

Intend to Issue

Black Book

RCRA PERMITTING -- ROUTING SLIP

Facility/Item: Safety Kleen - Brynthon

Pats No: H050 - 195905

Date Document Received: _____

Date Action Required: _____

Action Is: Urgent

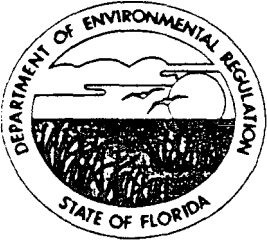
 Routine

TO	Name	SIGNATURE	DATE
<input checked="" type="checkbox"/>	JOHN GRIFFIN	<u>JEG</u>	<u>7-15-91</u>
<input type="checkbox"/>	DIANE HUNT	_____	_____
<input type="checkbox"/>	SATISH KASTURY	_____	_____
<input type="checkbox"/>	SHELTON GRAVES	_____	_____
<input type="checkbox"/>	RABIN PRUSTY	_____	_____
<input checked="" type="checkbox"/>	DOUG OUTLAW	<u>DOD</u>	<u>7-23-91</u>
<input type="checkbox"/>	MERLIN RUSSELL	_____	_____
<input type="checkbox"/>	CINDY SMITH	_____	_____
<input type="checkbox"/>	LORRAINE CLARK	_____	_____
<input type="checkbox"/>	JANET ASHWOOD	_____	_____
<input checked="" type="checkbox"/>	BILL NEIMES	<u>WN</u>	<u>7/10/91</u>
<input type="checkbox"/>		_____	_____
<input type="checkbox"/>		_____	_____
<input type="checkbox"/>		_____	_____

REQUIRED ACTION & COMMENT:

RETURN TO: Orig Outlaw FOR FILING !

☒ LOGGED IN



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A

Lawton Chiles, Governor

Telephone: 407/433-2650

Fax: 407/433-2666

West Palm Beach, Florida 33406

Carol M. Browner, Secretary

JUL 2 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

HAZARDOUS WASTE
PERMITTING

JUN 28 1991

Palm Beach County
HW - Safety-Kleen/Boynton

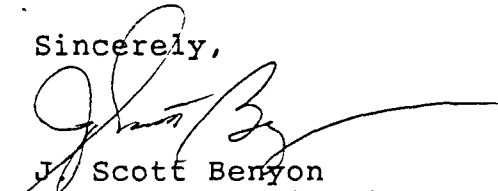
Mr. Scott E. Fore, Vice President
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

Dear Mr. Fore:

Enclosed is Permit Number HO 50-195905 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.

Sincerely,


J. Scott Benyon
Director of District Management

RECEIVED

JUL 2 1991

HAZARDOUS WASTE
PERMITTING

JSB:km:rh/l4

cc: James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta
Satish Kastury, DER/Tallahassee (w/attachment)
Hazardous Waste Enforcement, DER/WPB
Jack Riegenbach, ERM South, Inc.
John O'Malley, PBCPHU

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on JUN 28 1991 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.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Scott E. Fore, Vice President
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

DER File No. HO 50-195905
Palm Beach County

INTENT TO ISSUE

The Department of Environmental Regulation 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, Safety-Kleen Corp., applied on April 23, 1991 and provided additional information on June 28, 1991 to the Department of Environmental Regulation for a permit to operate a hazardous waste storage facility at Lot 46B, Quantum Industrial Park, Boynton Beach, Florida.

The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Rules 17-4 and 17-730. 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 this permit with the conditions included in the attached Draft Permit.

Pursuant to Section 403.722 and 403.815, Florida Statutes and DER Rule 17-730.220, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. 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. 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 1900 South Congress Avenue, Suite A, West Palm Beach, Florida 33406 within fourteen 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 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 at 1900 South Congress Avenue, Suite A, West Palm Beach, Florida 33406 within fourteen 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 petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 45 days of receipt of this intent. Petitions filed by other persons must be filed within 45 days of publication of the public notice or within 45 days of their receipt of this intent, whichever first occurs. 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

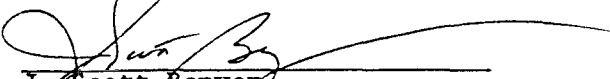
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. 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 45 days of receipt of this intent 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 28-5.207, F.A.C.

Executed in West Palm Beach, Florida.

DONE AND ENTERED this 28th day of Jan, 1991 in the City of West Palm Beach, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION


J. Scott Benyon
Director of District Management
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406

JSB:km:rh/37

Attachments

Copies furnished to:

Satish Kastury, DER/Tallahassee
James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta
Jack Riegenbach, ERM South, Inc./Tampa
John O'Malley, PBCPHU
Hazardous Waste Enforcement, DER/WPB

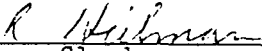
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on JUN 28 1991 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.


Clerk

6-28-91
Date

Radio Announcement:

PUBLIC NOTICE OF PROPOSED AGENCY ACTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION
SOUTHEAST FLORIDA DISTRICT OFFICE

The Florida Department of Environmental Regulation (DER) 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 (HSWA), Section 403.722, Florida Statutes, and Chapter 17-4 and 17-730 of the Florida Administrative Code (FAC) to Safety-Kleen Corporation, Boynton Beach, Palm Beach County, for the operation of a Hazardous Waste Storage Facility. The permit, if issued, 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) may take permitting actions under the provisions of the HSWA. With the State permit, Safety-Kleen Corporation, Lot 46B, Quantum Industrial Park, Boynton Beach, Florida 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 action may be different from the position taken by it in this preliminary statement. Therefore, persons who support the proposed agency action may also wish to intervene in the processing.

For more information concerning the applicable requirements of the petitioning process and the necessary time frames for filing, please contact the Southeast Florida District Office at (407) 433-2650. 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 Southeast Florida District Office, 1900 South Congress Avenue, Suite A, West Palm Beach, FL 33406.

PUBLIC NOTICE OF PROPOSED AGENCY ACTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION
SOUTHEAST FLORIDA DISTRICT OFFICE
1900 South Congress Avenue
Suite A
West Palm Beach, Florida 33406.

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION (DER) 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 TO 1984, SECTION 403.722, FLORIDA STATUTES, AND CHAPTER 17-4 AND 17-730 OF THE FLORIDA ADMINISTRATIVE CODE (FAC) TO Safety-Kleen Corporation, Lot 46B, Quantum Industrial Park, Boynton Beach, Palm Beach County for the operation of a Hazardous Waste Storage Facility. The facility will consist of a container storage area, return/fill area and an above-ground storage tank (all equipped with secondary containment) for the storage of the waste mineral spirits, dumpster sediment, immersion cleaners, dry cleaning wastes, and paint wastes (EPA Waste Codes D001, D006, D008, F002, F003, F004, F005). The completed construction of the facility has been certified by a professional engineer registered in the State of Florida. The facility has the assigned facility I.D. Number FLD #984167791. The permit if issued will be the State permit which 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) will evaluate the necessity of a Solid Waste Management Unit (SWMU) permit which will cover the new requirements brought about by the HSWA. With the State permit and the Federal SWMU permit, if required, Safety-Kleen Corporation will have a complete RCRA permit.

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 Federal 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 permit, prepared in accordance with the provisions of Chapter 17-730 of the Florida Administrative Code (FAC), contains the conditions for the operation of a Hazardous Waste Storage Facility.

The application and a copy of the proposed 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 Southeast Florida District Office, 1900 South Congress Avenue, Suite A, West Palm Beach, Florida 33406.

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 within (45) days of publication of this notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such a person may have to request a meeting under Section 403.722(10), F.S.

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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 45 days of receipt of this intent. Petitions filed by other persons must be filed within 45 days of publication of the public notice or within 45 days of their receipt of this intent, whichever first occurs. 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;

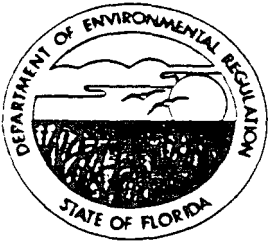
(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(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 agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. 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 45 days of receipt of this intent 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 28-5.207, F.A.C.

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, 1900 South Congress Avenue, Suite A, West Palm Beach, Florida 33406.



DRAFT

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

Carol M. Browner, Secretary

Fax: 407/433-2666

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Scott E. Fore,
Vice President

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:
COUNTY: Dade County
LATITUDE/LONGITUDE: 26°32'22"N/80°04'55"W
SECTION/TOWNSHIP/RANGE:
PROJECT: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-4, 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 an above-ground storage tank.

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 6912 gallons (432 16-gallon containers, or the equivalent). The hazardous waste to be stored in the containers is as follows:

Dumpster Sediment	D001, D006, D008
Spent Immersion Cleaner	F002, F004
Dry Cleaning Wastes	D001, F002
Paint Wastes	F003, F005, D001, D006, D007, D008

The capacity of the above-ground storage tank is 15,000 gallons and the waste to be stored in the tank is waste mineral spirits (D001, D008). The tank will be constructed with secondary containment/leak detection system.

IN ACCORDANCE WITH: Application DER Form 17-730.900(2) dated April 23, 1991 and with additional information submitted June 28, 1991 and Public Notice dated _____.

LOCATED AT: Safety-Kleen Corporation, Lot 46B, Quantum Industrial Park, Boynton Beach, Florida.

SUBJECT TO: General Conditions 1-16 and Specific Conditions 1-36.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

DRAFT

I.D. NUMBER: FLD984-7791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

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 403.161, Florida Statutes. 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), Florida Statutes, 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 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 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.
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.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD98416 91
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

DRAFT

GENERAL CONDITIONS Cont'd:

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, Florida Statutes.
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 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.
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.

DRAFT

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984 7791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

GENERAL CONDITIONS Cont'd:

16. 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 17-30, 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: FLD9841 791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

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 Part I, Attachment I.D.3-1 of the application, 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, Attachment II.A.4(d) 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:
 - (1) The description and quantity of each hazardous waste received.
 - (2) The location of each hazardous waste within the facility and the quantity at each location.
 - (3) The results of the waste analysis.
 - (4) A summary report and details of incidents that require implementation of the contingency plan.
 - (5) Manifest records.
 - (6) Notices to off-site generators (if applicable).
 - (7) The results of inspections (for 3 years).
 - (8) Closure plan and cost estimates.
 - (9) 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)

DRAFT

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984-7791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

SPECIFIC CONDITIONS Cont'd:

11. The permittee shall certify to the Department, 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 Part I, Attachment I.D. 3-1 of the application in the approved storage area only. Containers must be managed in accordance with the approved operational 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 storage capacity of the container storage area will be 6912 gallons (432 16-gallon containers, or the equivalent). (40 CFR 265.171 and 40 CFR 264.173)
17. Spilled or leaked waste must be removed from the collection trench, analyzed and disposed of in accordance with Part IIB, 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)
21. The permittee shall pump the liquid in the spill collection trench into a compatible container upon a discovery of any spills or leaks.
22. The permittee shall handle the compatible containers that contain the spill material as an appropriate hazardous waste and dispose of under the RCRA rules and regulations.
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.

TANK SYSTEM:

24. The used mineral spirits tank (15,000 gallon capacity) may be operated at a maximum volume of 14,250 gallons (95 percent of total capacity) as provided in Part IIC, Attachment II.C.2. (40 CFR 264.194(b))

DRAFT

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

SPECIFIC CONDITIONS Cont'd:

25. The permittee shall pump the liquid in the spill collection trench into a compatible container within 24 hours of any spills or leaks. The containers must be subsequently handled as hazardous wastes and disposed of under the appropriate RCRA rules and regulations. (40 CFR 264.193(c)(4))
26. 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).
27. 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.11 of the application. (40 CFR 264.195(b) and (d)).
28. The permittee, as the application presents in Part II.C, Attachment II.C.11, will internally inspect the used mineral spirits tank once every five years. The internal inspection must verify structural integrity and performance in accordance with original design specifications as assessed and certified in Part IIC, Attachment II.C.1 of the applications.
29. 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.1 of the application and shall comply with the requirements of 40 CFR 264.193.
30. 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.
31. 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).
32. 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.
33. The permittee shall, as part of the general operating requirements of 40 CFR 164.194:
- 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, and
 - c. Comply with the requirements of 40 CFR 264.196 if a leak or spill occurs.
34. 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.

DRAFT

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984 791
PERMIT/CERTIFICATION NUMBER: HO 50-195905
DATE OF ISSUE:
EXPIRATION DATE:

SPECIFIC CONDITIONS Cont'd:

RETURN/FILL AREA:

35. The permittee shall pump the liquid in the spill collection trench into a compatible container upon discovery of any spills or leaks. The containers must be subsequently handled as hazardous wastes and disposed of under the appropriate RCRA rules and regulations.

36. Dumpster sediment removed from the drum washers must be put into compatible containers. The containers must subsequently be handled as hazardous wastes and stored in the Container Storage Area in accordance with the plan approved in Part IIB, Attachment II.B.1 of the application.

Issued this ____ day of _____ 1991

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

J. Scott Benyon
Director of District Management

ist NO-D.

Black Book
Computer

RCRA PERMITTING -- ROUTING SLIP

Facility/Item: Safety Kleen - Boynton

Pats No: 4050 - 195905

Date Document Received: _____

Date Action Required: _____

Action Is: Urgent

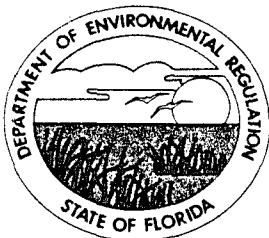
 Routine

TO	Name	SIGNATURE	DATE
<input checked="" type="checkbox"/>	JOHN GRIFFIN	<u>JGS</u>	<u>7-3-91</u>
<input type="checkbox"/>	DIANE HUNT	_____	_____
<input type="checkbox"/>	SATISH KASTURY	_____	_____
<input type="checkbox"/>	SHELTON GRAVES	_____	_____
<input type="checkbox"/>	RABIN PRUSTY	_____	_____
<input type="checkbox"/>	DOUG OUTLAW	<u>DO</u>	<u>7-3-91</u>
<input type="checkbox"/>	MERLIN RUSSELL	_____	_____
<input type="checkbox"/>	CINDY SMITH	_____	_____
<input type="checkbox"/>	LORRAINE CLARK	_____	_____
<input type="checkbox"/>	JANET ASHWOOD	_____	_____
<input checked="" type="checkbox"/>	BILL NEIMES	<u>WN</u>	<u>7/1/91</u>
<input type="checkbox"/>		_____	_____
<input type="checkbox"/>		_____	_____
<input type="checkbox"/>		_____	_____

REQUIRED ACTION & COMMENT:

RETURN TO: Doug Outlaw FOR FILING !

☒ LOGGED IN



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

Carol M. Browner, Secretary

Fax: 407/433-2666

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUN 20 1991

WARNING NOTICE
#WN91-0044-HW50SED
HW - Palm Beach County

Mr. Scott E. Fore, Vice President
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

RE: Safety-Kleen Corporation/Boynton
Operating Permit Application #HO 50-195905
Palm Beach County
First Notice of Deficiencies
Class II Hazardous Waste Violations

RECEIVED

JUN 26 1991

Dear Mr. Fore:

HAZARDOUS WASTE
PERMITTING

Your application for a hazardous waste permit has been reviewed and found to be incomplete. The required information and amendments necessary to complete your application are listed in the attached Notice of Deficiencies.

When a permit application is incomplete, all processing of the application is suspended. You are hereby advised to provide us with the requested additional information pursuant to Florida Administrative Code (F.A.C.) Rule 17-730.220 and Chapter 403.0876 Florida Statutes (F.S.)

The deficiencies noted in the enclosed Notice of Deficiencies constitute a violation of Department Rules. Failure to correct the deficiencies within thirty (30) days could subject you to a formal enforcement action including monetary penalties. If you cannot submit this information within thirty (30) days, you must provide a schedule with dates when this information will be submitted. If a complete response to each item is not submitted within the time frame given above, the Department will issue a Notice of Violation, begin the formal process to deny the permit pursuant to Section 120.60, F.S., or take other appropriate actions.

The response memo should be submitted within (7) seven days of receipt of this notice. If you have any questions, please contact Knox McKee at (407) 433-2650.

Sincerely,

J. Scott Benyon
Deputy Assistant Secretary

JSB:km:rh/12

cc: James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta
Satish Kastury, DER/Tallahassee (w/attachment)
Hazardous Waste Enforcement, DER/WPB

Resubmittal Format: Resubmittal of information requested in this NOD must be in the form of revised texts, figures, tables, etc. and/or additional appendices. This will allow for the old pages to be removed and the new pages to be added. All revised submittals must include the revision number and date.

A response memo from the facility, listing DER's NOD items followed by the facility's response should be submitted along with the replacement pages within (7) seven days of receipt of this notice.

GENERAL COMMENTS

1. It appears from the Engineers Certification that adequate containment volumes exist. The text should be revised to provide consistent numbers (i.e. II.C.7-2-1 expresses 2,679 gallon capacity, while Wishmeier & Associates present 3,626 gallon capacity [Return/Fill Area]).
2. Figure II.C.7-2, Page II.C.7-1B, shows excess capacity to be 19,240 gallons. Such a capacity would not be adequate containment capacity as per 40CFR, Part 264.175(b)(3). The tank displacement calculations should be revised to show a total tank displacement of 8,445 gallons (a total not inclusive of the displacement volume of one of the 15,000 gal tanks) and an excess capacity of 22,307 gallons. The revision will demonstrate the containment capacity to be in compliance.
3. Part I - General, Page 9 of 29, No. 4 of Form 17-730.900(2). Provide date that operation is expected to begin.
4. Part I - General, Page 10 of 29, B. Site Information, No. 1 Facility location. County is incorrect.
5. Part II, Page 28 of 29, No. 3. Explain the response, "Facility just completed construction and hazardous wastes have been stored onsite.", in more detail.
6. Attachment I.D.2, Description of Facility Operation, I.D.2-4. Explain the statement, "the storage tank/container storage area for spent antifreeze...". Is the spent antifreeze proposed to be stored in the "Drum Storage Area" (Figure II.B.1-1), the "Return/Fill Area", or the "Tank Farm"? The spent antifreeze should only be stored in the drum storage area.
7. Attachment II.A.2, Financial Responsibility Information, F1166-RV80, Phase III, No. 1. Fiscal projection should be made for soil analysis as per SW-846, photoionization detection is not adequate.
8. Attachment II.A.2, Financial Responsibility Information, F1166-RV81, 2.e. Confirm that sampling costs are sufficient for the laboratory analysis necessary to demonstrate clean closure.
9. Attachment II.A.2, Financial Responsibility Information, F1166-RV82, 3.e. Confirm that sampling costs are sufficient for the laboratory analysis necessary to demonstrate clean closure.
10. Provide verification that the concrete sealer is compatible with and resistant to all chemicals (see Attachment II.A.5, Waste Analysis Report) handled in the Drum Storage Area, Return/Fill Area and Tank Farm. Sub-Attachment II.B.1-1, Sikagard information, does not satisfactorily verify specific compatibility.
11. Page II. A.4(e)-10, No. 1 refers to measuring volumes of below ground tanks. Information on below ground tanks should be supplied or the reference deleted.
12. Wishmeier & Associates, April 9, 1991, letter to Mr. Rick Peoples states that, "the concrete slab has been coated with two coats of Sikagard 62, this material is resistant to physical contact with the waste liquids being stored..." Provide the documentation to support this claim.
13. Figure II.C.2-4(a) details both vertical and horizontal installation. The construction application presented vertical installation. Figure II.C.2-4(a) should be corrected to reflect the actual installation detail. The application must be specific, not generic.

14. Figure II.C.2-5(a) presents underground tank installation. There are no other references to underground storage tanks. Figure II.C.2-4(a) should be corrected to reflect the actual installation detail. The application must be specific, not generic.
15. Figure II.C.11-3 includes daily volume check for four (4) tanks when five (5) tanks are actually within the tank farm. Figure II.C.11-3 should be corrected to reflect the actual tank number. The application must be specific, not generic.
16. Figure II.C.11-3 has a provision for checking whether drums stored within "the dike" (secondary containment area) are open. Figure II.C.11-3 should be corrected to reflect that the containment area will be checked to insure that no drums will be stored within the containment area.
17. Page II.C.11-2 of Attachment II.C.11 says that tanks will be inspected once every five years. The section also states "Frequency and method of future inspection and testing will be determined based upon results of prior evaluations". The two statements, if not conflicting, lend to a degree of confusion. Elaborate on the tank testing schedule and how frequency is to be determined.