



Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Virginia B. Wetherell
Secretary

FWD - 980-559-728

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED

P 337 151 164

OCD-HW/P-97-0418

In the Matter of an
Application for Permit by:
Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

Orange County - HW
Hazardous Waste Construction / Operating
Permit # HC02-279948 & HO02-279952

Attention: Mr. Patrick Sullivan

INTENT TO ISSUE

The Department of Environmental Protection (DEP) gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Chemical Conservation Corporation, is located in Orange County, Florida. Chemical Conservation Corporation (CCC) is a registered transporter of hazardous waste and presently operates a permitted storage facility where consolidation and transfer facility activities occur. CCC applied on November 3, 1995 to the Department of Environmental Protection for a modification to the construction permit they had in effect. The permit modification requested

continued operation of the container storage unit, the construction & operation of a hazardous waste fuel blending system, and the construction & operation of a treatment system which will render characteristically hazardous wastewater non-hazardous. The facility may not commence fuel blending, wastewater treatment or change any of the present activities until Specific Condition one (1) of Part 1 - Standard Requirements has been met.

The Department has permitting jurisdiction under Section 403.722 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-730. The project is not exempt from permitting procedures. The Department has determined that a construction / operating permit is required for the hazardous waste treatment and storage facility located at 10100 Rocket Boulevard, Orlando, Florida 32824.

The Department intends to issue the permit with the conditions included in the attached Draft Permit. Pursuant to Section 403.722 and 403.815, Florida Statutes and DEP 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 Permit, 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 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 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

Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803-3767; Attention: Program Manager, Hazardous Waste 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 with 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 at 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803-3767; Attention: Program Manager, Hazardous Waste 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 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) calendar days of receipt of this notice of intent. Petitions filed by any other person must be filed within forty-five (45) calendar days of publication of the public notice or within forty-five (45) calendar days of their receipt of this intent, whichever first occurs. 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 this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Sections 120.569 and 120.57 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-^{106,205}~~5.207~~ of the Florida Administrative Code.

The 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 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 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 with regard to the permit have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

File Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the mediation (which include the applicant, the Department, and any person who has filed a timely and sufficient request for hearing) and by showing how the substantial interests of each mediating party are affected by the Departments action or proposed action. The agreement must be filed in (received by) the Office of General Council 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;

(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; and

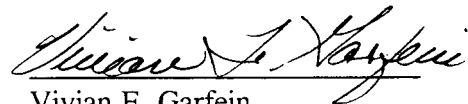
(h) The signatures of all parties or their authorized representatives.

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 (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 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.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

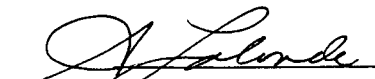


Vivian F. Garfein
Director of District Management
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803
(407) 894-7555


Date: July 13, 1998

FILING AND ACKNOWLEDGMENT

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


Clerk

7/14/98
Date


VFG/wmb/rt/c

Enclosures: Draft CCC Permit
Newspaper Public Notice
Radio Public Notice

Copies furnished to: Satish Kastury, FDEP Tallahassee
Kent Williams, EPA Atlanta

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 July 14, 1998 to the
listed persons by Lucretia Albrecht

Permittee:
Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

I.D. Number: FLD 980 559 728
Permit Number: HC02-279948 & HO02-279952
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
County: Orange
Latitude: 28° 25' 04" N
Longitude: 81° 23' 10" W
Section 11/ Township 24/ Range 29
Project: Hazardous Waste Treatment & Storage

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-3, 62-4 and 62-730. The above named permittee is hereby authorized to operate a hazardous waste treatment and storage facility as shown in the application and approved drawings, plans, and other documents on file with the Department and made a part hereof and specifically described as follows:

Chemical Conservation Corporation (CCC) is a registered transporter of hazardous waste and presently operates a permitted storage facility where consolidation and transfer facility activities occur.

Container Storage Area : CCC is permitted to segregate and store 824 (55-gallon) drums, or a volume equivalent to 45,320 gallons, in their container storage area as identified in Figure II.B.3-1 of the permit application. The drums are stored on pallets and may be double-stacked. Incompatible waste is stored in cells that are separated from each other by berms or curbs. The Storage Group Code (SGC) identifies every drum storage area by assigning a two-letter code which is displayed within each area. The SGC allocates waste types to storage cells based on a compatibility system established by the Department of Transportation (DOT).

Waste Fuel Blending: This permit authorizes modifications to the original construction permit with regard to the Hazardous Waste Fuel Blending System. Waste fuels (materials having a heating value of 5,000 BTU per pound or greater) may be received at the facility in drums or tanker trucks. The drums are transported by conveyor system from the Container Storage Unit and processed in the Waste Removal Process Area. In the Waste Removal Process Area there are two (2) waste removal stations with a blending tank located

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between the stations. From the blending tank, waste fuel is then discharged through the overhead Fuel Process Line to the outside Waste Fuel Tank Storage Unit. Waste fuel may also come into CCC by tanker truck. In this case, the waste fuel may be down loaded directly to a storage tank located in the Waste Fuel Tank Storage Unit. Located in the Waste Fuel Tank Storage Unit (tank farm) will be four (4) 15,000 gallon tanks fabricated of carbon steel, two of which may be mounted on four legs and the other two on "I" beams that rest horizontally on the floor. The storage tanks are located within a sealed secondary containment system which has enough capacity to accommodate a spill equivalent to the amount of a full tank volume.

Wastewater Treatment: CCC will accept corrosive and non-corrosive wastewater contaminated with organic and inorganic constituents. The wastewater is characteristic hazardous waste and will be rendered non-hazardous by the treatment process at the facility. The wastewater treatment process will be capable of treating 10,000 gallons of wastewater a day. The system consists of the Wastewater Tank Storage Unit having two 8,000 gallon and four 10,000 gallon tanks located in a secondary containment system capable of containing a spill equivalent to the amount of the largest tank volume. The treatment process equipment consists of a filter-press, particulate filter, ion-exchange units and organic removal system located on the Consolidation Pad and two 2,500 gallon reactor tanks located to the east of the Waste Removal Process Area.

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Date of Expiration: *DRAFT*

PERMIT HISTORY:

1. Operating Permit HO48-118812 issued on March 27, 1987.
2. Construction Permit HC48-204160 issued on March 19, 1993.
3. Permit Application (dated November, 1995) to modify the existing construction permit.
4. First Notice of Deficiency from FDEP to CCC dated January 24, 1996
5. CCC response to the First Notice of Deficiency dated June 29, 1996.
6. Second Notice of Deficiency from FDEP to CCC dated April 18, 1997.
7. CCC response to the Second Notice of Deficiency dated June 16, 1997.
8. Additional information received reference revision to permit application dated October 15, 1997.
9. Additional information received, dated April 29, 1998, reference waste analysis plan.
10. Additional information received, dated May 15, 1998, addressing changes to waste codes

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GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 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 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 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 interest 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 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.

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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 reasonably necessary to assure compliance with this permit or Department rules.

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

8. The permittee shall 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 the work to be performed in the implementation of this permit. If necessary access cannot be obtained by permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time seek to obtain such access as is necessary to implement the terms of this permit. Permittee shall reimburse the Department for any damages, costs, or expenses, including expert and attorney's 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. Permittee shall pay these sums to the department, or arrange a payment schedule with the Department, within 30 days of demand by the Department.
9. 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

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- (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 revocation of this permit.

- 10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- 11. 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.
- 12. 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 noncompliance of the permitted activity until the transfer is approved by the Department.
- 13. This permit or a copy thereof is required to be kept at the work site of the permitted activity.
- 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

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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 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 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 corrected promptly.
16. The following conditions shall also apply:

(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.

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3. Biennial report. A biennial report covering facility activities during the two previous calendar years shall be submitted to the Department 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 five (5) days. The verbal report within 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. Prior to commencing any and all new construction or implementing any substantial modification, specifically the fuel blending and/or wastewater treatment process, in addition to the current operation of the facility as a transfer and storage facility, the facility must provide documentation, for approval by the Department, reference Florida Statute 403.7211. This documentation must demonstrate that all the requirements of 403.7211 F.S. have been investigated and that the facility is in compliance with the conditions of the statute and Chapter 62-730 of Florida

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Administrative Code.

2. The permittee shall submit three (3) copies of any correspondence resulting from compliance with permit conditions or any other permit related activities to the following parties: (Each copy shall specify its distribution to other parties).

- (a) Two copies to:

Hazardous Waste Program Manager
Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

- (b) One copy to:

Environmental Administrator
Hazardous Waste Management Section
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection
2600 Blair Stone Road, MS #4560
Tallahassee, Florida 32399-2400

3. The permittee shall maintain compliance with the financial requirements of 40 CFR Part 264 - Subpart H. All submittals in response to this condition shall be submitted to:

Bureau of Solid and Hazardous Waste
Hazardous Waste Regulation
Attn: Financial Officer
2600 Blair Stone Road, MS #4560
Tallahassee, Florida 32399-2400

4. 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 FDEP permit number and project name of the permit involved.

All modifications shall be certified by the owner and operator and signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471 F.S. All submittals incorporating interpretation of

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geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492 F.S.

5. The Department may modify, revoke, reissue, or terminate for good 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, 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 along with the appropriate fee requirements.
6. The permittee shall apply for permit renewal at least 180 days before the expiration date of this permit as required in 62-730.300(1) F.A.C.
7. The Department may modify the conditions of this permit as described in Chapter 403.704(16), F.S.

Part II - Operating Conditions

1. The permittee shall maintain and operate the storage facility in accordance with the applicable hazardous waste rules and regulations to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. As described in the application, maximum storage capacity of the hazardous waste storage unit is 824 (55-gallon) drums or a volume equivalent to 45,320 gallons.
2. The permittee shall notify the Department in writing at least four weeks prior to the receipt of hazardous waste from a foreign source as required in 40 CFR 264.12.
3. When the permittee is to receive hazardous waste from an off-site source, he must inform the generator in writing that he has the appropriate permit, 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 as required in 40 CFR 264.12.
4. The permittee shall follow the waste analysis procedures required by 40 CFR 264.13, as described in Part II A.5/6, Waste Analysis Plan, submitted in the permit application. If the Waste Analysis Plan is updated to affect the operation or management of the permitted facility, the permittee must have written approval from the Department accepting the proposed changes before implementation is allowed.

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A copy of the revised Waste Analysis Plan will be submitted to the Department no later than 30 days after the plan is updated.

5. The permittee shall maintain a computerized data base and/or a written operating record at the facility or appropriate office, as required by 40 CFR 264.73 which includes:
 - a) A description, quantity and dates of each hazardous waste received;
 - b) The location of each hazardous waste within the facility and the quantity at each location;
 - c) Records and results of waste analyses;
 - d) Summary reports and details of all incidents that require implementing the contingency plan;
 - e) Records and results of inspections (3 years retention period);
 - f) Closure plan;
 - g) Annual certification of waste minimization program in accordance with 40 CFR 264.73(b)(9);
 - h) A copy of all notices, demonstrations, certifications and other documents related to land disposal restrictions.
6. Only hazardous waste listed in Part II A.5/6 of the application shall be stored at the facility. Prior to acceptance of new hazardous waste that is not already included in the permit application, the permittee shall request a permit modification from the Department to store the new waste stream. The permit modification request shall include an updated Waste Analysis Plan to include the new waste stream. The permit modification will require a public notice.

New hazardous waste shall mean any waste stream which is identified by an EPA Hazardous Waste Number or combination of EPA Numbers which has not been previously used or listed in the permit application.
7. The permittee shall remove from the storage areas any spilled or leaked waste and accumulated precipitation in any sump or containment area in accordance with 40

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^{19b}
CFR 264.175(b)(5). Any spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours in accordance with 40 CFR 264.193(c)(4).

8. The permittee shall inspect the facility on a daily basis for anomalous situations, compliance problems and the readiness of the emergency equipment; and on a weekly basis to ensure the emergency and personnel safety equipment is available as described in II.B.5. Inspection Procedures of the permit application.
9. The permittee shall only process, store, and/or treat hazardous waste at the facility site described as Section 11, Township 24 South, Range 29 East, the East half of Lot 3, Regency Industrial Park SEC 15, as recorded in Plat Book 12, Page 114, Public records of Orange County, Florida (Less the West 171.00 feet of said half of Lot 3), containing therein approximately 1.237 acres and utilize no other adjacent property for activities described above.

Part III - Construction Conditions

1. Prior to installation, the permittee shall submit copies of drawings of piping layouts, shop drawings and specifications. The drawings shall be certified by a Professional Engineer, registered in the State of Florida to assure consistency with the permit application. The permittee shall construct and operate the hazardous waste storage, fuel blending and wastewater treatment facility in accordance with specifications, shop drawings and plans submitted as parts of the construction/operation permit application submitted on November 3, 1995 along with the additional information revising the application on July 29, 1996, June 15, 1997, October 15, 1997, and April 28, 1998.
2. All construction of building elements, tank farm and installed ancillary equipment shall be in accordance with the permit application. The Department shall be notified, and prior approval obtained if any changes or revisions made during construction are not consistent with what has been approved.
3. A Professional Engineer, registered in the State of Florida, shall inspect the facility for conformity to design plans and specifications satisfying the requirements of this permit. Upon completion of all facility features relating to the construction permit application, this engineer shall certify conformance to the Department by registering a Certificate of Construction Completion within 30 days after construction has been completed and note any changes from the approved plans.

Permittee:

Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

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Date of Expiration: *DRAFT*

4. A Professional Engineer, registered in the State of Florida, shall monitor and/or visually inspect all the tank installations in order to identify the presence of any of the following items: weld breaks, punctures, cracks or corrosion, scrapes in the protective coatings, structural damage or inadequate construction/installation which may have occurred during construction. All discrepancies must be remedied before the tank system is placed in service.
5. Upon completion of tank construction, the permittee shall perform a tightness test, using a standard test method approved by ANSI, ASTM, API or ASME. A copy of the standard test shall be provided to the Department along with the certification of the results within 30 days after testing.
6. The permittee shall submit to the Department "As Built" drawings and specifications for the facility within 30 days after construction completion.

Part IV - Treatment Conditions

1. The permittee may treat only characteristically hazardous wastewaters. These hazardous wastewaters may or may not also exhibit pH values less than or equal to 2, such as acids. Wastewaters exhibiting pH values greater than or equal to 12.5, such as bases, are excluded from treatment. As outlined in the permit application, treatment may be done by neutralizing acids, and/or removing organic and inorganic constituents.
2. The permittee shall maintain and make available to inspectors, when requested, copies of all "fingerprint" analyses, laboratory tests, constituent levels and parameters sampled for in the treated wastewater, for a minimum period of three years.
3. The permittee must analyze all waste generated from the treatment process and dispose of it in accordance with 40 CFR Part 262.11.
4. The permittee must maintain records which demonstrate they have adequately treated the hazardous wastewater in accordance with the treatment standards identified in 40 CFR Part 268.

Part V - Contingency Plan

1. The permittee shall implement the contingency plan required by 40 CFR 264.51, as described in Part II. A.4.b. Contingency Plan of the permit application.

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2. The contingency plan must be periodically reviewed and shall be immediately amended and distributed to the appropriate agencies if any of the following criteria are met:
 - a) The facility permit is revised;
 - b) The plan fails in an emergency;
 - c) The facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increases or decreases the potential for fires, explosion, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency.
 - d) During normal operations the facility periodically reviews operating procedures in conjunction with incident reports and determines that new procedures should be implemented to optimize safety.
3. The permittee shall give proper notification to the Department if an emergency situation arises which requires the contingency plan to be implemented, and within 15 calendar days must submit to the Department a written report which includes all information required. The FDEP 24-hour emergency telephone number is (850) 413-9911. During normal business hours, the District FDEP Hazardous Waste Section may be contacted at (407) 893-3323.

Part VI - Training

1. The permittee shall conduct personnel training and shall maintain training documents and records as required by 40 CFR 264.16 and described in Part II, A.4.e - Personnel Training of the permit application.
 - a) Verification of this training must be maintained on-site at the facility. An updated list of personnel handling hazardous materials and their respective job titles must be maintained at all times. The training must be reviewed by facility personnel at least annually.

Part VII - Consolidation Requirements

1. Until the requirements of Specific Condition 1 of Part 1 - Standard Requirements are met and the training, procedures and equipment outlined in Specific Condition 2 of

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this Part are complete and in place and approved by the Department, CCC shall only consolidate the following:

- a) Lab packs
 - b) Waste solids and the liquids resulting from the consolidation of solids, as long as the liquids are not acids.
 - c) Wastes from containers belonging to the same waste stream; i.e., same generator and listed on the same manifest.
2. CCC will not begin consolidating wastes except as listed in Specific Condition 1 of this Part until the training, procedures and equipment listed below are complete and in place and approved by the Department:
- a) All consolidation of liquid wastes will take place under the direct supervision of a chemist, experienced in determining compatibility. The supervising chemist will screen all incoming wastes to be consolidated, except as defined in Specific Condition 1 of this Part, and approve, in writing, each list of wastes proposed for consolidation prior to compatibility testing. This information will be documented in a written log.
 - b) A procedure will be developed to evaluate compatibility of liquid wastes not belonging to the same waste stream as defined in 1 (c), based on simulation of the proposed consolidation. The compatibility test procedure will evaluate and establish acceptable ranges for temperature changes, and criteria for evaluating visible reactions ("bubbling", gas generation, color change). The compatibility test procedure will be applied to all containers to be consolidated into larger containers such as tote tanks and all tote tanks and/or containers to be consolidated into tankers and documented in a written log.
 - c) Installation of a laboratory meeting the requirements for Quality Assurance Category 2C, as defined in Department Rule 62-160 (Quality Assurance) for sampling and analysis. This shall include training for operators on all necessary equipment to 1) screen all incoming materials to verify integrity of waste profiles, 2) conduct compatibility tests and 3) provide all information necessary to properly document constituents and waste codes for outgoing shipments of consolidated wastes.

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- d) Installation of a venting system, approved by the Department, to collect and control fumes generated during consolidation of acids and/or other liquids determined by compatibility testing to be acceptable for consolidation.
- e) Training, verified by written examination, of all personnel involved in waste consolidation on 1) proper use of consolidation codes, 2) application of consolidation procedures, 3) conducting compatibility test and 4) implementation of contingency plan. The training will be conducted, at least in part, by the chemist who will supervise consolidation and documented by trainees and trainers.

Part VIII - Closure

- 1. The permittee shall have a written closure plan as required by 40 CFR 264.110 and described in the permit application. The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified and accepted by the Department.
- 2. The permittee shall close the facility as described in the closure plan identified as Part II, Section K - Closure in the permit application. All solid and liquid decontamination residues and contaminated soils must be managed in accordance with 40 CFR 262.
- 3. The permittee shall verify clean closure by demonstrating that cleanup parameters meet or exceed the clean closure limits determined at the time of closure.
- 4. The owner or operator must close the unit in a manner that:
 - a) Minimizes the need for further maintenance; and
 - b) Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere, and
 - c) Complies with the closure requirements of this Subpart, including but not limited to, the requirements of 40 CFR Part 264.111.
- 5. The permittee shall manage all hazardous wastes, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the

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facility in accordance with the applicable provisions of 40 CFR Parts 260-268. A copy of each manifest required as a result of closure activities shall be submitted to the Department with the closure certification.

6. In accordance with the requirements of 40 CFR Part 264.112(a), the permittee shall keep a copy of the Closure Plan and all revisions to the plan until closure is completed, certified in accordance with 40 CFR Part 264.115, and accepted by the Department.
7. Closure of the facility shall be in accordance with the requirements of F.A.C 62-730.260.
8. Within sixty (60) calendar days of the completion of closure, the permittee shall submit to the Department a report signed by the permittee and an independent, Professional Engineer registered in the State of Florida, stating the facility has been closed in accordance with the Closure Plan in the permit application (40 CFR Part 264.115). The Closure Certification must be based on the Professional Engineer's own observation and knowledge of the closure activities. The Certification of Closure must include, but not be limited to, the following:
 - a. Soil sampling data to verify clean closure;
 - b. Decontamination data;
 - c. Copies of the manifests generated during the removal of all hazardous wastes and all contaminated residues containing hazardous constituents;
 - d. Groundwater monitoring data summary pertaining to closure activities;
 - e. A description of the summary of final closure activities;
 - f. A final inspection check off sheet.
9. The permittee shall provide opportunities for site inspections by the Department by informing the Hazardous Waste Program Manager, Central District Office of the Department at least ten (10) calendar days in advance of any physical closure activity (e.g. soil sampling, groundwater sampling, soil removal, etc.).

Permittee:

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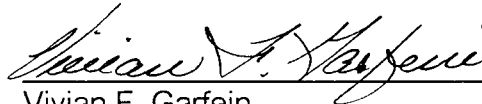
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10. The permittee shall notify the Department within ten (10) calendar days of the determination that actions undertaken as part of closure or associated monitoring programs no longer satisfy the requirements set fourth in this permit. If the Department determines that a modification of the permit is required, the permittee shall, within sixty (60) calendar days, submit an application for a permit modification in accordance with 62-730.290 and 62-4.050 Florida Administrative Code (FAC), to make appropriate changes to the permit.

Executed in Orlando, Florida.

ISSUED: July 13, 1998


STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Vivian F. Garfein
Director of District Management
3319 Maguire Boulevard
Suite 232
Orlando, Florida 32803-3767


VFG/wmb/rtts/ca

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52(11), Florida Statutes, with the
designated Department Clerk, receipt of
which is hereby acknowledged.

 7/14/98
Clerk Date

Copies furnished to: Satish Kastury, FDEP Tallahassee
Doug Outlaw, FDEP Tallahassee
Kent Williams, EPA Atlanta

Permittee:

Chemical Conservation Corporation
10100 Rocket Boulevard
Orlando, Florida 32824

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CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this Notice of Permit and all copies were mailed before the close of business on July 14, 1998 to the listed persons by Laura Albrecht

CERTIFICATION

Application No. HC 02-279948
HO 02-279952

I HEREBY CERTIFY that the engineering features described in the referenced application for a Construction / operating permit (provides ~~/ do not provide~~) reasonable assurance of compliance with the applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Title 62. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

July 13, 1998
Date

Robert T. Snyder
Robert T. Snyder, P.E.

Seal

NEWSPAPER ANNOUNCEMENT

PUBLIC NOTICE OF PROPOSED AGENCY ACTION

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CENTRAL DISTRICT

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), AS AMENDED BY THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984, SECTION 403.722, FLORIDA STATUTES, AND CHAPTER 62-4 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (FAC) TO CHEMICAL CONSERVATION CORPORATION, ORANGE COUNTY, 10100 ROCKET BOULEVARD, ORLANDO, FLORIDA 32824. CHEMICAL CONSERVATION CORPORATION (CCC) IS A REGISTERED TRANSPORTER OF HAZARDOUS WASTE AND OPERATES A PERMITTED STORAGE FACILITY. THE PURPOSE OF THIS PERMIT IS TO CONTINUE OPERATION OF THE CONTAINER STORAGE UNIT, CONSTRUCT AND OPERATE A HAZARDOUS WASTE FUEL BLENDING SYSTEM, AND TO CONSTRUCT AND OPERATE A TREATMENT SYSTEM TO RENDER CHARACTERISTICALLY HAZARDOUS WASTEWATER NON-HAZARDOUS. THE DEPARTMENT HAS ASSIGNED APPLICATION NUMBERS HC02-279948 & HO02-279952 TO THIS PROJECT.

The permit, if issued, will be a State permit that covers the Resource Conservation and Recovery Act (RCRA) program that was in effect prior to the passage of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The Environmental Protection Agency (EPA) has issued a Solid Waste Management Unit (SWMU) permit which covers the new requirements brought about by the HSWA. This State permit if issued, in conjunction with the Federal SWMU permit issued, constitutes the full RCRA permit for this facility.

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. The U.S. Environmental Protection will administer the applicable portions of the Hazardous and Solid Waste Amendments of 1984 (specifically the waste minimization and prior release sections) until the State receives authorization for these provisions.

A draft RCRA permit, prepared in accordance with the provisions of Chapter 62-730 of the Florida Administrative Code (FAC), contains the conditions for the permit modification. The application and a copy of the proposed 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, Central District, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767, Phone (407) 893-3323.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), Florida Statutes. 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 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, 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 the above address, within forty-five (45) 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 determination (hearing) under Section 120.57, Florida Statutes.

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 final agency action. Accordingly, 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 decision of the Department with regard to the permit 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 forty-five (45) days of publication of this notice in the Office of General Counsel at the above address. 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 28-5.207 F.A.C.

In addition to requesting an administrative hearing, any person may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the mediation (which include the applicant, the Department, and any person who has filed a timely and sufficient request for hearing) and by showing how the substantial interests of each mediating party are affected by the Departments action or proposed action. The agreement must be filed in (received by) the Office of General Council 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 (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 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.

RADIO ANNOUNCEMENT

PUBLIC NOTICE OF PROPOSED AGENCY ACTION

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CENTRAL DISTRICT

The Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a permit under the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, Section 403.722, Florida Statutes, and Chapter 62-4 and 62-730 of the Florida Administrative Code (FAC) to Chemical Conservation Corporation, 10100 Rocket Boulevard, Orlando, Orange County, Florida. The permit will allow Chemical Conservation Corporation to continue operating a container storage unit, construct & operate a hazardous waste fuel blending operation, and Construct & operate a treatment system to render characteristically hazardous wastewater non-hazardous. The permit (HC02-279948 & HO02-279952), will constitute the State permit which covers the RCRA program that was in effect prior to the passage of the HSWA. The U.S. Environmental Protection Agency (EPA) will administer permitting actions under the provisions of the HSWA. With the State permit, Chemical Conservation Corporation will have a RCRA permit for those portions of the program that were in effect prior to the passage of the HSWA.

A person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, Florida Statutes. Any person may request a public meeting pursuant to Section 403.722(10), Florida Statutes. If a petition on the Department's permit is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department'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 processing. In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation.

For more information concerning the applicable requirements of the petitioning or mediation process and the necessary time frames for filing, please contact the Central District Office at 407-893-3323. The application and a copy of the draft State 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 Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida, 32803, phone (407) 893-3323.

Is your RETURN ADDRESS completed on the reverse side?

SENDER: HAZARDOUS WASTE

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

JUL 14 1998

also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

*Patrick Sullivan
Chemical Conservation Corp
10100 Rocket Blvd.
Orlando FL 32824*

4a. Article Number

P 337 151 164

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

7-15-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

8. Addressee's Address (Only if requested and fee is paid)

OCD-HW-97-0418

CA

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

P 337 151 164

(CHEMCON)

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail. (See reverse)

Sent to <i>PAT SULLIVAN</i>	
Street & Number <i>10100 Rocket Blvd</i>	
Post Office, State, & ZIP Code <i>Orlando, FL 32824</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	JUL 14 1998
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <i>Intent to Issue</i>	
<i>HC 02-279948 • H002-279954</i>	
<i>Chemcon.</i>	
<i>OCD-HW/P-97-0418</i>	

PS Form 3800, April 1995