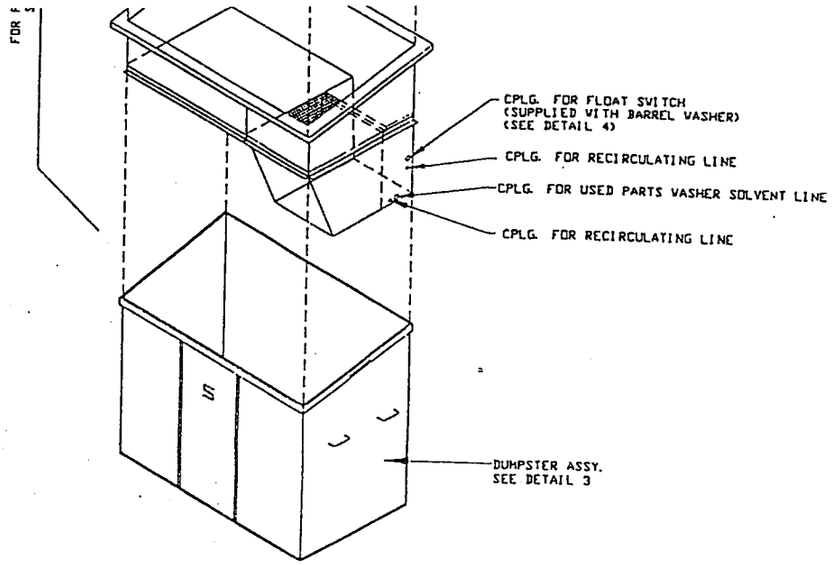
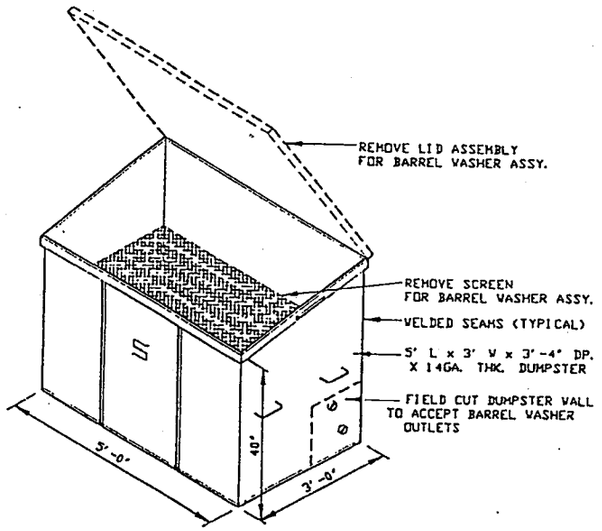
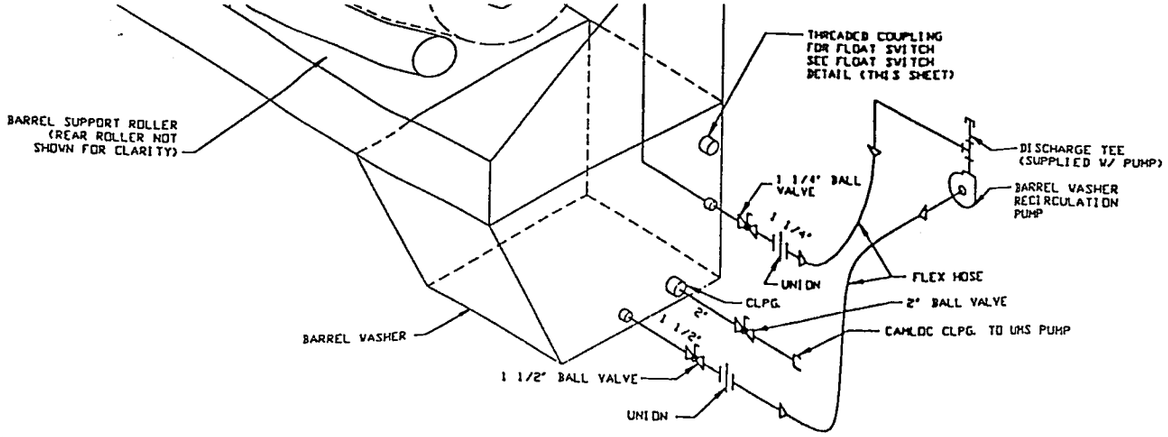


FIGURE 4

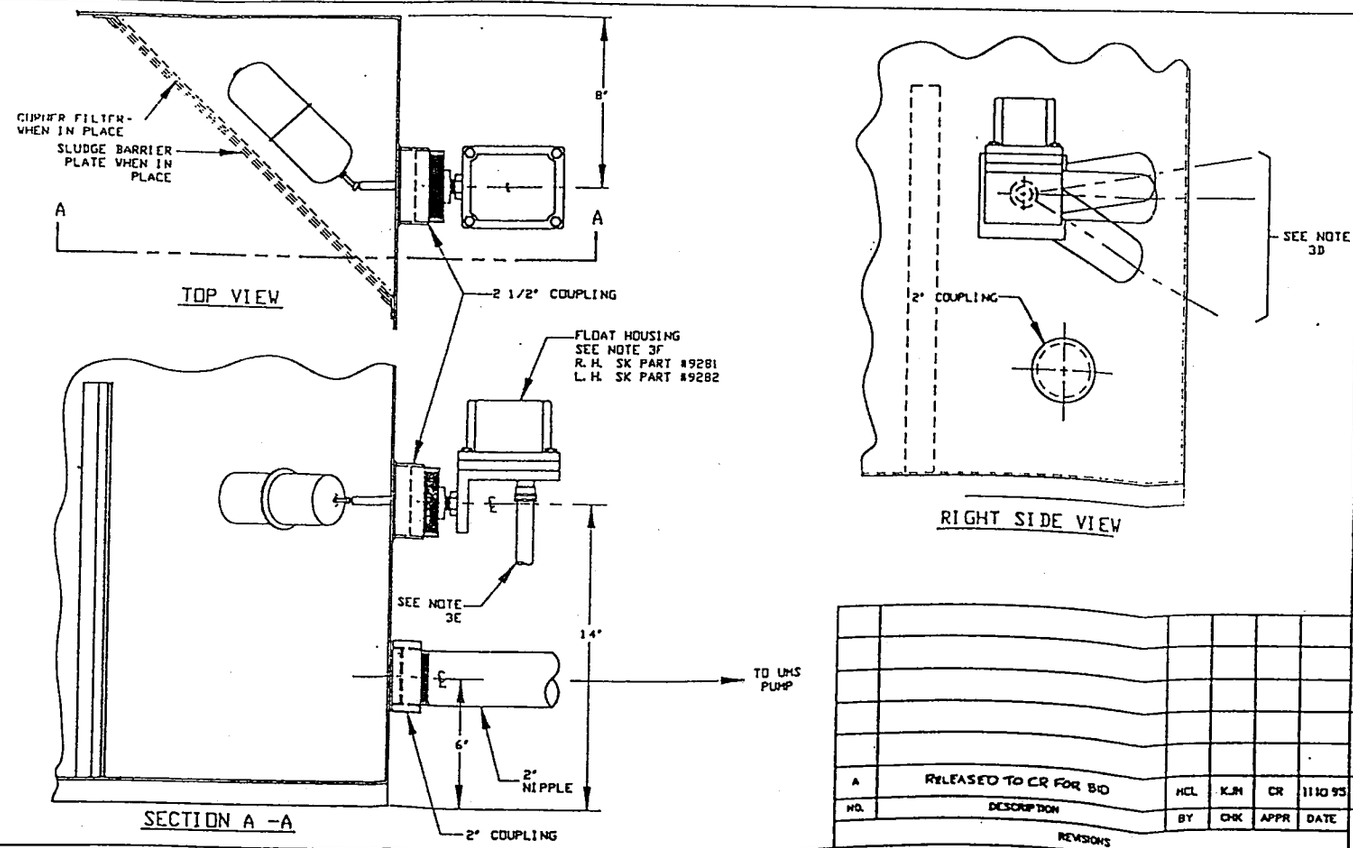


DUMPSTER ASSY. – DETAIL 3





FLOAT SWITCH INSTALLATION – DETAIL 4



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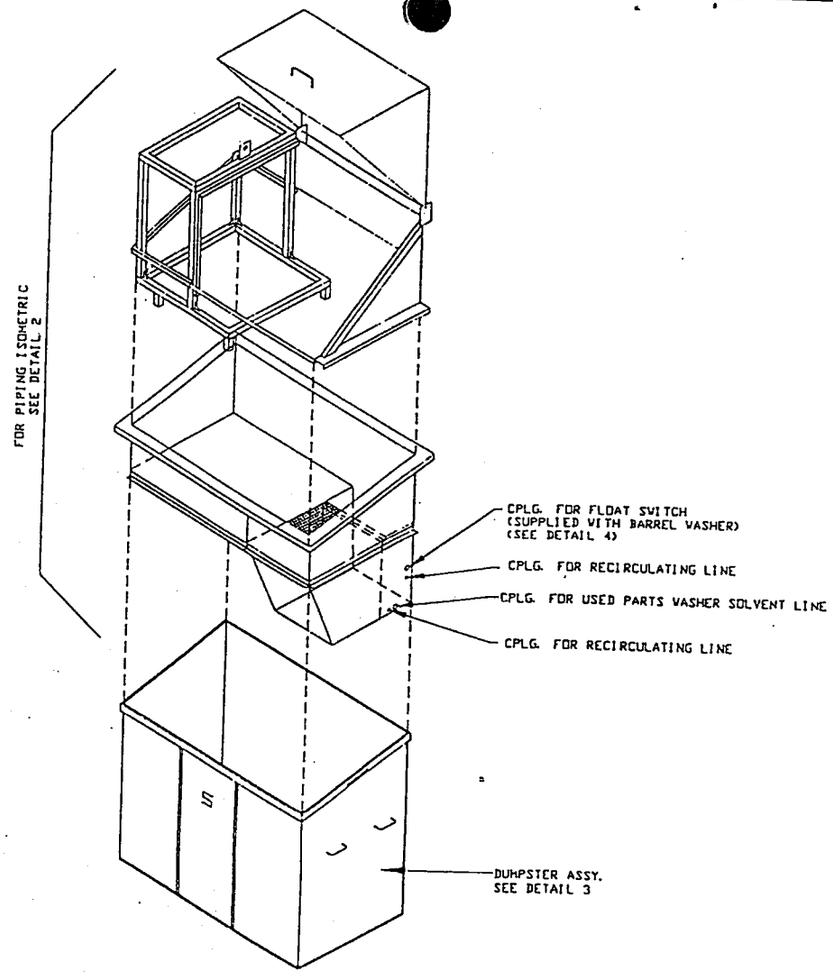
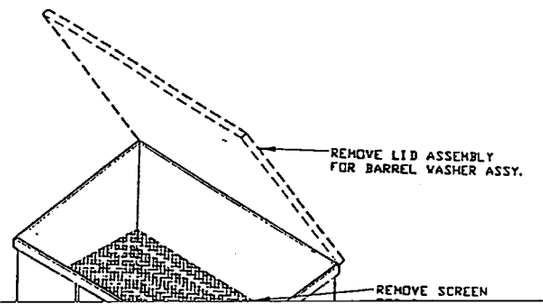
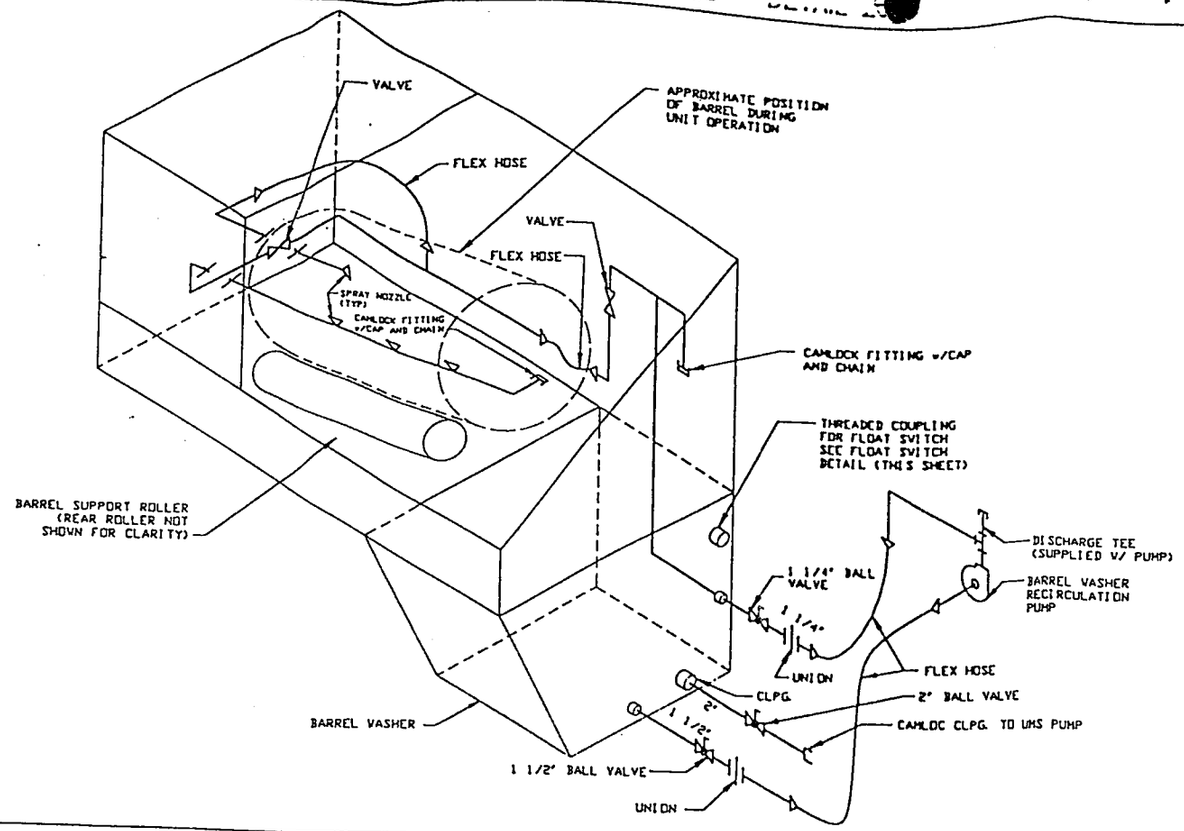
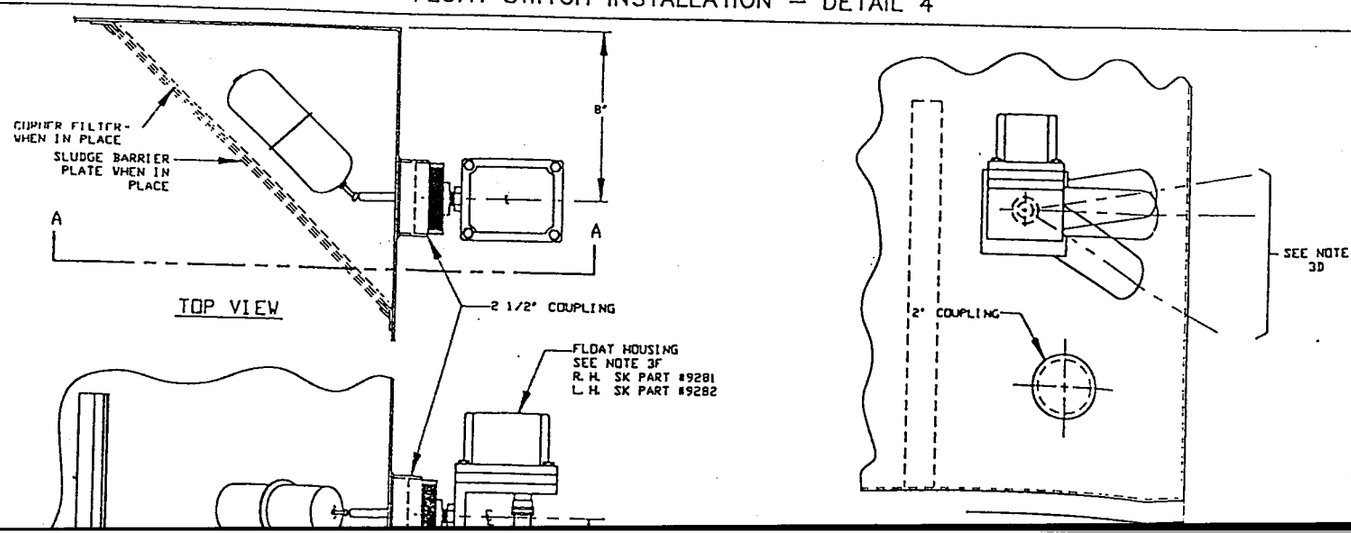


DUMPSTER ASSY. – DETAIL 3





FLOAT SWITCH INSTALLATION – DETAIL 4



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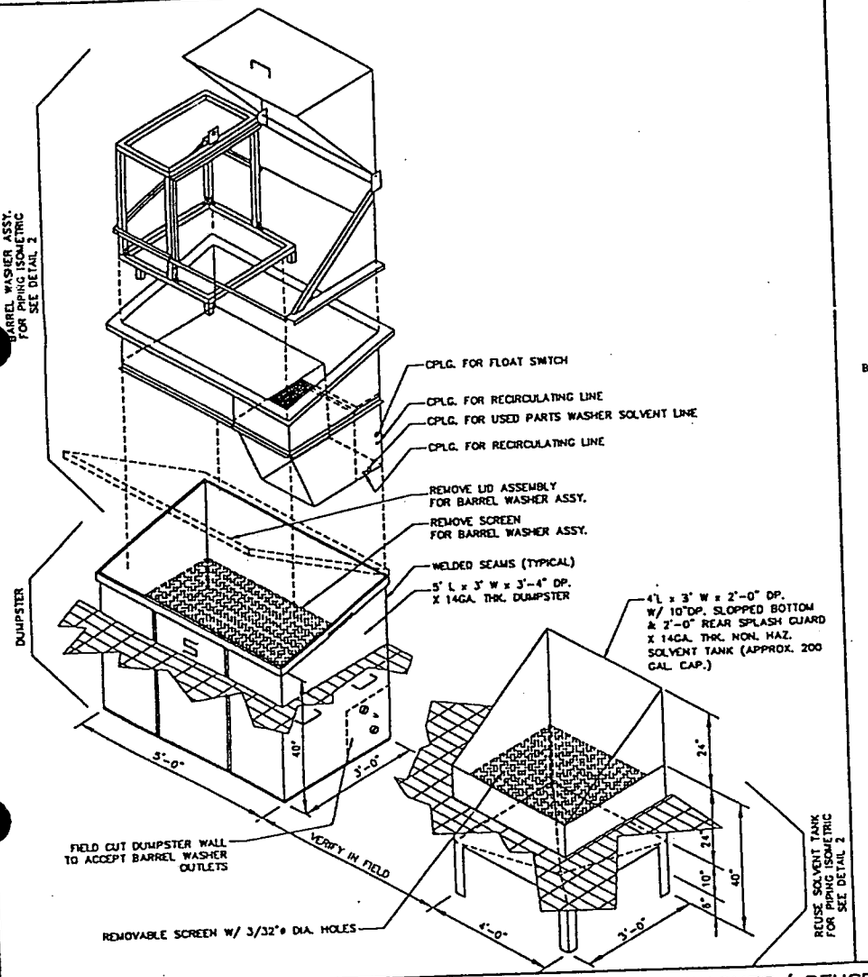
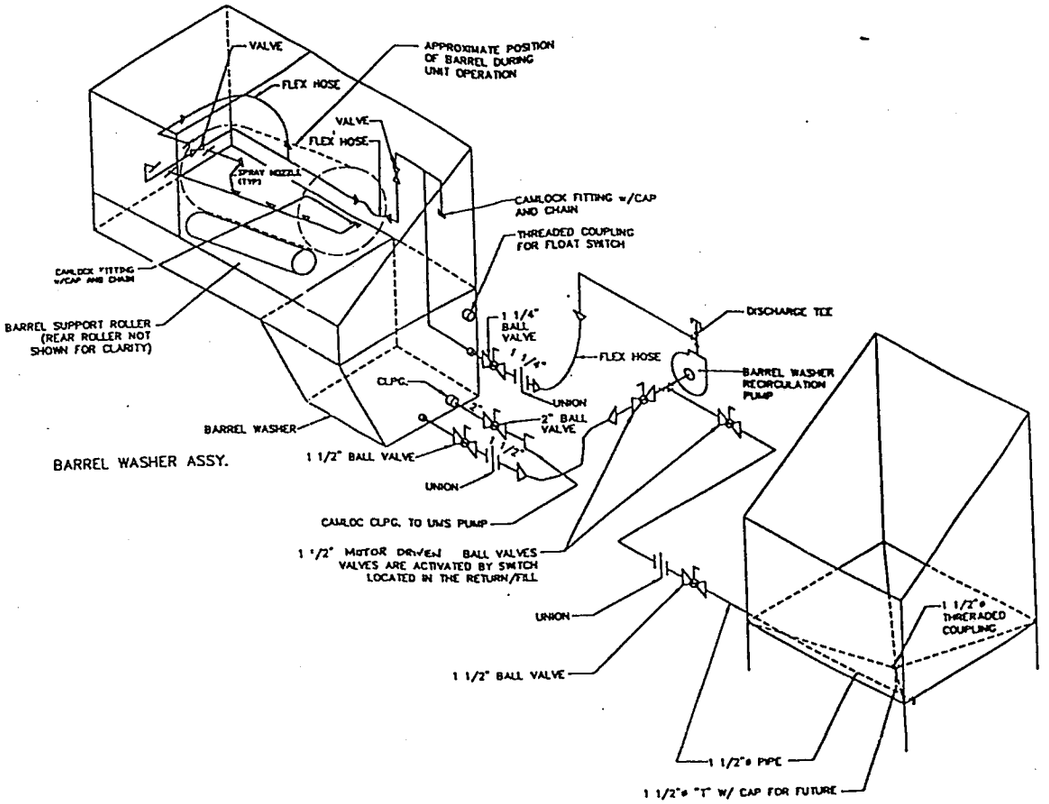
DUMPSTER/BARREL WASHER/REUSE SOLVENT TANK ASSY – DETAIL 1



BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING ISOMETRIC – DETAIL 2



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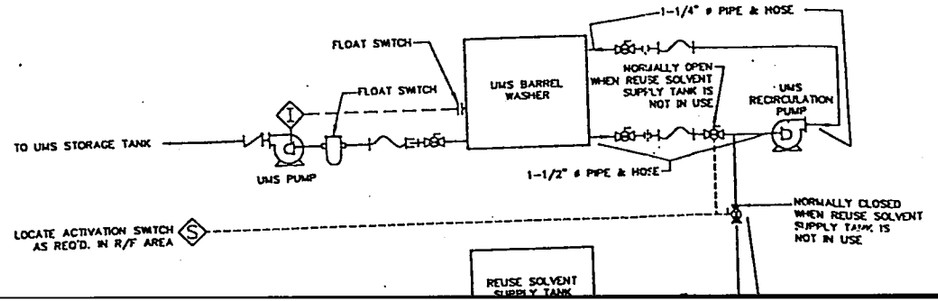

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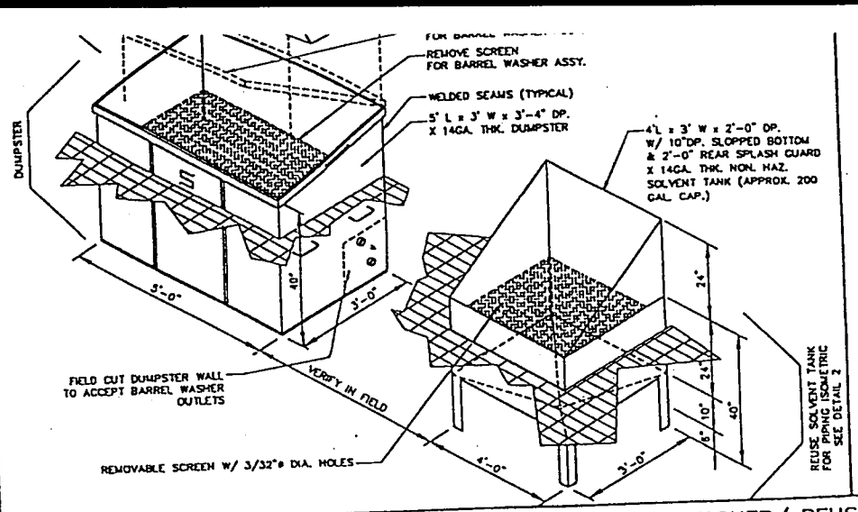

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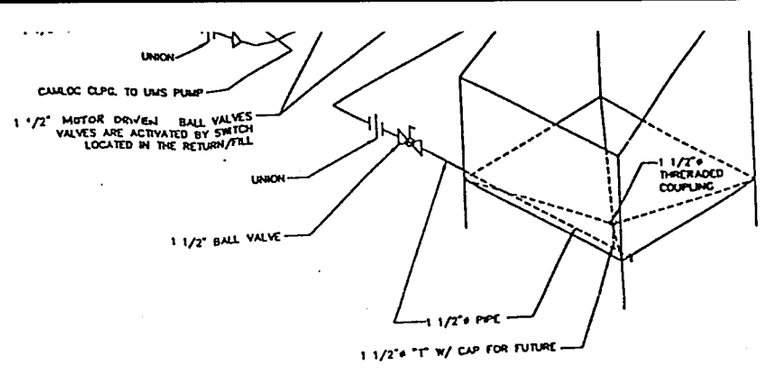

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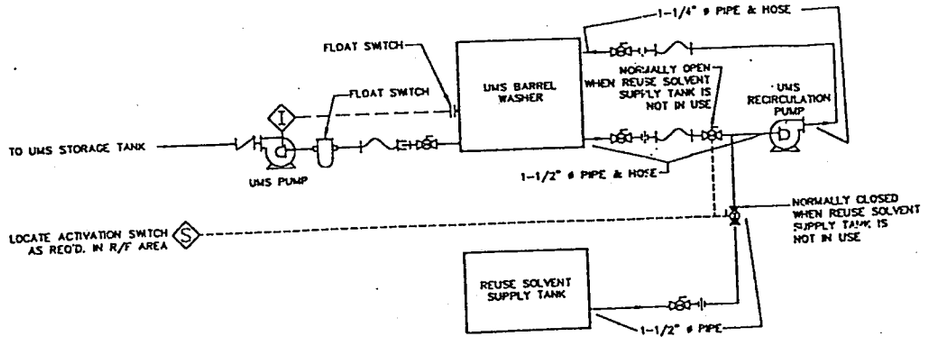
BARREL WASHER/ REUSE SOLVENT SUPPLY TANK PIPING SCHEMATIC – DETAIL 3



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PART I GENERAL PERMIT APPLICATION REVIEW CHECKLIST

PAGE 1 OF 3

FACILITY Safety-Kleen - Medley

EPA ID NUMBER _____ PATS NUMBER HO-13-307336

TYPE OF APPLICATION HW - Tank + Container Storage

SUBMITTAL DATE 6/4/97 REVIEWER

1. _____
2. _____
3. _____

PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	General.			
	a. Four (4) copies, with original signatures and seal.	62-730.220 (2)	✓	
	b. Standard 3-ring or D-ring binder.	62-730.220(10)	✓	
	c. Headers with revision number, page number and date on each page of the application.	62-730.220(10)	✓	
	d. Formatted same as application instructions.		N/A	
	e. Notice to local governments.	62-730.220(11)	✓	
	Part I- General.			
	A-1 Type Of Facility.	270.13(A)	✓	
	A-2 Type Of Application.	270.13(G)	✓	
	A-3 Revision Number.		✓	
	A-4 Date Operation Began.	270.13(G)	✓	
	A-5 Facility Name.	270.13(B)	✓	
	A-6 ID Number.	264.11	✓	
	A-7 Facility Location.	270.13(B)	✓	
	A-8 Facility Mailing Address.	270.13(B)	✓	
	A-9 Facility Contact. • Name • Address • Title • Phone		✓	
	A-10 Operator(s). • Name • Phone	270.13(d)	✓	
	A-11 Operator(s) Address.	270.13(d)	✓	

PART I GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	A-12 Facility Owner's. • Name • Phone	270.13(e)	✓	
	A-13 Facility Owner's Address.	270.13(e)	✓	
	A-14 Legal Structure.	270.13(d)	✓	
	A-15 County-State Registration.	270.13(d)	N/A	
	A-16 State of Incorporation.	270.13(d)	✓	
	A-17 Partners/Owners. • Name • Address	270.13(d)	N/A	
	A-18 Site Ownership Status. • Land Owner's Name • Land Owner's Address	270.13(e)	✓ owned	
	A-19 Engineer. • Name • Registration Number • Address • Association	62-730.220(7)	Elaina J. Modlin #49946	
	A-20 Geologist. • Name • Registration Number • Address • Association	62-730.220(8)	N/A	
	A-21 Indian Lands.	270.13(f)	no	
	A-22 Existing Environmental Permits. • NPDES • UIC • RCRA • PSD • Others	270.13(k)	yes	

PART I GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ **PATS NUMBER** _____

TYPE OF APPLICATION _____

PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	B-1 Facility Location. • County • Nearest Community • Latitude/Longitude • Section/Township/Range • UTM Number	270.13(b)	✓	
	B-2 Area of Facility Site.		✓	
	B-3 Scale Drawing. • Photographs • Traffic Pattern	270.13(h)	✓	
	B-4 Map. • One mile beyond property line • Outline of facility • Location of existing and proposed intake and discharge structures • Hazardous waste treatment, storage, and disposal facilities • Underground injection wells • Springs, rivers, and other surface water bodies • Drinking water wells	270.13(l)	✓	
	B-5 Flood Plain.		✓	
	C-1 Zoning.		✓	
	C-2 Zoning Changes.		✓	
	C-3 Present Land.		✓	
	D-1 Waste Generated On-Site. • SIC Codes	270.13(c)	✓	
	D-2 Description of Operation. • A general description of the facility. Include the nature of the business. Off-site facilities should identify the types of industry served. On-site facilities should briefly describe the process(es) involved in the generation of hazardous waste.	270.13(i)&(m) 270.14(b)(1)	✓	
	D-3 Process - Codes and Design Capacities. • Process Codes • Process Capacity • Waste Code • Unit of measure • Annual Amount	270.13(i) & (j)	✓	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ **PATS NUMBER** _____

TYPE OF APPLICATION _____

SUBMITTAL DATE **REVIEWER**

1. _____
2. _____
3. _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Part II-A. General 62-730			
	A-1. TOPOGRAPHIC MAP. A topographic map showing the facility and a distance of 1000 feet around it. The following information is required: • Scale 1 in. - 200 ft. • Contours sufficient to show surface water flow • Extend 1000 ft. beyond property • Map scale • Map date • 100 Yr. floodplain • Surface waters • Surrounding land use • Map orientation • Legal boundaries • Location of access control • Injection and withdrawal wells N/A - on-site - off-site • Building • Structures ? • Sewers • Loading and unloading areas ? see Contingency Plan • ~~Fire control facilities~~ • Flood control or drainage barriers • Run-off control systems • Location of hazardous waste units	270.14(b)(19)	Y	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

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PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	• Location of solid waste management units • Access and internal roads. For large facilities, the use of other scales may be acceptable on a case-by-case basis.		N/A ✓	
	A-1a. ADDITIONAL TOPOGRAPHIC REQUIREMENTS FOR LAND STORAGE, TREATMENT, AND DISPOSAL FACILITIES. (See Section Topographic Map Requirements.)	270.14(c)(3) & (4), 264.95 and 264.97	N/A	
	A-1b. WIND ROSE. • Wind speed • Direction • Legend • Date.		✓	
	A-1c. TRAFFIC INFORMATION. A description of the means of transporting hazardous wastes. All facilities should describe movement of waste on the facility. Description must include: • Estimated volume • Traffic pattern • Traffic control • Access road(s) surfacing and load-bearing capacity. Off-site facilities (only) should also describe movement of waste to the facility from the point where it leaves nearest major highway.	270.14(b)(10)	Fig. 2.1-2	
	A-2. FINANCIAL RESPONSIBILITY. A-2a. CLOSURE COST ESTIMATES. • Copy of Financial Mechanism Financial Assurance DEP Form 62-730.900(2) Part II 2. Contact Financial Assurance Section in Tallahassee.	264.142, 264.143 and 270.14(b)(15)		
	A-2b. POST-CLOSURE CARE COST ESTIMATE. • Copy of Financial Mechanism Financial Assurance DEP Form 62-730.900(2) Part II 2. Contact Financial Assurance Section in Tallahassee.	264.144, 264.145, 264.146 and 270.14(b)(16)		

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	A-2c. CORRECTIVE ACTION COST ESTIMATES. • Copy of Financial Mechanism Financial Assurance DEP Form 62-730.900(2) Part II 2. Contact Financial Assurance Section in Tallahassee.	264.100, 264.101 and 62-730.180(6)		
	A-2d. LIABILITY COVERAGE. • Copy of Policy	264.147 and 270.14(b)(17)		
	A-3. FLOODPLAIN STANDARD. Documentation of whether or not the facility is located within a 100-yr. floodplain including the source of data (Federal Insurance Administration Map or other maps and calculations). If map other than FIA map is used, demonstration of equivalent mapping technique should be provided. If located in 100-yr. floodplain include: • 100-yr. floodplain level • Other special flooding factors (e.g., wave action) that must be considered to prevent washout.	270.14(b)(11)(iii) and 264.18(b)	✓	
	A-3b(1). DEMONSTRATION OF COMPLIANCE. For facilities located within the 100-yr. floodplain, a description of how the facility is designed, constructed, operated, and maintained to prevent washout of any hazardous waste during a flood. Either of the following may be used:	270.14(b)(11)(iv) and 264.18(b)	N/A	
	A-3b(1)(a). FLOOD PROOFING AND FLOOD PROTECTION. A structural or other engineering study showing how design of the tanks, containers, or waste piles and the flood proofing and protection devices at the facility will prevent washout including: • Engineering analysis of hydrodynamic and hydrostatic forces • Structural or other engineering studies of hazardous waste units and flood protection devices.	270.14(b)(11) (iv)(A) & (B)		

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

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TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	A-3b(1)(b). FLOOD PLAN. Description of the procedures to be followed to remove hazardous waste to safety before the facility is flooded. The plan must address the following: • Timing related to flood levels. • Estimated time to move the waste. • Description of the location to which the waste will be moved and proof of the receiving facility's eligibility to receive hazardous waste. • Procedures, equipment, and personnel to be used and the means to ensure that these resources will be available. • Potential for accidental discharge of the waste.	270.14(b)(11)(iv)(C) and 264.18(b)(1)(i)		
	A-3b(2). PLAN FOR FUTURE COMPLIANCE WITH FLOODPLAIN STANDARD. For facilities located within the 100-yr. floodplain that do not comply with the floodplain standard, a plan showing how and when the facility will be brought into compliance. A compliance schedule must be included.	270.14(b)(11)(v)		
	A-3b(3). WAIVER FOR LAND STORAGE AND DISPOSAL FACILITIES (EXISTING FACILITIES ONLY). If a waiver from the Floodplain Standard is requested, the owner or operator must demonstrate that there will be no adverse effects on human health or the environment if washout occurs. The following factors must be considered in this demonstration: • Volume and physical and chemical characteristics of the waste. • Concentration of hazardous constituents that would potentially affect surface waters. • Impact of such concentration on the current or potential uses of and water quality standards established for the affected surface waters.	264.18(b)(1)(ii)		

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	• Impact of hazardous constituents on the sediments of affected surface waters or the soils of the 100-yr. floodplain.			
	A-4. FACILITY INFORMATION. A-4a. SECURITY. Security Procedures and Equipment. Unless a waiver is granted, the application must include a description of the security procedures and equipment required by 264.14:	264.14 and 270.14(b)(4)	Y	
	24-Hour Surveillance System. A 24-hour surveillance system (e.g., television monitoring or surveillance by guards or facility personnel) that continuously monitors and controls entry onto the active portion of the facility: • Procedures and personnel to be used • Location and description of equipment.	264.14(b)(1)	N	
	Barrier and Means to Control Entry. (In lieu of a 24-hour surveillance system, the applicant may elect to use a barrier and other means to control entry.)	264.14(b)(2)(i)	Y	
	Barrier. An artificial or natural barrier (e.g., a fence in good repair or a fence combined with a cliff) that completely surrounds the active portion of the facility: • Height • Material of construction	264.14(b)(2)(i)	Y	
	Means to Control Entry. A means to control entry, at all times, through the gates or other entrances to the active portion of the facility (e.g., an attendant, television monitors, locked entrance, or controlled roadway access to the facility): • Procedure and personnel to be used. • Location and description of equipment.	264.14(b)(2)(ii)	Y	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY_____

EPA ID NUMBER_____ PATS NUMBER_____

TYPE OF APPLICATION_____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Warning Sign. The facility must have a sign with the legend, "Danger - Unauthorized Personnel Keep Out," which must: • Be posted at each entrance to the active portion of the facility. • Be in sufficient numbers to be seen from any approach to the active portion of the facility. • Legend must be in English and any other language predominated in the area. • Be legible from a distance of at least 25 feet. Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion and that entry onto the active portion can be dangerous.	264.14(c)	Y	
	Waiver. If a waiver of these requirements is requested, the owner or operator must demonstrate the following:	264.14(a)	N/A	
	Injury to Intruder. Physical contact with the waste, structure, or equipment within the active portion of the facility will not injure unknowing or unauthorized persons or livestock that may enter the active portion of a facility; and	264.14(a)(1)	N/A	
	Violation Caused by Intruder. Disturbance of the waste or equipment by the unknowing or unauthorized entry of persons or livestock onto the active portion of a facility will not cause a violation of the requirements of 264.	264.14(a)(2)	N/A	
	NOTE: To address the above, the application should include: • Nature and duration of hazard potential from waste. • Equipment and structures to minimum potential for an intruder to: 1)cause a spill; 2) mix incompatible wastes; 3) ignite ignitable or		N/A	

FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	reactive wastes; 4)damage containment or monitoring systems. • Feature that prevent contact with waste.			
	A-4b. CONTINGENCY PLAN. A copy of the contingency plan required in Part 264, Subpart D. Include, where applicable, specific requirements in 264.227 and 264.225.	270.14(b)(7) (264.50 through 264.56)	✓	
	An existing spill prevention control plan can be amended to incorporate hazardous waste management provisions sufficient to comply with 264, Subpart D requirements. General Information. • Facility name and location and owner or operator name. • Site plan. • Description of facility operations.	264.52(b)	✓	
	Emergency Coordinators. • Names, addresses, office and home phone numbers, and duties of primary and alternate coordinators in sequences as alternates. • A statement authorizing designated coordinators to commit the necessary resources to implement the contingency plan. • Can reach facility in short period of time.	264.52(d) and 264.55	✓	
	Implementation. Criteria for implementation of contingency plan for any potential emergency: • Fires/explosions. • Unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.	264.52(a) and 264.56(d)	✓	
	Emergency Response Procedures. Notification. • Methodology for immediate notification of facility personnel and necessary state or local agencies.	264.56(a)	✓	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Identification of Hazardous Materials. Available data and/or procedures for identification of hazardous materials involved in the emergency and quantity and areal extent of release. Include information on: • Characteristics of waste. • Exact source. • Amount. • Aerial extent of release.	264.56(b)	✓	
	Hazard Assessment. • Procedure for assessment of possible hazards to the environment and human health. • Procedures for determining the need for evacuation and notification of authorities. The authorities to be notified must include the on-scene-coordinator for that area or the National Response Center.	264.56(c) and 264.56(d)	✓	
	Control Procedures. • Specific responses and control procedures to be taken in the event of a fire, explosion, or release of hazardous waste to air, land, or water.	264.52(a)	✓	
	Prevention of Recurrence or Spread of Fires, Explosions or Releases: • During an emergency situation, a description of the necessary steps to be taken to ensure that fires, explosions, or releases do not occur, reoccur, or spread to other hazardous waste at the facility. Steps must include, where applicable: - Shut-down of processes and continued monitoring of them - Collecting, containing, and treating released wastes - Removing and isolating containers - Proper use of fire control structures (e.g., fire doors), systems (e.g., sprinkler systems), and equipment (e.g., extinguishers).	264.56(e)	✓	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Storage and Treatment of Released Material • Provisions to monitor for leaks, pressure buildup, gas generation, or ruptures, as appropriate, if operations at the facility are stopped in response to a release, fire or explosion. • Provisions for treatment, storage, or disposal of any hazardous waste resulting from a release, fire, or explosion at the facility. • Equipment available. • Procedures for deployment of these resources. • Methods to contain, treat, and clean up a hazardous release and decontaminate the affected area.	264.56(f) and 264.56(g)	✓	
	Incompatible Waste. Provisions for preventing waste which is incompatible with the released material from being treated, stored, or located in the affected areas until cleanup procedures are completed.	264.56(h)(1)	✓	
	Post-Emergency Equipment Maintenance. Procedures for ensuring that all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. (This includes advising authorities.)	264.56(h)(2) and 264.56(i)	✓	
	Container Spills and Leakage. Procedures for responding to container spills or leakage including removal of spilled waste and repair or replacement of containers.	264.171	✓	
	Tank Spills and Leakage. • Procedures for responding to tank spills or leakage, including removal of spilled waste and repair of tank. • Procedures for responding to leaks or spills from tanks containing hazardous wastes F020, F021, F022, F023, F026, and F027; and	264.194(c) and 264.200(a)(2)	✓	

FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	procedures for immediate removal of these wastes from the containment system and replacement or repair of the leaking tank.			
	Surface Impoundment Spills, Leakage, and Sudden Drops. • Procedures for stopping waste additions. • Procedures for containing any leakage. • Procedures for stopping leaks and preventing sudden drops and preventing catastrophic failure. • Procedures and criteria for emptying impoundment. • Procedures for installing a liner in existing portions of the impoundment or procedures for certification of the liner in other than existing portions when the impoundment is removed from service as the result of a sudden drop in liquid level. • Obtain qualified engineers certification of repairs and probability of leakage or failure.	270.14(b)(7), 264.227, 264,227(b)(1), 264.227(b)(2), 264.227(b)(3) and 264.227(b)(4) 264.227(b)(5) 264.227(d)(2)	✓	
	Emergency Equipment. Location, description, and capabilities of emergency equipment. This should include: • Spill control equipment. • Fire control equipment. • Personnel protective items such as respirators and protective clothing. • First aid and medical supplies. • Emergency decontamination equipment. • Emergency communication and alarm systems.	264.52(e)	✓	
	Coordination Agreements. • A description of coordination agreement existing police and fire departments, hospitals, contractors, and state and local emergency response teams to familiarize them with the facility and actions needed in case of emergency.	264.37 and 264.52(c)	✓	

PART II GENERAL PERMIT APPLICATION REVIEW CHECKLIST
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FACILITY _____

EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	• A statement indicating that a copy of the contingency plan has been submitted to these organizations. • If applicable, document of refusal to enter into a coordination agreement.	264.53(b) 264.37(b)		
	Evacuation Plan. The plan must include: • Criteria for evacuation. • A description of signal(s) to be used to begin evacuation. • Primary and alternate evacuation routes.	264.52(f)	✓	
	Required Reports. • Provisions for submission of reports of emergency incidents within 15 days of occurrence. • Notation of such incidents in the operating record identifying the time, date, and details of these emergency incidents.	264.56(u)	✓	
	D-4c. PREVENTIVE PROCEDURES, STRUCTURES, AND EQUIPMENT. A description of procedures, structures, or equipment used at the facility for the following must be included:	270.14(b)(8)	—	
	Unloading Operations. Prevention of hazards in unloading operations (e.g., use of ramps or special forklifts).	270.14(b)(8)(i)	✓	
	Run-Off. Prevention of runoff from hazardous waste handling areas to other areas of the facility or environment, or prevention of flooding, (e.g., berms, dikes, trenches).	270.14(b)(8)(ii)	✓	
	Water Supplies. Prevention of contamination of water supplies.	270.14(b)(8)(iii)	✓	
	Equipment and Power Failure. Mitigation of effects of equipment failure and power outages.	270.14(b)(8)(iv)	✓	

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PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Personal Protection Equipment. Prevention of undue exposure of personnel to hazardous waste (e.g., protective clothing).	270.14(b)(8)(v)	✓	
	Precautions to Prevent Ignition or Reaction of Ignitable or Reactive Wastes A description of the precautions taken by a facility that handles ignitable, reactive or incompatible waste to demonstrate compliance with 264.17 including documentation demonstrating compliance with 264.17(c). Precautions to prevent actual ignition, including separation from sources of ignition such as: • Open flames. • Smoking. • Cutting and welding. • Hot surfaces. • Frictional heat. • Spark (static, electrical, or mechanical). • Spontaneous, ignition (heat producing chemical reactions). • Radiant heat. Demonstration that when ignitable or reactive waste is being handled, the owner or operator confines smoking and open flames to specially designated locations. "No Smoking" signs must be conspicuously placed wherever a hazard exists for ignitable or reactive waste.	270.14(b)(9) and 264.17(a) and (c)	✓	
	General Precautions for Handling Ignitable or Reactive Waste and Mixing of Incompatible Waste A description of the precautions taken by a facility that treats, stores, or disposes of ignitable or reactive waste, or accidentally mixes incompatible waste or incompatible wastes or other materials, to prevent reactions which:	270.14(b)(9) and 264.17(b) and (c)	✓	

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	(1) generate extreme heat or pressure, fire or explosions or violent reactions; (2) produce uncontrolled flammable fumes, dusts, or gases in sufficient quantities to threaten human health or the environment; (3) produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions; (4) damage the structural integrity of the device or facility; (5) by similar means threaten human health or the environment.			
	Documentation to meet requirements of 264.17(c) or (b) may be based on references to published scientific or engineering literature, data from trial tests, waste analyses, or results of treatment of similar wastes by similar treatment processes and under similar operating conditions.	264.17(c)	✓	
	Management of Ignitable or Reactive Waste in Containers. Sketches, drawings, or data demonstrating that containers of ignitable or reactive waste are located at least 15 meters (50 feet) from the facility's property line.	270.15(c) and 264.176	✓	
	Management of Incompatible Wastes in Containers A description of procedures to demonstrate compliance with 264.177(a) and (b), and 264.17(b) and (c): • The procedures used to ensure that incompatible wastes and materials are not placed in the same container (unless 264.17(b) is complied with) or in an unwashed container that previously held compatible waste. • Dikes, berms, walls or other devices used to separate containers, holding wastes which are incompatible with wastes or materials stored nearby.	270.15(d) and 264.177 264.177(a) and 264.177(b) 264.177(c)	✓	

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PAGE/ P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Management of Ignitable or Reactive Wastes in Tanks. A description of the operational procedures for handling incompatible, ignitable, or reactive wastes, including the use of buffer zones. Requirements of 264 include: • Waste must be treated, rendered, or mixed before or immediately after placement in the tank so that it is no longer considered ignitable and complies with 264.17(b); or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite; or the tank is used solely for emergencies. • Facilities that treat or store ignitable or reactive waste in covered tanks must comply with the National Fire Protection Association's buffer zone requirements for tanks.	270.16(f) and 264.198	✓	
	Incompatible Wastes in Tanks. A statement that incompatible wastes and materials are not stored in the same tank or in an unwashed tank that previously held an incompatible waste or material (unless 264.17(b) is complied with).	270.16(f) and 264.199	✓	
	Ignitable or Reactive Wastes in Waste Piles. The application must include a description of the procedures for handling ignitable, or reactive wastes, including the use of buffer zones. Waste must be treated, rendered, or mixed before or immediately after placement in the waste pile so that it is no longer considered ignitable and complies with 264.17(b); or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite.	270.18(f) and 264.256	N/A	
	Incompatible Wastes in Waste Piles. The applicant must include:	270.18(g) and 264.257	N/A	

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	• A statement that incompatible wastes and materials are not stored in the same waste pile or on the same base that previously held an incompatible waste or material unless 264.17(b) is complied with. • A description of the procedures (dikes, beams, walls, distances) utilized to separate a waste pile of hazardous waste that is incompatible with any waste or other material stored nearby.			
	Ignitable or Reactive Wastes in Surface Impoundment. • A description of the procedures for handling ignitable, or reactive wastes, including the use of buffer zones. Waste must be treated, rendered, or mixed before or immediately after placement in the surface impoundment so that it is no longer considered ignitable and complies with 264.17(b); or • The waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite; • The impoundment is used only for emergencies.	270.17(g) and 264.229	N/A	
	Incompatible Waste in Surface Impoundment. The application must include: • A statement that incompatible wastes and materials are not stored in the same surface impoundment or in the impoundment that previously held an incompatible waste or material unless 264.17(b) is complied with.	270.17(h) and 264.230	N/A	
	Ignitable or Reactive Wastes in Landfills. Documentation of procedures for: • Rendering wastes non reactive prior to or immediately after placement in the landfill. • Preventing reactions. • Protecting ignitable wastes in containers from materials or conditions that may cause them to ignite.	270.21(f) and 264.312	N/A	

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	Incompatible Wastes in Landfills. Applicant must provide procedures for ensuring that incompatible wastes will not be disposed of in the same landfill cell, unless 264.17(b) is complied with.	270.21(g) and 264.313	N/A	
	Ignitable or Reactive Wastes in Land Treatment. A description of the management of ignitable or reactive wastes which will be placed in or on the treatment zone, if applicable, and an explanation of how the following requirements will be complied with: • The waste is immediately incorporated into the soil so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste and the requirements of 264.17(b) are complied with; or • The waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react.	270.20(g) and 264.281	N/A	
	Incompatible Wastes in Land Treatment. A description of the management of incompatible wastes must be submitted if incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, including an explanation of how the requirements of 264.17(b) are complied with.	270.20(h) and 264.243	N/A	
	A-4d. PREPAREDNESS AND PREVENTION REQUIREMENTS. A justification of any request for a waiver of preparedness and prevention requirements of Part 264, Subpart C.	270.14(b)(6)	N/A	
	Equipment Requirements. Unless it can be demonstrated that none of the hazards posed by waste handled at the facility would require a particular kind of equipment specified below, the facility must have the following equipment: (These requirements are not specifically listed in 270.14-270.29 for inclusion in a Part B).	264.32	✓	

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	Internal Communications. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.	264.32(a)	✓	
	External Communications. A device such as telephone (immediately available at the scene of operations) or a handheld two-way radio, for summoning emergency assistance from local police departments, or state or local emergency response teams.	264.32(b)	✓	
	Emergency Equipment. • Fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals and portable fire extinguishers). • Soil control equipment. • Decontamination equipment.	264.32(c)	✓	
	Water for Fire Control. One of the following: • Water at adequate volume and pressure to supply water hose streams; or • Foam-producing equipment; or • Automatic sprinklers or water spray systems.	264.32(d)	✓	
	Aisle Space Requirement. Requests for a waiver of the aisle space requirement must be accompanied by a demonstration that aisle space is not needed to allow the unobstructed movement of personnel, fire protection equipment, or spill control equipment to any area of facility operation in an emergency.	264.35	✓	
	A-4e. PERSONNEL TRAINING. Outline of Training Program. An outline of both the introductory and continuing training programs by owners or operators to prepare the personnel to operate	270.14(b)(12) and 264.16	✓	

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	and maintain the facility in a safe manner as required to demonstrate compliance with 264.16. Include a brief description of how training will be designed to meet actual job tasks in accordance with requirements in 264.16(a)(3). (Note: On-the-job training may be used to comply with these requirements.)			
	Job Titles and Duties. For each employee whose position at the facility is related to hazardous waste management, the following must be maintained at the facility: • Job title. • Job duties. • Job description.	264.16(d)(1) and 264.16(d)(2)	✓	
	Training Content, Frequency, and Techniques. In both introductory and continuing training (including an annual review of the initial training) for each employee describe: • Training content. • Frequency of training. • Technique(s) used in training.	264.16(a)(3), 264.16(c) and 264.16(d)(3)	✓	
	Training Director. Demonstration that the program is directed by a person trained in hazardous waste management: • Credentials of training director.	264.16(a)(2)	✓	
	Relevance of Training to Job Position. A brief description of how instructions of facility personnel in hazardous waste management procedures (including contingency plan implementation) is relevant to their positions. [To demonstrate compliance with 264.16(a)(2).]	264.16(a)(2)	✓	
	Training for Emergency Response. Documentation that the training program trains facility personnel to respond effectively to emergencies and trains them to be familiar with	264.16(a)(3)	✓	

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	emergency procedures, emergency equipment, and emergency systems, include where applicable:			
	• Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment.	264.16(a)(3)(i)	✓	
	• Key parameters for automatic waste feed cut-off system.	264.16(a)(3)(ii)		
	• Communications or alarm systems.	264.16(a)(3)(iii)		
	• Response to fires or explosions.	264.16(a)(3)(iv)		
	• Response to groundwater contamination incidents.	264.16(a)(3)(v)		
	• Shutdown of operations.	264.16(a)(3)(vi)		
	Implementation of Training Program.	264.16(d)(4)		
	• Indication that training has been and will be successfully completed by facility personnel within 6 months of their employment or assignment to a facility, or transfer to a new position at a facility, whichever is later.	264.16(b)	✓	
	(NOTE: Employees hired after the effective date of these regulations must not work in unsupervised positions until they have completed the training requirements).			
	• Records documenting that the required training has been given to and completed by facility personnel must be maintained.			
	A-5. CHEMICAL AND PHYSICAL ANALYSIS. For each hazardous waste treated, stored or disposed at the facility, the following information should be provided:	270.14(b)(2) 264.13(a)		
	• General description of the waste.		✓	
	• Hazardous characteristics.			
	• Basis for hazard designation.			
	• Laboratory report on analyses results.			
	• Existing published or documented data on hazardous waste or hazardous waste from a similar process (new facilities only).			
	At a minimum, the analyses should include all the information which must be known to treat,			

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	store, or dispose of the waste in accordance with Part 264 and 268 requirements or conditions of a permit issued under Part 270.			
	Containers. • Compatibility of waste with container. • For containers of wastes without a secondary containment system test procedures and results or other documentation or information which show that wastes do not contain free liquids. A suggested test for free liquids is the Paint Filter Liquids (Test Method 9095 in SW-846). • Waste specific parameters based on hazardous designation. • Other information required for safe operation.	264.172, 270.15(d), 264.177 and 270.15(b)(1)	✓	
	Tanks. • Specific gravity. • Waste specific parameters based on hazardous designation. • Other information required for safe operation.	264.191(a)	✓	
	Waste Piles. • For waste piles that are inside or under a structure when an exemption from 264.251 is requested, test procedures and results, or other documentation or information which show that the wastes do not contain free liquids when placed on the pile. A suggested test for free liquids is the Paint Filter Liquids Test (Method 9095 in SW-846). • Demonstration that the wastes will not generate leachate through decomposition or other reactions while being stored.	264.250(c)(1) 264.250(c)(4)	N/A	
	Incinerators. Trial Burn. If a trial burn is proposed (or has been conducted already), an analysis of each waste or waste mixture to be burned during the trial burn (or burned during	270.62(b)(2)(i)	N/A	

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	the previous trial burn) and after the trial burn is complete, which includes: • Heat value. • Viscosity (liquids). • Physical form (non-liquids). • Identification of hazardous organic constituents listed in Appendix VIII: [Note: The applicant need not analyze for Appendix VIII constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified, and the basis for exclusion stated.] - Approximate quantification of hazardous constituents - Chlorine content - Ash content.		N/A	
	Data in Lieu of Trial Burn. Data may be supplied in lieu of the results of a trial burn. The data must include an analysis of each waste or waste mixture to be burned. including: • Heat value. • Viscosity (if applicable) or description of physical form of the waste. • Identification of hazardous organic constituents listed in Appendix VIII: [Note: The applicant need not analyze for Appendix VIII constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified, and the basis for exclusion stated.] - Approximate quantification of hazardous constituents - Quantification of hazardous constituents which may be designated as POHC's based on data submitted from other trial or operational burns which demonstrate compliance with the performance standard in 264.343. - Comparison of waste for which permit data submitted in lieu of a trial burn, including identified POHC'S.	270.19(c)(i)	N/A	

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	Landfills. • Results of the Paint Filter Liquids Test (Method 9095 in SW-846) showing that containerized or bulk wastes do not contain free liquids.	264.314	N/A	
	Land Treatment. • Demonstrate that waste can be completely degraded, transformed, or immobilized in treatment zone: - Percent moisture - Specific gravity or bulk density - Conductivity - Acidity or Alkalinity - TOC - Appendix VIII constituents - Concentration and identification or volition hazardous constituents - Cadmium concentration (when foodchain crops are grown in the treatment zone).	264.272(a) 264.276(b)	N/A	
	A-6. WASTE ANALYSIS PLAN. A copy of the waste analysis plan required by 264.13(b) and, if applicable, 264.13(c). The Waste Analysis Plan should describe the procedures used to obtain chemical and physical information and data on the wastes to ensure proper storage, treatment, and disposal and compliance with the land disposal restriction program. Minimum requirements include:	270.14(b)(3), 264.13(b) & (c) and 268.7	✓	
	Parameters and Rationale. A list of parameters chosen for analysis and an explanation of the rationale for their selection.	264.13(b)(1)	✓	
	Test Methods. A description of the best methods used to test for parameters chosen.	264.13(b)(2)	✓	
	Sampling Methods. A list of the sampling methods used to obtain a representative sample of each waste to be analyzed.	264.13(b)(3) Part 261, Appendix I	✓	

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	Frequency of Analysis. A description of the frequency at which the analyses will be repeated. The frequency must be sufficient to ensure that the analysis is accurate and up-to-date. (For an on-site facility, this will be whenever there is a process change. For an incinerator, this will be as often as required to verify consistency of the waste feed.)	264.13(b)(4)		
	Additional Requirements for Wastes Generated Off-Site. A description of the procedures used to inspect and/or analyze waste generated off-site that includes: • Procedures to determine waste identity. • Sampling frequency. • Sampling methods. • Waste analysis information supplied by generator.	264.73(a) & (b), 264.13(b)(5) and 264.13(c)		
	Additional Requirements for Facilities Handling Ignitable, Reactive, or Incompatible Waste. If the facility stores or treats ignitable, reactive, or incompatible waste, a description of methods which will be used to meet the additional waste analysis requirements necessary for complying with the regulatory requirement specified in Section F-5.	264.13(b)(6) 264.17		Identification of each movement of waste managed at the facility.
	Additional Waste Analysis Requirements Pertaining to Land Disposal Restrictions.	270.14(b)(3), 264.13(a)(1), 264.13(b)(6) and 268.7		
	Waste Characteristics. Analytical data must be submitted by the generator to the owner/operator for each waste stored, treated, or disposed at the facility, or information from knowledge of the waste can be used, to determine if the waste is restricted under 268. If generator knowledge is used, all supporting data must be maintained in the operating record.	264.13(a)(1) and 268.7		

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	Waste Characteristics: Solvent Wastes and Dioxin-Containing Wastes. F001-F005 spent solvent wastes are restricted from land disposal under 268.30 and F020-F023 and F026-F028 dioxin-containing wates are prohibited under 268.31 unless: • Wastes meet applicable standards in Subpart D, or • An exemption has been granted pursuant to 268.6, or • An exemption has been granted pursuant to 268.5. To determine if a waste is restricted, you must: • Test waste, or an extract developed using the Toxicity Characteristic Leaching Procedure (TCLP), or • Use information from knowledge of chemical and physical characteristics.	264.13(a)(1) and 268.7(a) 268.30, 268.31 and Part 268, Appendix I	Y	
	Waste Characteristics: California List Wastes. The following wastes are prohibited from land disposal under 268.32: • Liquid hazardous wastes with a pH less than or equal to 2.0. • Liquid wastes containing PCB's at concentrations greater than or equal to 50 ppm • Liquid hazardous wastes that are primarily water and contain HOCs in total concentration greater than or equal to 1,000 mg/l. • Non-liquid hazardous wastes containing HOCs in total concentrations greater than or equal to 1,000 mg/kg. Unless: • An exemption has been granted pursuant to 268.6, or • A case-by-case extension of the effective date has been granted pursuant to 268.5, or	264.13(a)(1), 268.7(a) and 268.32	N/A	

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	• Wastes meet applicable standards in Subpart D or, • Where treatment standards are not specified, wastes are in compliance with applicable prohibitions in 268 or RCRA Section 3004(d). To make the determinations: • Use Method 9095 (Paint Filter Liquids Test) in SW-846 to determine if waste is a liquid. • Initial generator must test waste (not extract or filtrate) in accordance with 261.22(a)(1), or use knowledge of the waste to determine if pH is less than or equal to 2.0. • Initial generator of liquid hazardous waste containing PCBs or a liquid or non-liquid hazardous waste containing HOCs must test waste (not extract or filtrate), or use knowledge of waste, to determine if concentration levels meet the prohibitions above.		N/A	
	Waste Characteristics: First Third. Initial generator must test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, to determine whether a waste listed in 266.10 meets treatment standards set in 268.41 and 268.43, respectively. If the waste contains constituents exceeding applicable Subpart D levels, waste is prohibited from land disposal unless: • An exemption has been granted pursuant to 268.6, or • A case-by-case extension has been granted pursuant to 268.5.	264.13(a)(1), 268.7(a) and 268.33	N/A	
	Additional Requirements for Treatment Facilities. Treatment facilities must conduct the following testing:	264.13(a)(1) and 268.7(b)	N/A	

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	• For wastes with treatment standards expressed as concentrations of waste extract (268.41), test treatment residues, or an extract of such residues developed using the TCLP, to assure treatment standards are meet. • For wastes with treatment standards expressed as concentrations in the waste (268.43), test treatment residues, not an extract of such residues, to assure residues meet applicable standards. • For California List Wastes (268.32) not subject to Subtitle D treatment standards, test treatment residues according to procedures in C-3(a)(2) to assure residues comply with applicable prohibitions.		N/A	
	Not applicable to wastes for which treatment technologies have been specified. If wastes received from an off-site generator, need procedures to assure that treatment is not conducted until required data is provide by the generator.		N/A	
	Additional Requirements for Disposal Facilities. If wastes or treatment residues are received from an off-site generator or treatment facility, assure wastes will not be disposed without receipt of proper notice and certification as specified in 268.7(a) & (b). Owner/operator of land disposal facility must: • Test waste, or an extract of the waste or treatment residue developed using TCLP, or • Use methods required by generators under 268.32 [C-3a(2)] to assure waste or treatment residues comply with applicable Subpart D treatment standards and all applicable prohibitions in 268.32.	264.13(a)(1) and 268.7(c)	N/A	
	Additional Requirements for Surface Impoundments Exempted from Land Disposal Restrictions. For surface impoundments exempted from land disposal restrictions under 268.4(a), address the following:	264.13(b)(7) and 268.4(a)	N/A	
	Sampling and Analysis of Impoundment Contents. • Procedures and schedule to be followed to sample	264.13(b)(7)(i) and (ii),		

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	and test treatment residues to demonstrate compliance with treatment standards or prohibitions. Note that representative samples of the sludge and the supernatant must be tested separately rather than mixed to form homogeneous samples.	and 268.4(a)(2)		
	Annual Removal of Residues. Procedures and schedule for removing residues which do not meet applicable treatment standards or prohibitions, do not exhibit a characteristic of hazardous waste, and are not delisted under Part 260.22. These residues must be removed at least annually. Note that residues may not be placed in any other surface impoundment for subsequent management.	264.13(b)(7)(iii), and 268.4(a)(2)	N/A	
	Requirements for Land Disposal Facilities With An Approved Exemption or Extension. If a case-by-case extension has been approved under 268.5 or a petition has been approved under 268.6, provide a copy of the Notice of Approval.	270.14(b)(21)	N/A	
	A-7. MANIFEST SYSTEM, RECORD KEEPING, AND REPORTING. • Required Notices. ✓ • Manifest System. ✓ • Operating Records. • Biannual Reports. ✓ • Unmanifested Waste Reports. ? • Waste Minimization. — • Addition Reports.	264.12 264.71 264.72 264.73 264.74 264.75 264.76 264.77		
	Inspection Schedule. A copy of the general inspection schedule required by 264.15(b) including, where applicable, specific requirements of 264.174, 264.194, 264.226, 264.254, 264.273, 264.303, and 264.347.	270.14(b)(5) and 264.15		

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	General Inspection Requirements. A description of the facility inspection schedule (schedule must be kept at the facility) for the following equipment: • Monitoring equipment. • Emergency and safety equipment. • Security devices. • Operating and structural equipment that are vital to prevent, detect, or respond to environmental or human health hazards. • Testing as necessary of communications or alarm systems, fire protection equipment and decontamination equipment.	270.14(b)(5) and 264.15(a) & (b) 264.15(a) & (b)		
	Examples of Monitoring Equipment That Should be Inspected at Treatment, Storage, and Disposal Facilities Are: • Scales. • Flow and liquid level monitors. • Hazardous gas detectors. • pH monitors. • Leachate monitors. • Pressure sensors. • Temperature gauges.	264.33		
	Examples of Monitoring Equipment That Should Be Inspected at Facilities With Incinerators Are: • Waste flow monitors and recorders. • Auxiliary air flow monitors. • Combustion air flow monitors. • Temperature monitors. • Flame sensors. • CO monitors and recorders. • Pressure differential indicators. • Pressure sensors. • pH monitors. • Ammeters for measuring blower current draw.			

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	Examples of Safety and Emergency Equipment to Be Inspected at TSD Facilities are: • Respirators. • Communication systems. • Alarm System. • Emergency lighting and power systems. • Smoke detectors. • Fire protection equipment. • First aid equipment and supplies. • Decontamination equipment. • Protective clothing.			
	Examples of Security Devices to Be Inspected at TSD Facilities Are: • Surveillance system. • Barrier surrounding facility. • Locking devices.			
	Examples of Operating and Structural Equipment at TSD Facilities Are: • Spill detection devices. • Spill control and collection equipment. • Fire and explosion barriers. • Ventilation equipment. • Sump pumps. • Dikes, bases, and foundations.			
	In addition; areas such as waste storage, mixing, loading, and unloading areas which are subject to spills; must be inspected.			
	Types of Problems. The schedule must identify the types of problems to look for during the inspection (e.g., leaks, deterioration, readings out of specified range, missing items or materials, inoperative equipment, etc.).	264.15(b)(3)		
	Frequency of Inspection. A description of the inspection frequency must be provided for items on the schedule. The frequency of inspection should be based on the rate of possible deterioration of equipment and the	264.15(b)(4)		

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	probability of an environmental or human health incident if the deterioration, malfunction, or operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use.			
	All emergency waste feed cut-off valves must be inspected at least weekly to verify proper operation. All system alarms must also be tested weekly.	264.347(c) (Incinerators only)		
	Specific Process Inspection Requirements. At a minimum, the inspection schedule must include the terms and frequencies called for in 264.174, 264.194, 264.226, 265.253, 264.254, 264.303, and 264.347, where applicable.	270.14(b)(5) and 264.15(b)(4)		
	Container Inspection. A description of the weekly inspection of containers and container storage areas for leaks in containers or deterioration of containers and the containment system caused by corrosion or other factors.	264. 174		
	Tank System Inspection. • A description of the inspection each operating day of overfilling control equipment, monitoring equipment, and levels of waste in uncovered tanks. • A description of the daily inspection of tank construction materials and the area surrounding the tank, including secondary containment system (e.g., dike). • A schedule describing the monitoring of each operating day of monitoring equipment (e.g., pressure and temperature gauges), where present, to ensure that the tank is operated according to design specifications. • A schedule showing the level of waste in uncovered tanks that is inspected each operating day.	264.195		

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	• A schedule and procedure for assessing the condition of the tank, including detection of leaks, cracks, or wall thinning to less than minishell thickness. • A procedure for emptying a tank to allow entry and inspection when necessary to detect corrosion or erosion of the tank sides and bottom. • Confirm proper operation of cathodic protection system (if present) within six months after installation and at least annually thereafter. • Schedule showing all sources of impressed current are inspected and/or tested at least bimonthly.			
	Waste Pile Inspection. The application must provide a description of the procedures to: • Inspect liners and covers during construction and immediately after installation for: - uniformity, damage and imperfections, holes, cracks, thin spots, bulges, root holes, tight seams and joints, permeability and compaction • Remove the waste pile and periodically inspect liners for deterioration, cracks and other imperfections. • Perform weekly inspections and, after storms, to detect: - deterioration, malfunctions, or improper operation of run-on and run-off control systems, - the presence of liquids in leak detection systems, where installed, - proper functioning of wind dispersal control systems, where present, - the presence of leachate in and proper functioning of leachate collection and removal systems, where present.	270.14(b)(5), 270.18(d) and 264.254		
	Surface Impoundment Inspection. The application must provide a description of how each surface impoundment, including the liner and cover systems and appurtenances for control of over-topping, will be inspected weekly and after storms to detect evidence of any of the following:	270.14(b)(5), 264.226(b) and 270.17(c)		

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	• Deterioration, malfunctions, or improper operation of overtopping topping control systems. • Sudden drops in the level of the impoundments contents. • The presence of liquids in leak detection systems, where installed. • Severe erosion or other sign of deterioration in dikes or other containment devices.			
	For new facilities, a description of how the liners will be inspected during construction and immediately after installation to detect non-uniformity, damages and imperfections (holes, cracks, thin seams, bulges, root holes, tight seams and joints, permeability, and compaction). See Item D-4b(2) concerning inspection of dikes for structural integrity.	264.226(a)		
	Incinerator Inspection. • Incinerator and associated equipment must be inspected visually at least daily for leaks, spills, fugitive emissions, and signs of tampering. • Emergency waste feed cut-off system and associated alarms must be tested weekly unless the applicant demonstrates that weekly frequency is unduly restrictive and that less frequent inspection will be adequate. At a minimum, operational testing must be conducted monthly.	264.347		
	Landfill Inspection. Landfill owners or operators must provide a description of procedures for: • For new facilities, inspection of liners/covers during and immediately after installation. • Inspections weekly and after storms for: - operation of run-on/run-off controls, - liquids in leak detection systems, - proper functioning of wind dispersal controls, - leachate in and proper operation of leachate collection/removal systems.	270.21(d), 264.15(a) and 264.303		

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	Land Treatment Inspection. A description of the inspection procedures. Specifically the unit must be inspected weekly and after storms for: • Deterioration, malfunctions, or improper operation of run-on and run-off control systems. • Improper functioning of wind dispersal control measures. • The presence of liquids in leak detection systems, where installed. • Proper functioning of wind dispersal control systems, where present. • The presence of leachate in and proper functioning of leachate collection and removal systems, where present.	270.20(c)(5) and 264.273(g)		
	Surface Impoundment Inspection. The application must provide a description of how each surface impoundment, including the liner and cover systems and appurtenances for control of over-topping, will be inspected weekly and after storms to detect evidence of any of the following: • Deterioration, malfunctions, or improper operation of overtopping topping control systems. • Sudden drops in the level of the impoundment's contents. • The presence of liquids in leak detection systems, where installed. • Severe erosion or other signs of deterioration in dikes or other containment devices.	270.14(b)(5), 270.17(c) and 264.226(b)		
	For new facilities, a description of how the liners will be inspected during construction and immediately after installation to detect non-uniformity, damages and imperfections (holes, cracks, thin spots, bulges, root holes, tight seams and joints, permeability, and compaction). See Item D-4b(2) concerning inspection of dikes for structural integrity.	264.226(a)		

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PAGE/ P'GRAPH	REVIEW ITEM		COMPLETE? Y/N OR N/A	COMMENTS
	Incinerator Inspection. • Incinerator and associated equipment must be inspected visually at least daily for leaks, spills, fugitive emissions and signs of tampering. • Emergency waste feed cut-off system and associated alarms must be tested weekly unless the applicant demonstrates that weekly frequency is unduly restrictive and that less frequent inspection will be adequate. At a minimum, operational testing must be conducted monthly.	264.347		
	Landfill Inspection. Landfill owners or operators must provide a description of procedures for: • For new facilities, inspection of liners/covers during and immediately after installation • Inspections weekly and after storms for: - Operation of run-on/run-off controls, - Liquids in leak detection system, - Proper functioning of wind dispersal controls, - Leachate in and proper operation of leachate collection/removal system.	270.21(d), 264.303 and 264.15(a)		
	Land Treatment Inspection. A description or the inspection procedures. Specifically the unit must be inspected weekly and after storms for: • Deterioration, malfunctions, or improper operation of run-on and run-off control systems. • Improper functioning of wind dispersal control measures.	270.20(c)(5) and 264.273(g)		
	Miscellaneous Unit Inspections. Provide an inspection program which ensures compliance with the standards specified in other units, where applicable.	270.14(b)(5) and 264.602		

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	Remedial Action. A description of procedures for taking remedial actions when inspections reveal problems or when problems are imminent. These may alternately be described in the contingency plan [See 264.194(c), 264.227, 264.171].	264.15(c)		
	Inspection Log. A copy or description of the inspection log or summary form including the following: • Dates and times of inspections. • Name(s) and inspector(s). • Observations made. • Date and nature of repairs or remedial actions taken.	264.73(b)(5) and 264.15(d)		

CONTAINER APPLICATION REVIEW CHECKLIST

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FACILITY Safety - Kleen - Medley

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SUBMITTAL DATE 6/4/97 REVIEWER

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PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	B-1. Container Design.			
	B-1(a). Containers Without Free Liquids or F020, F021, F022, F023, F026, and F027. Wastes for storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with 264.175(c); including 270.15(b).	270.15(b) and 264.175(c)		
	B-1a(1). Test for Free Liquids. Test procedures and results or other documentation or information to show that the wastes do not contain free liquids. Use of the Paint Filter Test, Method 9095 in SW-846, is recommended.	270.15(b)(1) and 264.175(c)		
	B-1a(2). Description of Storage Area Design and Operation to Drain and Remove Liquids or How Containers Are Kept From Contact With Standing Liquids Containment System Not Required If: • Storage area sloped or otherwise designed and operated to drain and remove liquid resulting from precipitation, or • Containers elevated or otherwise protected from contact with accumulated liquid.	270.15(b)(2), 264.175(c)(1) and 264.175(c)(2)		Capacity = 2,996 gallons in containment Entire warehouse = 29,400 gallons
	B-1b. Containers with Free Liquids and/or F020, F021, F022, F023, F026, and F027 Wastes. A description of the containment system to demonstrate compliance with 264.175. Show at least the following:	270.15(a) 264.175(b) and 264.175(d)		Limit will be 6,912 gallons for permit
	B-1b(1). Basic Design Parameters, Dimensions, and Materials of Construction.	270.15(a)(1), and 264.175(b)(1)		

CONTAINERS APPLICATION REVIEW CHECKLIST
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PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	Base must underlie containers which are capable of containing all liquids until the liquid is collected and removed. Information which should be provided to demonstrate this includes the following: • Statement that the base is free of cracks or gaps. • Demonstration of imperviousness of base to wastes and precipitation. • Base design and materials of construction. • Engineering evaluation of structural integrity of base. • Discussion of compatibility of base with wastes.		Y	
	B-1b(2). Description of How Design Promotes Drainage or How Containers Are Kept From Contact With Standing Liquids in Containment System. Base must be sloped or the containment system must be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or otherwise protected from contact with accumulated liquids. For this requirement, the applicant should address, where applicable: • Stacking practices. • Grading of base. • Drainage design and removal system.	270.15(a)(2) and 264.175(b)(2)	Y	
	B-1b(3). Capacity of the Containment System Relative to the Number and Volume of Containers to Be Stored. Sufficient capacity to contain 10 percent of the volume of containers or the volume of the largest container, whichever is greater. Information that should be included to satisfy this requirement is: • Volume of largest container. • Total volume of containers. • Containment structure capacity. • Capacity of run-off collection system. • Geographic storm intensity/frequency data.	270.15(a)(3) and 264.175(b)(3)	Y	

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	B-1b(4). Provisions for preventing/managing run-on into the containment system must be prevented unless the collection system has sufficient excess capacity in addition to the 10 percent minimum to contain any run-on which might enter the system. The applicant should discuss structures used to control run-on such as: • Containment system ancillary structures (curbs, dikes. etc.). • Engineering grading design. • Collection and removal system design capacity. • Potential run-on.	270.15(a)(4) and 264.175(b)(4)		
	B-1b(5). How accumulated liquids can be analyzed and removed to prevent overflow spilled or leaked waste and accumulated precipitation must be removed from the sump or collection area in a timely manner as is necessary to prevent overflow of the collection system. Information that must be included is: • How liquids will be analyzed. • Removal equipment and methods (sump pump design, piping specifications, location, discharge point, and capacity). • Management of accumulated liquid including prevention of overflow.	270.15(a)(5) and 264.175(b)(5)		
	B-2. Drawing of Containers With Buffer Zone and Incompatible Waste. • 15 meters (50 feet) from property line. • Means to separate from other waste and flames.	270.15(c), 264.176 and 264.177(c)		
	B-3. Description of Procedures Used to Ensure Compliance With Management of Incompatible Waste. • Placing incompatible waste in same container. • Putting in unwashed containers.	270.15(d), 264.177(a) & (b) and 264.17(a) & (b)		
	B-4. Container Management. • Type of containers and construction material should include liners manufacturer (if applicable), specifications, and dimensions.	264.171, 264.172, 264.173, 264.174		

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	• Procedures for handling to avoid rupturing or leaking. • Weekly inspections or deterioration caused by corrosion or other factors. • Machinery, equipment, procedures used to move containers. • Adequate aisle space for machinery, inspections, and to meet applicable codes (i.e., fire). • Maximum number, height, volume, and types of containers in store. • Waste container always kept closed during storage except when adding or removing waste. • Location of ignitable, reactive and incompatible waste. • Markings and labels placed on containers.	270.15(a)(1)		

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	C. Tank Systems.			
	C-1. Existing Tank Systems. Assessment of existing tank system's integrity written assessment, reviewed and certified by an independent, qualified, registered professional engineer, on the structural integrity and suitability of each tank system for handling hazardous waste which includes: • Design standard(s) according to which the tank and ancillary equipment were constructed. • Hazardous characteristics of the wastes that have been and will be handled. • Existing corrosion protection measures. • Documented age of the tank system or an estimate. • Results of a leak test, internal inspection, or other tank integrity examination.	270.16(a) 264.191(a) and 264.191(b)	y	
	C-2. Dimensions and Capacity of Each Tank: Description of: • Types (i e. aboveground, underground etc.; material of construction), • Volume and number of tanks, • As well as specific location of each.	270.16(b)	y	
	C-3. Description of Feed Systems, Safety Cutoff, Bypass Systems and Pressure Controls for Each Tank.	270.16(c)	y	
	C-4. Diagram of Piping, Instrumentation and Process Flow for Each Tank System.	270.16(d)	y	

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	C-5. External Corrosion Protection: Specify type and, as appropriate, location of external corrosion protection measures used to ensure continued structural integrity and suitability of each tank system for handling hazardous waste.	270.16(e) 264.192(a)(3)(ii)		
	C-6. New Tank System. Assessment of New Tank System's Integrity Written assessment, reviewed and certified by an independent, qualified registered professional engineer, on the structural integrity and suitability of each tank system for handling hazardous waste. Assessment must show that the foundation, structural support, seams, connections and pressure controls, if applicable, are adequately designed and that the tank system has sufficient structural strength and compatibility with the waste(s) to be stored or treated to ensure that it will not collapse, rupture, or fail. Assessment includes at a minimum: • Design standards(s) according to which tank(s) and/or the ancillary equipment are constructed. • Hazardous characteristics of the waste(s) to be handled.	270.16(a) & (f) 264.192(a)		
	• Corrosion assessment by a qualified expert for new tank systems or components in which the external shell of a metal tank or any external metal component of the tank system will be in contact with the soil or with water. Include factors such as: • Soil moisture content • Soil pH • Soil sulfides level • Soil resistivity • Structure to soil potential • Influence of nearby underground metal structures (e.g., piping) • Existence of stray electric current • Existing corrosion-protection measures	264.192(a)(3)		

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	The type and degree of external corrosion protection should consist of one or more of the following: • Corrosion-resistant materials of construction • Corrosion-resistant coating with cathodic protection • Electrical isolation devices.			
	• Determination of design or operation measures that will protect underground tank systems against potential damage due to vehicular traffic.	264.192(a)(4)		
	• Design considerations to ensure that tank foundations will maintain the load of a full tank and that tank systems will be anchored to prevent flotation or dislodgment where the tank system is placed in a saturated zone or is located within a seismic fault zone. Include design consideration to ensure that tank systems will withstand the effects of frost heave.	264.192(a)(5)		
	Description of Tank System Installation and Testing Plans and Procedures: Demonstrate that an independent, qualified installation inspector or an independent, qualified registered professional engineer will inspect each new tank system prior to covering, enclosing, or placing a new tank system or component in use. Inspection should determine the presence of: • Weld breaks • Punctures • Scrapes or protective coatings • Cracks • Corrosion • Other structural damage or inadequate construction/installation.	264.192(b) 270.16(f)		
	Specify how all discrepancies will be repaired. New tank systems or components that are placed under-ground and that are backfilled must be provided with a backfill material that is a non-corrosive, porous, homogeneous substance and that is installed so that the backfill is placed	264.192(c)		

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	completely around the tank and compacted to ensure that the tank and piping are fully and uniformly supported.			
	New tanks and ancillary equipment will be tested for tightness prior to being covered, enclosed, or placed in use. Repair procedures must be specified if the tank system is found not to be tight.	264.192(d)		
	Ancillary equipment will be supported and protected against physical damage and excessive stress due to settlement, vibration, expansion, or contraction.	264.192(e)		
	External Corrosion Protection. Describe the design, construction, and operation of corrosion protection systems necessary to ensure the integrity system. Show that any field-fabricated corrosion protection system will be supervised by an independent corrosion expert.	264.192(f) and 270.16(e)		
	C-7. Containment and Detection Releases. Plans and Description of the Design, Construction, and Operation of the Secondary Containment System: The following information must be provided for the secondary containment system: • Age of all existing tank systems. If the age of a tank system cannot be determined, indicate the reason. • Design, installation and operation to prevent any migration of waste or accumulated liquid from the tank system to the soil, groundwater, or surface water at any time during its use. • Capable of detecting and collecting releases and accumulated liquids until the collected material is removed.	264.193(b) and 270.16(g)		
	Materials of construction used to construct or line the system. • Proof that the materials are compatible with the wastes in the tank system. • System has sufficient strength and thickness to prevent failure caused by any of the following: • Pressure gradients (including static head and external hydrological forces) • Physical contact with the wastes	264.193(c)(1)		

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	• Climatic conditions • Stress of daily operation (including stresses from nearby vehicular traffic).			
	Calculations to prove that it is placed on a foundation or base that is capable of providing support, resisting pressure gradients above and below the system, and preventing failure due to settlement, compression or uplift.	264.193(c)(2)		
	Description of the leak detection system, including its operating principles, design features and operating procedures.	264.193(c)(3)		
	Demonstration that the leak detection system will detect the failure of either the primary or secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours. If the prevailing site conditions or detection technologies will not allow detection of a release within 24 hours, then specify the earliest practical time that detection can take place. Indicate why this longer period does not pose a threat to human health and the environment. • Show how the secondary containment system is sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. • Document how it will be ensured that spilled or leaked waste(s) and precipitation will be removed from the secondary containment system within 24 hours. If wastes and precipitation cannot be removed within 24 hours, then specify the earliest practical time that removal can take place. Indicate why this longer period does not pose a threat to human health and the environment.	264.193(c)(4)		
	Requirements for External Liner, Vault, Double-Walled Tank or Equivalent Device.	270.16(g) 264.193(d)-(e)		

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	Secondary containment for each tank must include at least one of the following: a liner external to the tank, a vault, a double-walled tank, or an equivalent device approved by the Department. The following design and operation procedures should be given for each device:			
	External liner system: • Calculations to show that it contains 100 percent of the capacity of the largest tank within its boundary. • Run-on or infiltration of precipitation is prevented. Alternatively, show that the collection system has sufficient excess capacity to contain run-on and precipitation from a 25-year, 24-hour rainfall. • Free of cracks or gaps. • System surrounds the tank completely and covers all surrounding soil likely to come in contact with the wastes, if they were released from the tank(s).	264.193(e)(1)		
	Vault system: • Calculations to show that it contains 100 percent of the capacity of the largest tank within its boundary. • Designed or operated to prevent run-on or infiltration of precipitation. Alternatively, show that the collection system has sufficient excess capacity to contain run-on and precipitation from a 25-year, 24-hour rainfall. • Constructed using chemical-resistant water stops in place at any joints. Specify the material used. • Provided with an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the vault material. Specify coating or lining used, and provide the manufacturer's data sheet. • Method used to protect against the formation and ignition of vapors placed in the tank(s) if the wastes are ignitable or reactive.	264.193(e)(2)		

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	• Exterior moisture barrier used, and provide the manufacturer's data sheet. Alternatively, describe how the vault is designed or operated to prevent the migration of moisture into the vault if the vault is subject to hydraulic pressure.			
	Double-walled tank: • An integral structure so that any release from the inner tank is contained by the outer shell, • If the unit is metallic, specify the type(s) of corrosion protection used for both the internal and external shell. • Description of the leak detection system used including the principle of operation, design, and operating characteristics. It must be a continuously operating unit, capable of detecting a release within 24 hours. If the prevailing site conditions or detection technologies will not allow detection of a release within 24 hours, then specify the earliest practical time that detection can take place. Indicate why this longer period does not pose a threat to human health and the environment.	264.193(e)(3)		
	Secondary Containment and Leak Detection Requirements for Ancillary Equipment: Each tank system's ancillary equipment must be provided with secondary containment such as jacketing, double-walled piping, or a trench. Describe the containment system, and demonstrate that it has been (will be) designed, installed and operated to prevent any migration of waste or accumulated liquid to the soil, groundwater, or surface water at any time during its use. Also, demonstrate that the containment system can detect and collect releases and accumulated liquids. This demonstration must include at least the following: • Materials of construction used to construct or line the system. Show that these materials are compatible with the wastes in the tank system.	264.193(f) and 270.16(g)		

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	• Demonstrate that the system has sufficient strength and thickness to prevent failure caused by any of the following: - Pressure gradients (including static head external hydrological forces) - Physical contact with the wastes - Climatic conditions - Stress of daily operation (including stresses from nearby vehicular traffic). • Calculations proving that the secondary containment system is placed on a foundation or base that is capable of providing support, resisting pressure gradients above and below the system, and preventing failure due to settlement, compression, or uplift. • Description of the leak detection system including its operating principle, design features and operating procedures. The leak detection system must detect the failure of either the primary or secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours. If the prevailing site conditions or detection technologies will not allow detection of a release with 24 hours, then specify the earliest practical time that detection can take place. Indicate why this longer period does not pose a threat to human health and the environment. • Secondary containment system must be sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. • Document how it will be ensured that spilled or leaked wastes and precipitation will be removed from the secondary containment system within 24 hours. If wastes and precipitation cannot be			

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	removed within 24 hours, then specify the earliest practical time that removal can take place. Indicate why this longer period does not pose a threat to human health and the environment.			
	A demonstration need not be made for: • Above ground piping (exclusive of flanges, joints, valves, and other connections) that are visually inspected daily, • Welded flanges, joints, and connections that are visually inspected daily, • Seamless or magnetic coupling pumps that are visually inspected daily, and • Pressurized above ground piping systems with automatic shut-off devices that are visually inspected daily.	264.193(f)		
	Requirements for Tank Systems Until Secondary Containment is Implemented: Non-enterable underground tanks: results of a leak test (or other tank integrity test approved by the Department). Procedures to be repeated at least annually until secondary containment is provided. Other than non-enterable underground tanks: results of a leak test or present a schedule and procedures for assessing the overall condition of the tank system by an independent, qualified registered professional engineer until secondary containment is provided. Ancillary equipment: results of a leak test (or other integrity assessment measures approved by the Department). Indicate the procedures that will be used to ensure that such tests will be repeated at least annually until secondary containment is provided.	264.193(i)		
	C-8. Variance from Secondary Containment Is Implemented: Provide information for one of the following alternatives:	264.193(g) and270.16(h)		

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	• Technology-based variances: detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous waste or hazardous constituents into the groundwater or surface water during the life of the facility. • Risk-based variances: detailed demonstration that no substantial present or potential hazards will be posed to human health or the environment should a release enter the environment. • Demonstration that tanks used to store or treat hazardous wastes contain no free liquid as defined by the Paint Filter Test and that such tanks are situated inside a building with an impermeable floor.	264.190(a)		
	C-9. Controls and Practices to Prevent Spills and Overflows: Provide adequate information to ensure that the hazardous wastes or treatment reagents placed in a tank system will not cause any element of that system to rupture, leak, corrode or otherwise fail.	264.194(a) & (b) and 270.16(i)		
	Provide detailed description of controls and practices used to prevent spills and overflows. Include at a minimum: • Spill prevention controls (e.g., check valves, dry disconnect couplings) • Overfill prevention controls (e.g., level sensing devices, high level alarms, automatic feed cutoff or bypass to a standby tank) • Maintenance of sufficient freeboard in uncovered tanks to prevent overtopping by wave or wind action or by precipitation.			

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EPA ID NUMBER _____ PATS NUMBER _____

TYPE OF APPLICATION _____

PAGE / P'GRAPH	REVIEW ITEM	REFERENCE	COMPLETE? Y/N OR N/A	COMMENTS
	C-10. Procedures for handling incompatible, ignitable, reactive wastes. • Waste not placed in tanks unless treated, rendered, or mixed so it does not meet the definition of ignitable, reactive or incompatible. • Tank is solely for emergencies. • Meets the National Fire Protection Associations Flammable and Combustible Liquids Code. • Decontaminated before use.	264.198, 264.199 and 270.16(j)		

Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650
Fax: 407/433-2666

Carol M. Browner, Secretary

DEC 2 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dade County
HW - Safety-Kleen/Medley

Mr. Scott E. Fore
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

Dear Mr. Fore:

. Enclosed is Permit Number **HO 13-216311** to operate a hazardous waste storage facility issued pursuant to Section 403.722, Florida Statutes.

Acceptance of the permit constitutes notice and agreement that the Department will periodically review this permit for compliance, including site inspections where applicable.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Mary E. S. Williams

Mary E. S. Williams, Director of District Management
1900 South Congress Avenue, Suite A
West Palm Beach, FL 33406
407/433-2650

BAC:km:gml/12.8

Copies furnished to:

cc: Alan Farmer/EPA Region IV, Atlanta
Satish Kastury, DER/Tallahassee
Robert E. Johns, DERM
Hazardous Waste, DER/WPB

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on DEC 2 1992 to the listed persons.

Clerk Stamp
FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Sally Tangley
Clerk

DEC 2 1992
Date

Recycled Paper

Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650
Fax: 407/433-2666

Carol M. Browner, Secretary

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Mr. Victor L. San Agustin,
Regional Environmental Engineer
Tampa Region

I.D. NUMBER: FLD984171694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
COUNTY: Dade County
LATITUDE/LONGITUDE: 25°51'90"N/80°20'25W
PROJECT: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-4 and 17-730, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and 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 Hazardous Waste Storage Facility consisting of a container storage area, return/fill area and above-ground storage tanks.

CONTAINER STORAGE AREA:

All containers are stored in the container storage area. The storage area is totally contained by a concrete floor and the container area's four walls. The containment system is free of cracks and coated with a concrete sealer that is compatible with and resistant to chemicals stored at this facility. All containers are stored on pallets whenever possible.

The floor has a two-inch inward slope (four sides) that will direct a spill toward the collection trench located in the center of the room. Six openings (doorways) in the containment area exist. Four of these lead to other containment areas, the container fill/return and the enclosed concrete dock. The other two openings (doorways) are located on the west side of the containment area behind a locked chain link fence. The containment capacity was measured to be 2,996 gallons.

The container storage area is equipped with the following features: Fire suppression system and controlled access (inside fenced area with locked gate). The maximum container storage area design capacity is 29,400 gallons. The total volume of product and hazardous waste stored within the container storage area is not permitted to exceed the maximum volume of 29,400 gallons. The volume of hazardous waste permitted in the container storage area at any point in time is 6,912 gallons. This 6,912 gallon amount is to be the total volme of both permitted and transfer (FRS) waste (432 16-gallon containers or the equivalent). The hazardous waste to be stored in the containers is as follows:

Mineral Spirits
Dumpster Sediment
Spent Immersion Cleaner
Dry Cleaning Wastes
Paint Wastes
Transfer/Fluid Recovery Service Waste (FRS)
Spent Ethylene Glycol

The waste codes for these waste streams are listed in the table labeled as Attachment I to this permit.

The transfer/fluid recovery service waste will be stored within the container storage area, but apart from those wastes with manifests which are terminated at the facility.

The facility will manage the FRS waste in accordance with Section 17-730.171, F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate, area. A diagram of the facility is included as Attachment II to this permit.

DER Form 17-1.201(5)
Effective November 30, 1982

Recycled Paper

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Mr. Victor L. San Agustin,
Regional Environmental Engineer
Tampa Region

I.D. NUMBER: [redacted]984171694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
COUNTY: Dade County
LATITUDE/LONGITUDE: 25°51'90"N/80°20'25W

RETURN/FILL AREA:

The return/fill area is located in the service center building between the office and container storage area. A slight, nondetectable slope (three inches) exists, which terminates at the sumps (2' long, 2' wide, and 2' deep). The sloped floors and containment sump were measured to have a containment capacity of 3,693 gallons. A 20-foot wide steel grate dock (approximately 33 inches above the floor) is located perpendicular to the floor and extends the full width of this area. The concrete floor in this area is coated with a concrete sealer that is compatible with and resistant to chemicals handled in this area. Any spill which occurs on the concrete floor is directed by gravity into the sumps. Any residue remaining on the floor must be cleaned up immediately through the use of mops, wet/dry vacuums, or sorbent materials, should a spill occur. Spilled waste is contained and sent for recycling/reclamation. Doors in this area include four overhead roll-up doorways for trucks entering/exiting the service building, two personnel doorways for employees entering/exiting the service building, one overhead doorway connecting the container fill/return area and the container storage area, and one doorway connecting the container fill/return area and the offices. The office floor and the container storage area floor are approximately 33 inches above the container fill/return area floor and are flush with the steel grate dock. Therefore, spills originating in the container fill/return area will go into the sump beneath the grate in the return/fill area and will not flow into these areas.

ABOVE-GROUND STORAGE TANKS:

The tank area, with all six tanks and their associated displacement taken into account, is provided with 20,320 gallons of secondary containment which is in excess of the single largest tank (20,000 gallons). This secondary containment capacity is based on the presence of six tanks. Only three of these tanks are currently installed. The capacity of the ~~waste~~ mineral spirits (D001, D004-D011, D018, D019, D021-D030 and D032-D043) tank is 20,000 gallons. The capacity of the used antifreeze (D004-D011, D018, D019, D021-D030, D032-D043) tank is 20,000 gallons. The tanks will be constructed with adequate secondary containment/leak detection systems and operated at a volume of 95% of their total capacity. Each tank may be filled beyond 95% of their total capacity only for testing purposes. The tank testing will be provided to ensure the proper functioning of each tank's high level alarm system.

The containment area is only slightly sloped. Any spilled material is removed by pump or wet vacuum. The tanks loading/unloading area is a concrete pad. This concrete pad has a slight slope directed to a sump. When rainwater accumulates in the containment area, and it has been verified that no spill has occurred, then the rainwater will be discharged to the ground surface. Only the branch Manager or someone operating under his direct orders may discharge to the ground surface. A written record will be kept of all discharges to the ground surface. If it is not possible to verify that a spill has not occurred or the water exhibits an iridescent sheen, then the rainwater will be pumped into the used mineral spirits tank. Any spills which occur on the pad will be cleaned up and the area decontaminated.

IN ACCORDANCE WITH: Application DER Form 17-730.900(2) dated July 17, 1992 additional information submitted July 20, 1992, July 30, 1992, August 12, 1992, October 26, 1992, November 5, 1992, November 12, 1992 and Public Notices dated October 1, 1992 and October 12, 1992.

LOCATED AT: Safety-Kleen Corporation, N.W. 96 St. and N.W. 89th Avenue, Medley, Florida.

SUBJECT TO: General Conditions 1-17 and Specific Conditions 1-37.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: [redacted]984177694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, 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 Subsections 403.087(6) and 403.722(5), Florida Statutes, 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 acknowledgement 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, 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 or 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, access to the premises, at reasonable times, where the permitted activity is located or conducted to:

   (a) Have access to and copy any records that must be kept under the 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 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. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

   (a) a description of and cause of non-compliance; and

   (b) the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984[illegible]94
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

GENERAL CONDITIONS Cont'd:

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 arising under the Florida Statutes or Department rules, except where such use in prescribed by Sections 403.73 and 403.111, Florida Statutes. 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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

    (a) Determination of Best Available Control Technology (BACT)
    (b) Determination of Prevention of Significant Deterioration (PSD)
    (c) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
    (d) Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

    (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 this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. 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:

        1. the date, exact place, and time of sampling or measurements;
        2. the person responsible for performing the sampling or measurements
        3. the date(s) analyses were performed;
        4. the person responsible for performing the analyses;
        5. analytical techniques or methods used; and
        6. results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that 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 submitted or corrected promptly.

GENERAL CONDITIONS Cont'd:

16. In the case of an underground injection control permit, the following permit conditions also shall apply:

(a) All reports or information required by the Department shall be certified as being true, accurate and complete.

(b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.

1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

17. The following conditions also shall apply to a hazardous waste facility permit.

(a) The following reports shall be submitted to the Department:

1. 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.

2. Unmanifested waste report. The permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.

3. Annual report. An annual report covering facility activities during the previous calendar year shall be submitted pursuant to Chapter 17-730, F.A.C.

(b) Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. the written submission shall contain:

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) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

(d) All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984[illegible]694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

SPECIFIC CONDITIONS:

1. The permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source (40 CFR 264.12).

2. This permit allows the permittee to store only those wastes specified, in Attachment I to the permit, at the facility. Prior to acceptance of new hazardous waste, the permittee shall submit to the Department, for approval, waste analysis of the proposed new waste stream. This analysis must also be incorporated in the general waste analysis plan and retained on-site (40 CFR 264.13).

3. The permittee shall employ the security procedures described in Part IIA, Attachment II.A.4(a) of the application to control access to the facility (40 CFR 264.14).

4. The permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedule approved in Part IIA, Table II.A.4(b)-2 of the application. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record at the facility (40 CFR 264.15 and 264.174).

5. Facility personnel must successfully complete the approved training program indicated in Part IIA, Attachment II.A.4(e) of the application. Verification of this training shall be kept with the personnel training records and maintained on site. Personnel shall not work unsupervised until training has been completed (40 CFR 264.16).

6. In accordance with 40 CFR 264.56, whenever there is an imminent or actual hazardous waste emergency situation, the permittee shall follow the emergency procedures specified in the approved contingency plan that is described in Part IIA, Attachment II.A.4(b) of the application. The permittee shall give proper notification to the Department of any incident that requires implementing the contingency plan; including, within fifteen (15) days, submitting a written report of the incident documenting all information required in 40 CFR 264.56(j).

7. The contingency plan must be amended and distributed to the appropriate agencies if:

   (1) The facility permit is revised.
   (2) The plan fails in an emergency.
   (3) The facility changes in its design, construction, operation, maintenance or other circumstances in a way that increases the potential for fires, explosions or release of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency.
   (4) The list of emergency coordinators changes.
   (5) The list of emergency equipment changes (40 CFR 264.54(7)).

8. The permittee shall comply with the manifest requirements indicated in 40 CFR 264.71.

9. The permittee shall maintain compliance with Part 264, 40 CFR Subpart H, Financial Requirements.

10. The permittee shall keep a written operating record at the facility which includes:

   (a) The description and quantity of each hazardous waste received, including the FRS wastes.
   (b) The location of each hazardous waste within the facility and the quantity at each location.
   (c) The results of the waste analysis.
   (d) A summary report and details of incidents that require implementation of the contingency plan.
   (e) Manifest records (for 3 years).
   (f) Notices to off-site generators (if applicable).
   (g) The results of inspections (for 3 years).
   (h) Closure plan and cost estimates.
   (i) Annual certification of waste minimization.

   These records must be updated in a timely manner and maintained at the facility until completion and certification of closure. (40 CFR 264.73 and 264.12)

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984[redacted]694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997

SPECIFIC CONDITIONS Cont'd:

11. The permittee must certify in the operating record, no less often than annually, that the permittee has a program in place to reduce the volume and toxicity of hazardous waste the permittee generates to the degree determined by the permittee as economically practicable; and that the method of storage is the best practicable to minimize the present and future threat to human health and the environment. (40 CFR 264.73).

12. The permittee shall submit an application for renewal of the permit at least 135 days prior to expiration of this permit (F.A.C. 17-730.300(1)). This permit will remain in effect beyond the permit's expiration date if the applicant has submitted a timely, completed application and the Department has not taken final agency action.

13. The permittee shall apply for a closure permit at least 180 days prior to beginning closure at the facility. (F.A.C. 17-730.260)

14. The Department may modify the conditions of this permit if any of the conditions of FAC 17-730.290(1) apply.

CONTAINER STORAGE AREA:

15. The permittee is allowed to store the hazardous waste(s) approved in Table I.D.3-1 of the permit application, in the container storage area. The FRS wastes are to be managed as a segregated transfer facility waste stream. The FRS transfer waste will be stored within the container storage area but apart from the wastes which have their manifests terminated at the facility. The facility will manage the FRS waste in accordance with Section 17-730.171, F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate area. Containers must be managed in accordance with the approved operation plan. Containers shall be kept closed except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be overpacked or transferred to another container in good condition. Containers shall be made or lined with materials which will not react with, and are otherwise compatible with the hazardous waste to be stored in them. All containers shall be managed in accordance with the plan approved in Part IIB, Attachment II.B.1 of the application.

16. The maximum container storage area design capacity is 29,400 gallons. The total volume of product and hazardous waste stored within the container storage area is not permitted to exceed the maximum volume of 29,400 gallons. The volume of hazardous waste permitted in the container storage area at any point in time is 6,912 gallons. This 6,912 gallon amount is to be the total volume of both permitted and transfer (FRS) wastes (432 16-gallon containers or the equivalent). (40 CRF 265.17 and 40 CFR 264.173)

17. Spilled or leaked waste must be removed from the collection system, analyzed and disposed of in accordance with Part II B, Attachment II.B.1. of the application (40 CFR 264.175).

18. The permittee shall take precautions to prevent accidental ignition or reaction of reactive wastes as described in 40 CFR 264.17.

19. Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility property line. (40 CFR 264.17)

20. Incompatible Waste shall not be stored or placed in unwashed containers that have previously held an incompatible waste. (40 CFR 264.177) Waste streams and container sizes will be managed in accordance with Table II.B.4-1 of the permit application.

21. The permittee shall pump the liquid in the spill collection system into a compatible container upon a discovery of any spills or leaks.

22. The permittee shall handle the compatible containers of the spilled hazardous material as hazardous waste and dispose of it under the appropriate RCRA rules and regulations.

SPECIFIC CONDITIONS Cont'd:

23. The permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility operation in an emergency. The storage of non-hazardous waste containers within the container storage area must not interfere in complying with this specific condition.

RETURN/FILL AREA:

24. The permittee shall pump the liquid in the spill collection trench into a compatible container or tank upon discovery of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations.

25. Each (two) drum washer may have three sixteen (16) gallon satellite accumulation containers staged at or near the drum washer units. The containers are to be labeled as "Waste Sludge", "Glass/Metal", and "Rags/Absorbents". The containers must be managed in compliance with 40 CFR 262.34(c)(1) and (2).

26. Each drum washer is constructed with a drain pan designed to accumulate any inadvertent spillage occuring as containers of used solvent are being poured into the drum washers. The drain pans are connected to a five (5) gallon safety container by a pipe. The safety containers will be kept closed except at times of receiving waste solvent or emptying waste solvent back into the drum washers. The safety containers are periodically emptied into the barrel washers. The drum washer's five (5) gallon safety containers are considered to be satellite accumulation containers and must be managed in compliance with 40CFR 262.34(c)(1) and (2) and 264.173.

ABOVE-GROUND STORAGE TANKS:

27. The used mineral spirits tank (20,000 gallon capacity) may be operated at a maximum volume of 19,000 gallons (95 percent of total capacity) and the used antifreeze tank (20,000 gallon capacity) may be operated at a maximum volume of 19,000 gallons (95 percent of total capacity) as provided in Part IIC, Attachment II.C.2., (40 CFR 264.194(b)). Each tank may be filled beyond 95% of its maximum capacity only for testing purposes in order to ensure that each tank's high level alarm system is functional.

28. The permittee shall pump the liquid in the spill collection trench into a compatible container or tank within 24 hours of any spills or leaks. The liquid pumped into the compatible container or tank must be subsequently handled as hazardous waste and disposed of under the appropriate RCRA rules and regulations. (40 CFR 264.193(c)(4)).

29. The permittee must keep on file at the facility the written statements certifying the design of the tank system in accordance with 40 CFR 264.193(b) and (f) which attest that the tank system has been designed, installed and maintained as per 40 CFR 264.193(b) and (d).

30. The permittee must inspect daily the tank and ancillary equipment documenting the daily inspections in the operating record of the facility in accordance with Part II.C, Attachment II.C.10 of the application. (40 CFR 264.195(b) and (d)).

31. The permittee, as the application presents in Part II.C, Attachment II.C.10, will have each hazardous waste tank inspected once every five years by a Professional Engineer registered in Florida. A general structural inspection, hydraulic test of the tank, internal inspection and wall thickness inspection will be conducted. The inspection must verify that the integrity of structure and performance is maintained equal to the original design specifications assessed and certified in Part II.C, Attachment II.C.1, of the application.

32. The permittee shall prevent the release of hazardous waste or hazardous constituents to the environment. The secondary containment system should be maintained according to Part IIC, Attachment II.C.7. of the application and shall comply with the requirements of 40 CFR 264.193.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984[redacted]694
PERMIT/CERTIFICATION NUMBER: HO 13-216311
DATE OF ISSUE: December 2, 1992
DATE OF EXPIRATION: December 2, 1997
DATE OF MODIFICATION:

SPECIFIC CONDITIONS Cont'd:

33. The permittee shall satisfy the requirements of 40 CFR 264.196 when a tank system or secondary containment system produces a leak or spill, or is determined to be unfit for use. These requirements include, as they are made applicable by 40 CFR 264.196:

(a) Cessation of use; prevent flow or addition of waste.
(b) Removal of waste from tank system or secondary containment system.
(c) Containment of identifiable releases to the environment.
(d) Notifications, reports.
(e) Provision of secondary containment, repair or closure.
(f) Certification of major repairs.

34. The permittee shall comply with the protective distance requirements of the tank placement as set forth in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981) as required by 40 CFR 264.198(b).

35. The permittee shall not store incompatible waste in tanks or place it in contaminated tanks that have previously held incompatible waste in accordance with 40 CFR Part 264.199.

36. The permittee shall, as part of the general operating requirements of 40 CFR 264.194:

(a) Not place hazardous wastes or treatment reagents in a tank system if possibility exists that this may cause the tank system to fail.
(b) Use appropriate controls and practices to prevent spills and overflows, and
(c) Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.

37. The permittee shall maintain, inspect, and operate the spill and overfill prevention controls during loading and unloading procedures occurring at the tank storage units in accordance with 40 CFR Part 264.194.

Issued this 30th **day of** November **1992**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Mary E. S. Williams

Mary E. S. Williams
Director of District Management

DER Form 17-1.201(5)
Effective November 30, 1982

TABLE I.D.3-1
SAFETY-KLEEN CORP.
MEDLEY, FLORIDA
PART 1 ATTACHMENT

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Mineral Spirits	S01* S02**	813	D001 and D-Codes Listed in Note Below
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Spent Ethylene Glycol	S01* S02***	5,000	D-Codes Listed in Note Below
Spent Immersion Cleaner (Old Formula)	S01*	28	F002, F004, and D-Codes Listed in Note Below
(New Formula)	S01*	Included Above	D-Codes Listed in Note Below
Dry Cleaning Waste	S01*	271	D001 or F002 and D-Codes Listed in Note Below
Paint Waste	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS Waste)	S01****	250	D001, D002, and D-Codes, F-Codes, K-Codes, and U-Codes Listed in Note Below

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

F-Codes: F001, F002, F003, F004, F005, F006, F019, F024, F039

TABLE I.D.3-1 (Continued)

K-Codes: K006, K016, K019, K022, K029, K030, K031, K048, K049, K050, K051, K052, K085, K086, K095, K096, K009, K010, K011, K013, K014, K015, K002, K003, K004, K005

U-Codes: U001, U002, U003, U009, U031, U037, U043, U044, U051, U052, U055, U056, U057, U068, U069, U070, U071, U072, U075, U077, U078, U079, U080, U083, U084, U107, U108, U110, U112, U113, U117, U118, U121, U125, U140, U154, U159, U161, U162, U165, U169, U171, U188, U191, U196, U210, U211, U213, U220, U226, U227, U228, U239, U359

* These wastes will be stored in containers in the container storage area. The maximum drum capacity in the container storage area for hazardous waste and product is 29,400 gallons with 6,912 gallons being waste.

** The spent mineral spirits storage tank has a maximum storage capacity of 20,000 gallons.

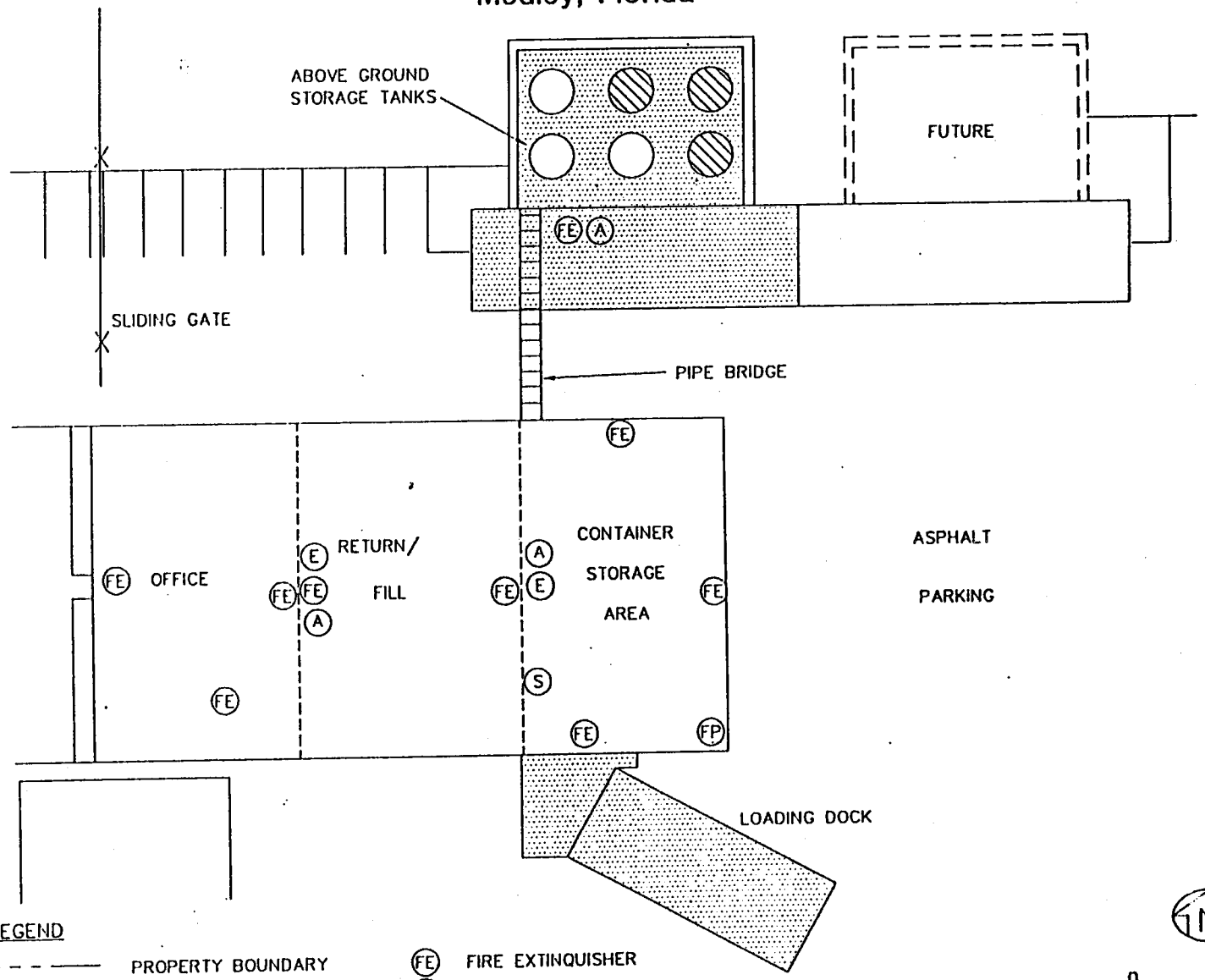
*** The spent ethylene glycol storage tank has a maximum storage capacity of 20,000 gallons.

****FRS wastes are transfer wastes only.

13112.21/31121LEE/071692-5

II.A.4(b)-15A

Figure II.A.4(b)-2
Location of Emergency Equipment
Safety-Kleen Corp. Facility
Medley, Florida



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Attachment II