

## Thursby, Kim

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**From:** Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>  
**Sent:** Wednesday, January 04, 2017 9:25 AM  
**To:** Russell, Merlin  
**Cc:** Thursby, Kim  
**Subject:** RE: 12-13-16 Safety-Kleen Systems, Inc. FLD 980 847 271 (Tampa Facility), Operating Permit No. 34744-HO-007; Continued Use Program

Merlin,

A very Happy New Year to you too. I did receive the letter. I had to take the last few weeks off in December to get my vacation in so my apologies for the late response. I hope you had a great holiday with your family.

Thanks,

Jeff

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**From:** Russell, Merlin [mailto:Merlin.Russell@dep.state.fl.us]  
**Sent:** Tuesday, January 03, 2017 9:50 AM  
**To:** Curtis, Jeffery S <Jeff.Curtis@safety-kleen.com>  
**Cc:** Thursby, Kim <Kim.Thursby@dep.state.fl.us>  
**Subject:** FW: 12-13-16 Safety-Kleen Systems, Inc. FLD 980 847 271 (Tampa Facility), Operating Permit No. 34744-HO-007; Continued Use Program

Jeff,

Happy New Year! Here we go again.....

Please let Kim know you received this letter. Thanks.

merlin

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**From:** Outley, Debra **On Behalf Of** Epost HWRS (Shared Mailbox)  
**Sent:** Tuesday, December 13, 2016 9:13 AM  
**To:** 'Jeff.Curtis@safety-kleen.com' <[Jeff.Curtis@safety-kleen.com](mailto:Jeff.Curtis@safety-kleen.com)>  
**Cc:** Baker, Bryan <[Bryan.Baker@dep.state.fl.us](mailto:Bryan.Baker@dep.state.fl.us)>; Walker, Kim (Waste) <[Kim.Walker@dep.state.fl.us](mailto:Kim.Walker@dep.state.fl.us)>; Russell, Merlin <[Merlin.Russell@dep.state.fl.us](mailto:Merlin.Russell@dep.state.fl.us)>; Knauss, Elizabeth <[Elizabeth.Knauss@dep.state.fl.us](mailto:Elizabeth.Knauss@dep.state.fl.us)>; McBride, Ashanti <[Ashanti.McBride@dep.state.fl.us](mailto:Ashanti.McBride@dep.state.fl.us)>; Perrigan, Glen <[Glen.Perrigan@dep.state.fl.us](mailto:Glen.Perrigan@dep.state.fl.us)>; 'jill.scarbrough@dep.state.fl.us' <[jill.scarbrough@dep.state.fl.us](mailto:jill.scarbrough@dep.state.fl.us)>; White, John <[John.White@dep.state.fl.us](mailto:John.White@dep.state.fl.us)>; Fellabaum, Pamela <[Pamela.Fellabaum@dep.state.fl.us](mailto:Pamela.Fellabaum@dep.state.fl.us)>  
**Subject:** 12-13-16 Safety-Kleen Systems, Inc. FLD 980 847 271 (Tampa Facility), Operating Permit No. 34744-HO-007; Continued Use Program

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a “reply” message to [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us). (An automatic “reply message” is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

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

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Bryan Baker, P.G.  
Environmental Administrator  
Hazardous Waste Program & Permitting





# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

December 13, 2016

Mr. Jeff Curtis  
Safety-Kleen Systems, Inc.  
5309 24th Avenue South  
Tampa, Florida 33619  
[Jeff.Curtis@safety-kleen.com](mailto:Jeff.Curtis@safety-kleen.com)

**Subject: Safety-Kleen Systems, Inc. FLD 980 847 271 (Tampa Facility), Operating Permit No. 34744-HO-007; Continued Use Program**

Dear Mr. Curtis:

Safety-Kleen's August 26, 2016 response to the Department's 1<sup>st</sup> Request for Additional Information (RAI) and your October 20, 2016 additional information did not include a legitimacy determination for the Department to re-evaluate your Continued Use Program. Claims that materials are not solid waste when recycled under 40 CFR 261.2 must be able to provide documentation to support those claims. The documentation requirements can be found in 40 CFR 261.2(f). Additionally, Safety-Kleen is subject to the legitimacy criteria in 40 CFR Part 260.43. These criteria apply to all RCRA recycling exclusions.

A legitimacy determination template was previously sent to you via e-mail on September 26, 2016. That document should be used to guide you through your determination. Please provide documentation to the Department within thirty (30) days.

If you would like to arrange a meeting or have any questions, please contact Merlin D. Russell Jr. at 850-245-8796 or [merlin.russell@dep.state.fl.us](mailto:merlin.russell@dep.state.fl.us)

Sincerely,

A handwritten signature in cursive script that reads "Bryan Baker".

Bryan Baker, P.G.  
Environmental Administrator  
Florida Department of Environmental Protection

BB/mdr

cc:

Pamela Fellabaum, DEP Northeast District Office [pam.fellabaum@dep.state.fl.us](mailto:pam.fellabaum@dep.state.fl.us)  
Beth Knauss, DEP Southwest District Office, [Elizabeth.knauss@dep.state.fl.us](mailto:Elizabeth.knauss@dep.state.fl.us)  
Ashanti McBride, DEP Headquarters OGC, [Ashanti.mcbride@dep.state.fl.us](mailto:Ashanti.mcbride@dep.state.fl.us)  
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