Kim Thursby Digitally signed by Kim Thursby
Date: 2017.11.20 13:27:27 -05'00'

Thursby, Kim

From: Cinquino, Dawn
Sent: Monday, November 20, 2017 9:32 AM
To: Thursby, Kim
Subject: FW: Intent to Issue

FYI.

From: Lennon, John P [mailto:JLennonJr@triumvirate.com]
Sent: Monday, November 20, 2017 9:30 AM
To: Cinquino, Dawn <Dawn.Cinquino@dep.state.fl.us>
Cc: Rabe, Brooke M <brabe@triumvirate.com>
Subject: Re: Intent to Issue

Yes

Sent from my iPhone

On Nov 20, 2017, at 9:29 AM, Cinquino, Dawn <Dawn.Cinquino@dep.state.fl.us> wrote:

> Mr. Lennon,
>
> Would you please confirm receipt of the Intent to Issue - Used Oil Permit for Triumvirate by responding to this email? The Intent to Issue was sent to you via email (e-posted) on Monday, November 13th, 2017.
>
> Thank you,

Dawn Cinquino

Dawn M. Cinquino, Esq., P.E., P.G.
Professional Engineer II
Hazardous Waste Program & Permitting
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 4560
Tallahassee, FL 32399
Dawn.Cinquino@floridadep.gov
Dawn.Cinquino@dep.state.fl.us
Office: *850-245-8766*

Please note: Florida has a broad public records law. Most written communications to or from state employees are public records and may be made available to the public or media upon request. This email communication, and future emails to my attention may therefore be subject to public disclosure.

Thursby, Kim

From:	Epost HWRS
Sent:	Monday, November 13, 2017 12:02 PM
To:	'jlennon@triumvirate.com'
Cc:	Baker, Bryan; Walker, Kim (Waste); 'bastek.brian@epa.gov'; 'Merizalde.carlos@epa.gov'; Kothur, Bheem; Buselli, Bradley; McBride, Ashanti; Eldredge, Susan F.; Dilmore, Cory; Blandin, Norva; 'annie_dziergowski@fws.gov'; 'FWCConservationPlanningServices@myfwc.com'; 'judy_paul@davie-fl.gov'; 'tryan@broward.org'; 'brabe@triumvirate.com'; Cinquino, Dawn
Subject:	Triumvirate Environmental (Florida), Inc.; FLD 981 018 773; Intent to Issue
Attachments:	11-13-17 Triumvirate - Intent to Issue.pdf.Receipt.pdf

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

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

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

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

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

Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

November 13, 2017

Mr. Shawn Lennon Jr., General Manager
Triumvirate Environmental (Florida), Inc.
3670 SW 47th Avenue
Davie, Florida 33314
jlennon@triumvirate.com

RE: **Facility Name: Triumvirate Environmental (Florida), Inc.**
EPA I.D. No.: FLD 981 018 773
Operating Permit Number: 77390-011-HO; 77390-012-SO
Broward County

Dear Mr. Lennon:

The purpose of this letter is to provide Notice of Intent to Issue a Permit Renewal for your facility located at 3670 SW 47th Avenue, in Davie**,** Broward County, Florida, specifically for Operation of a Used Oil and Material Processing Facility. Please review the attached documents and ensure publication within the time allotted.

If you have any questions or would like to discuss this matter, please contact Dawn Cinquino at (850) 245-8766 or Dawn.Cinquino@dep.state.fl.us.

Sincerely,

Bryan Baker

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

BB/dc

Enclosures

cc (with enclosures):

Brian Bastek, EPA Region 4, bastek.brian@epa.gov
Carlos Merizalde, EPA Region 4, merizalde.carlos@epa.gov
Bheem Kothur, DEP Headquarters, bheem.kothur@dep.state.fl.us
Bradley Buselli, DEP Headquarters, bradley.buselli@dep.state.fl.us
Ashanti McBride, DEP OGC, ashanti.mcbride@dep.state.fl.us
Susan Eldredge, DEP Headquarters, susan.f.eldredge@dep.state.fl.us
Cory Dilmore, DEP Headquarters, cory.dilmore@dep.state.fl.us
Norva Blandin, DEP Southeast District, norva.blandin@dep.state.fl.us
Annie Dziergowski, U.S. Fish & Wildlife Service annie_dziergowski@fws.gov
Florida Fish & Wildlife Conservation Planning Services
FWCConservationPlanningServices@myfwc.com
Judy Paul, Mayor of Davie, judy_paul@davie-fl.gov
Tim Ryan, Broward County Commissioner District 7, tryan@broward.org
Brooke Rabe, Triumvirate Environmental, brabe@triumvirate.com

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for a Permit by:

Triumvirate Environmental (Florida), Inc.
3701 SW 47th Avenue, #109
Davie, FL 33314
_____/

DEP File No.: 77390-011-HO;
77390-012-SO
County: Broward

INTENT TO ISSUE

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

On September 26, 2017, the applicant, Triumvirate Environmental (Florida), Inc, applied to the Department for a permit renewal to operate a used oil and material processing facility site located at 3670 SW 47th Avenue, Davie, Florida. The permit renewal application was supplemented with additional information on October 11, 2017 and November 8, 2017. The Department has permitting jurisdiction under Section 403.704(16) and 403.769, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-701, 62-710, 62-730, 62-740 and 62-762, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a renewal permit is required for the proposed work. The Department intends to issue the permit renewal with the conditions included in the enclosed draft operating permit.

Pursuant to Sections 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice. The notice shall be published one time only within fourteen (14) days of receipt of the Intent in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Program and Permitting, within seven (7) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the renewal permit.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. The procedures for petitioning for a hearing are set forth in the enclosed Newspaper Notice. The administrative rights explained in the enclosed Newspaper Notice apply to you, as applicant and Permittee. Your 14-day period for requesting an administrative hearing begins on the date you receive this Intent.

Executed in Tallahassee, Florida.

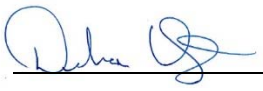
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



KIMBERLY A. WALKER, PROGRAM ADMINISTRATOR
PERMITTING AND COMPLIANCE ASSISTANCE PROGRAM

FILING AND ACKNOWLEDGMENT

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



Clerk

November 13, 2017
Date

Newspaper Notice:

STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT to Triumvirate Environmental (Florida), Inc. to Operate a Used Oil and Material Processing Facility located at Triumvirate Environmental (Florida), Inc., 3670 SW 47th Avenue, Davie, Florida, 33314, having assigned Facility I.D. Number FLD 981 018 773.

The draft permit prepared in accordance with the provisions of Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740 and 62-762, of the Florida Administrative Code (F.A.C.), contains the conditions for Operating Permit Numbers 77390-011-HO and 77390-012-SO. The permit is intended to be issued to allow Triumvirate Environmental (Florida), Inc. to operate a Used Oil and Material Processing Facility at 3670 SW 47th Avenue, Davie, Florida, 33314.

Copies of the application and the draft permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Department of Environmental Protection, West Palm Beach District Office, 3301 Gun Club Road, SC 7210-1, West Palm Beach, Florida 33406, (561) 681-6600, and at Division of Waste Management, Permitting and Compliance Assistance Program, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8781. Electronic copies of the application and draft permit can be accessed in the Department's OCULUS data system located at http://depedms.dep.state.fl.us/Oculus/servlet/login

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice of intent or receipt of the written notice, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within this time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

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

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

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

Mediation is not available in this proceeding.

Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

PERMITTEE:
Triumvirate Environmental (Florida), Inc.
3670 SW 47th Avenue
Davie, Florida 33314

I.D. NUMBER: FLD 981 018 773
PERMIT NUMBER: 77390-011-HO; 77390-012-SO
DATE OF ISSUE: DRAFT
EXPIRATION DATE: November 19, 2022

ATTENTION:
Mr. Shawn P. Lennon, General Manager

COUNTY: Broward
PROJECT: Used Oil and Material Processing Facility

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Conservation and Recovery Act [42 United States Code (U.S.C.) 6901, *et seq.*, commonly known as RCRA], and 40 Code of Federal Regulations 279, this permit is issued under the provisions of Section 403.722 Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740, 62-762, 62-777 and 62-780 Florida Administrative Code (F.A.C.). This permit replaces expired permit 77390-010-HO; 77390-009-SO. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated September 26, 2017 and supplemented by submissions on October 11, 2017 and November 8, 2017 that are incorporated herein and collectively referred to as the "permit application." The permit application also includes any approved drawing(s), plans, and other documents that are specifically identified and incorporated by reference. The permitted units or permitted activities are specifically described as follows:

> To operate a Used Oil and Material Processing Facility hereinafter referred to as the "Facility". The Used Oil and Material Processing Facility is located on an approximately 2.5-acre parcel of land owned by Triumvirate Environmental (Florida), Inc. (TEFI) in Broward County, at 3670 SW 47th Avenue, Davie, Florida, 33314. Diagrams of the site layout and tank storage area are included as Attachment A (Facility Map; Figures 1 through 4) of this permit. Tank capacity and contents are shown in Attachment B (Tank Table) of this permit.
>
> The facility is authorized to process used oil, oily wastewater, oily solid waste, and used oil filters, and to collect petroleum contact water. Non-hazardous waste water is collected and transferred into a 100,000-gallon surge tank designated as Tank T21, then filtered, heated for oil/water separation (water fraction only), and transferred to an offsite industrial waste water pre-treatment facility for treatment and disposal. Tank T-22 is a process tank.

The Facility currently consists of eighteen (18) tanks ranging from 6,000 gallons to 20,000 gallons and one (1) 100,000-gallon tank. The primary and secondary materials stored in these tanks are as listed in Attachment B of this permit. All tanks and piping are located within secondary containment unit as shown in Attachment A. The facility is authorized to store and use a total of 352,925 gallons (95% of capacity) of used oil in the above ground storage tanks and related appurtenances currently in use at the facility. Details for specific tanks are listed in Attachment B of this permit.

In accordance with Solid Waste Permit No. 77390-012-SO, at any given time, per day or per month, the facility is authorized to store a maximum of 200 drums and one 20-cubic yard roll-off container for consolidation on-site.

In addition to the activities regulated under this permit, the Facility is also a 10-day Hazardous Waste Transfer Station. Hazardous waste in transit to permitted treatment, storage, and disposal facilities may be staged for less than ten days at a specified location at the facility during the transportation process.

The Permittee is required to investigate any releases of contaminants to the environment at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. Pursuant to 40 CFR 260.10 [as adopted by reference in Rule 62-730.020(1), F.A.C.], and Chapter 62-780 F.A.C. corrective requirements extend to all property under control of the Permittee (see Attachment A, a map of the property boundaries of the land under the Permittee's control) and to all contamination that originated from discharges at the property under control of the Permittee.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rules 62-4.050 and 62-710.800 F.A.C. and potential enforcement action.

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

1. Final RCRA Facility Assessment Report dated February 2001 and revised March 18, 2002.
2. Closure Plan for tanks 4, 7, 9, 14, 15, 16, 17, and 18 dated March 18, 2003 and DEP approved on March 31, 2003.
3. Permit Transfer and Minor Modification Application dated September 22, 2011and DEP Issued Permit Transfer dated September 28, 2011.
4. Used Oil Processing Facility Permit Minor Modifications Application dated January 21, 2014.
5. DEP comments dated January 29, 2014 and the facility revised responses dated February 20, 2014 and March 11, 2014.

6. Used Oil and Solid Waste Facility Permit Renewal Application dated September 26, 2017.

7. Supplemental information provided via email on October 11, 2017 and November 8, 2017.

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PART I – GENERAL AND STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 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 Sections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

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

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

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

7. This permit or a copy thereof shall be kept at the work site of the permitted activity. In the event that there is no building or reasonable repository for such a copy at the work site, an alternate location must be approved by the Department in writing.

8. 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

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activity is located or conducted for the activities below. Reasonable time may depend on the nature of the concern being investigated.

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

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

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 the permitted activity which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted activity arising under the Florida Statutes or Department rules, except where such use is proscribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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

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

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

b. The Permittee will report any event requiring emergency response or noncompliance that may endanger human health or the environment from fires and explosions or releases that may endanger public drinking water supplies, or that requires the Permittee to take any of the tanks out of service. The Permittee will report to the Department verbally within 24 hours, and provide a written report of the incident to the Hazardous Waste Program & Permitting Section at the address in Part I.15 or by alternate means *(e.g.*, e-mail) as approved by the Department, within five calendar days. It is the responsibility of the Permittee to ensure receipt of the written report. The Department of Environmental Protection's 24-hour emergency telephone number

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is (850) 413-9911 or (800) 320-0519. During normal business hours, the DEP District Office may be contacted at (561) 681-6600 (West Palm Beach).

(1) The verbal report shall include the following information:

(a) The name, address, I.D. number, e-mail address, and telephone number of the facility and its owner or operator.
(b) The date, time, and type of incident.
(c) The identity and quantity of materials involved.
(d) The extent of any injuries.
(e) An assessment of actual or potential hazards.
(f) The estimated quantity and disposition of recovered materials.

(2) The written report shall include all of the information in the verbal report and the following information:

(a) A description and cause of the noncompliance.
(b) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

c. The Permittee shall record all releases greater than one (1) gallon in the facility's written operating record. If a release equal to or greater than twenty-five (25) gallons occurs, the Permittee shall also notify the Department, no later than 24 hours after occurrence, using the Discharge Report Form [DEP Form Number 62-762.900(1)] in accordance with Rule 62-780.210(1), F.A.C., and 62-762.411(5), F.A.C., if the discharge is from an Aboveground Storage Tank System regulated by Chapter 62-762, F.A.C. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service. Releases shall be immediately cleaned up in accordance with the approved facility Contingency Plan, this permit, and any applicable rules.

(1) For all releases, the information recorded, and/or submitted to the Department, shall include at a minimum, the location of the release, time of the release, time and description of the response, and all relevant information (*e.g.*, location of site(s) on a map of appropriate scale; general dimensions of affected area; media affected; hazardous constituents released; and magnitude of release).
(2) The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present.
(3) Depending upon the type of discovery, notification requirements of Part I.12.b may also be required.

d. Before closing or making any substantial modification to the facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rule 62-4.080 and Subsection 62-710.800(3), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida.

e. Capacity: In order to prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds ninety-five percent (95%) of the maximum storage capacity of the tank as specified in the Operating Information section of the permit application and Attachment B of this permit.
f. Annual Reporting for Used Oil: The Permittee shall submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3), F.A.C., by March 1 of each year in accordance with Subsection 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510.

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

a. Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
b. The Permittee shall hold all information required by the permit at the facility or other location designated by this permit. This includes records of all monitoring information (including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation); copies of all reports; and records of all data used to complete the permit application. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
c. Records of monitoring information shall include all required items in Chapter 62-160, F.A.C., and the following information:

(1) The date, exact place, and time of sampling or measurements.
(2) The person responsible for performing the sampling or measurements.
(3) The dates that analyses were performed.
(4) The person responsible for performing the analyses.
(5) The analytical techniques or methods used.
(6) The results of such analyses.

d. Information regarding the recordkeeping requirements for those facilities that handle and/or store Petroleum Contact Water (PCW) are provided in detail in Part II Subpart D of this permit, if applicable.

14. Within the timeframe requested by the Department, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Department's request does not include a timeframe, the time of response is 30 days. If the Permittee becomes aware that the relevant facts were not submitted or were incorrect in the permit application or any report submitted to the Department, such facts or information shall be corrected promptly.

15. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be provided as described below. Submittals may be directed to

alternative addresses (*i.e.* electronic submittal) and will not require a permit modification. Technical submittals (*e.g.* workplans, reports) provided in digital format must be in optical media format (Cd or DVD) or through a secured internet port (*i.e.* username/password encryption) when one is available.

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

In addition to copies sent to Hazardous Waste Program and Permitting in Tallahassee, submittals shall also be sent to:

Hazardous Waste Supervisor
Department of Environmental Protection
Suite 200, 400 North Congress Avenue, West Palm Beach, FL 33401

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

17. The Permittee shall revise "Part I – General" of the Application for a Used Oil Processing Facility Permit [DEP Form 62-710.901(6)] and submit the revised form to the Department within 30 days of any changes in the Part I information. Changes in the Part I information may also require changes to the Department's 8700-12FL form.

18. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with Chapter 403.73, F.S.

19. This permit is transferable only upon written Department approval in accordance with Rules 62-4.120 and 62-710.800 F.A.C., as applicable. The Permittee shall submit an application for transfer of the permit, at least thirty (30) days prior to transferring the facility, on DEP Form 62-1.201(1), F.A.C., accompanied with an appropriate application fee, required pursuant to Rule 62-4.050, F.A.C. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. Before transferring ownership or operation of this facility during the term of this permit, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 279 and Chapter 62-710, F.A.C.

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

    a. The Permittee shall submit a complete application for the renewal of this permit, on DEP Form 62-710.901(6), F.A.C. - the "Used Oil Processing Facility Permit Modification Request", and in a manner prescribed by the Department, a minimum of 60 calendar days before the expiration of the permit, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-4.080,

F.A.C. and Rule 62-710.800(3), F.A.C. The permit renewal application shall be submitted in accordance with Chapters 62-4 and 62-710, F.A.C.

b. The Department may modify, revoke, reissue, or terminate for cause this permit in accordance with Chapter 62-4, F.A.C and 403.704(10), F.S.
c. The Permittee may submit any permit modification to the Department for approval. The filing of a request for a permit modification, revocation, reissuance, termination, notification of planned changes, or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.
d. The Permittee shall submit the application for a permit renewal or modification to the addresses in Part I.15.

(1) The Permittee shall submit a fee with the permit renewal or modification application that meets the requirements of Rule 62-4.050 and Rule 62-710.800(4), F.A.C.
(2) The Permittee shall submit a copy of the cover letter accompanying the permit renewal or modification application and the fee to the following address:

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

(3) The Permittee shall also submit notification of fee submittal, or notification of annual fee submittal, to the addresses in Part I.15, or by an alternate means (*e.g.*, e-mail) as approved by the Department.
(4) The permit renewal or modification application fee may alternately be submitted electronically. If the Permittee intends to submit the application fee electronically, the Permittee shall obtain instructions from the Department on the proper procedures, and shall follow such instructions in making the electronic submittal. Notification per Part I.22.d.(3) is still required.

e. The timeframes for permit review begin on the date when the Department has received both the permit renewal or modification application and the application fee.
f. If the Permittee allows this permit to expire prior to Department acceptance of the closure certification, the Permittee must reapply for a permit in accordance with DEP Form 62-710.901(6), F.A.C.

21. Land disposal (placement) of used oil, for dust suppression, weed abatement, road treatment or other similar uses that have a potential to release used oil into the environment, is prohibited in accordance with 40 CFR 266.23(b) and Rule 62-710.401(5), F.A.C.

22. The Permittee is not relieved of responsibility to clean up a release that has migrated beyond the facility boundary where off-property access is denied or revoked.

a. 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 access to real property necessary for work to be performed in the implementation of this permit.

b. If necessary access cannot be obtained by the Permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time thereafter seek to obtain such access as is necessary to implement the terms of this permit.

c. The Permittee shall reimburse the Department for any expenses that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain necessary access to said property. The Permittee shall pay these sums to the Department, or arrange a payment schedule with the Department, within 30 days of demand by the Department. Payments shall be performed in accordance to Part I.22.d.

23. The Permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance per Rule 62-701.630 F.A.C., as adopted by reference in Rule 62-710.800(6), F.A.C. Supporting documentation, for proof of financial assurance and required annual adjustments, shall be submitted within the time frames specified in Rule 62-701.630, F.A.C., as adopted by reference in Rule 62-710.800(6), F.A.C. All submittals in response to this specific condition shall be sent to:

    Financial Assurance
    Financial Coordinator – Solid Waste Section
    Department of Environmental Protection
    2600 Blair Stone Road, M.S. 4548
    Tallahassee, Florida 32399-2400

24. The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7), F.A.C. Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. An owner or operator shall submit the adjusted cost estimate between January 1 and March 1 of each year. All submittals in response to this specific condition shall be sent to the addresses on the cost estimate form.

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

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PART II – OPERATING CONDITIONS

Part II Subpart A – General Operating Conditions

1. The Permittee shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C. This facility shall be constructed, operated and maintained and closed in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, 62-730, 62-740, 62-762 and 62-777, F.A.C., and all other applicable requirements of Department Rules. By acceptance of this permit, the Permittee certifies that they have read and understand the obligations imposed by this permit, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.

2. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of used oil or used oil constituents to air, soil, or surface water which could threaten human health or the environment in accordance with 40 CFR 279.52(a)(1).

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

    a. The Permittee maintain a copy of the Spill Prevention Control and Countermeasures Plan (SPCC) (also known as the Preparedness and Prevention Plan (PPP)) of the permit application at the facility.
    b. At a minimum, the Permittee shall have the equipment available at the facility which is described in the SPCC in accordance with 40 CFR 279.52(a)(2). The Permittee shall visually inspect and maintain the facility emergency and safety equipment listed in the SPCC, in accordance with 40 CFR 279.52(a)(3) and the permit application, during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection. A schedule for the inspection of the facility emergency and safety equipment must be maintained in the operating record of the facility. Changes, additions, or deletions to the schedule must be approved in writing by the Department.
    c. The Permittee shall maintain immediate access to an internal communications or alarm system, fire protection equipment, spill control equipment and decontamination equipment per 40 CFR 279.52(a)(2 & 4).
    d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 279.52(a)(6), and with local medical facilities and emergency response personnel. If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record. Authorities/facilities include local fire and police departments, sheriff's office, state police, hospitals, ambulance services and emergency medical technicians, and state and local emergency response centers.

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e. The Permittee shall maintain aisle space, as required pursuant to 40 CFR 279.52(a)(5), to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the facility.

4. The Permittee shall comply with the following conditions concerning the Contingency Plan (CP):

   a. The Permittee shall immediately carry out the provisions SPCC Plan and Contingency Plan of the permit application, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises and, within five calendar days, must submit to the Department a written report which includes all information required in Part I.12.b of this permit.
   b. The Permittee shall comply with the requirements of 40 CFR 279.52(b)(3). A copy of the CP and all revisions to the plan must be maintained at the facility. Electronic copies of the CP must be submitted to the authorities/facilities in Part II.A. 3.d., provided the entity has the capability to receive electronic submittals.
   c. Within thirty days of meeting any criterion listed in 40 CFR 279(b)(4)(i-v), the Permittee shall amend the plan and submit the amended plan to the Department. Any other changes to the plan must be submitted to the Department within thirty days of the change. All amendments or plans must be distributed to the State and local authorities in Part II.A. 3.d.
   d. The Permittee shall comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator.
   e. The Permittee shall perform at a minimum, an annual review of the Contingency Plan to ensure that it is up to date and contains current information. The date of review should be noted in the written operating record at the facility.

26. The Permittee, pursuant to 40 CFR 279.57, must keep and maintain a written operating record at the Facility until closure of the Facility, which includes the following information:

   a. Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55; and described in the permit application.
   b. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping.
   c. The closure plan and remedial action (corrective measures) plans as applicable for each contaminated site.
   d. Inspections of emergency and safety equipment.
   e. Annual reports.
   f. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
   g. Documentation that local officials have refused to enter into preparedness prevention arrangements with the Permittee, when applicable.

h. All registration and/or certification documentation related to the facility.
i. Any hazardous materials manifests and/or shipping records.
j. This permit and any related supporting documentation.

Part II Subpart B – Used Oil Conditions

1. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.901(3), F.A.C., and in accordance with Rule 62-710.500, F.A.C.

2. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C].

3. The Permittee shall not accept or store any hazardous wastes in the permitted tanks or in any other area at the facility without a Department approved hazardous waste permit.

4. The Permittee is allowed to store used oil only in aboveground tanks or containers within the secondary containment, and/or within double-walled tanks as shown in Attachment A of this permit. The permitted units and tank capacities are shown for Tanks in Attachment B.

5. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in the Operating Information section of the permit application and Attachment B of this permit.

6. Tanks installed on or after July 13, 1998 shall comply with the performance standards of Rule 62-762.501, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

7. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment systems shall be maintained in accordance with the Operating Information of the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:

   a. All new tank systems shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;

   b. Pursuant to 40 CFR 279.54, the secondary containment system shall be:

      (1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;
      (2) Capable of detecting and collecting releases and run-on until the collected material is removed;
      (3) Constructed of, or lined with, materials compatible with the waste to be stored and have sufficient structural strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses which may be induced by the environment;

(4) Placed on a foundation or base capable of providing support to the secondary containment system;
(5) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
(6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
(7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

c. All tank systems, including ancillary equipment, shall be provided with secondary containment that at a minimum meets the requirements of 40 CFR 279.54(d), or 40 CFR 279.54(e), and Rule 62-710.401(6), F.A.C.

8. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

9. The Permittee shall store used oil, used oil residues or used oil filters only in those containers or tanks which are made of or lined with materials that will not react with and are otherwise compatible with the waste to be stored.

10. If a container or tank holding used oil, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.22].

11. As part of the general operating requirements, the Permittee shall:

a. Not place used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
b. Use appropriate controls and practices to prevent spills and overflows;
c. Follow the operating procedures described in the permit application; and
d. Comply with the requirements of 40 CFR 279.54(g) and Chapter 62-780, F.A.C., if a leak or spill occurs.

12. The Permittee shall inspect the tank system in accordance with the permit application. These requirements include:

a. Developing and following a schedule and procedure for inspecting overfilling controls;
b. Inspecting at least once each operating day the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. However, the Permittee shall document the daily inspections at least once a week; and
c. The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record at the facility.

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13. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and manage the material in accordance with the Spill Prevention Control and Countermeasures Plan (SPCC) (also known as the Preparedness and Prevention Plan (PPP)) and the Contingency Plan of the permit application.

14. Pursuant to 40 CFR 279.55, for the written analysis plan, and 40 CFR 279.56, concerning Tracking, the Permittee shall:

    a. Sample and analyze each incoming shipment by EPA Method 9077 or a leak detector device (i.e., Tek Mate Sniffer or equivalent) as set forth in the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with the permit application;
    b. Test all containers of the same waste stream for the parameters listed in the permit application, if any of the samples fail the analysis required by Part II.20(a) of this permit, the Permittee may collect a representative sample from containers received from the same generator for this analysis;
    c. Reject any incoming containers of used oil which fail the analysis required by Part II. 20(a) of this permit. The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and
    d. Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in the permit application to determine whether the used oil is on-specification or off-specification. However, the testing is not required if the used oil is sent to another Used Oil processor for further processing.
    e. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. All analyses will be conducted by a laboratory accredited by the National Environmental Laboratory Accreditation Program (NELAP) and certified by the Florida Department of Health.
    f. The Permittee must keep a copy of the written analysis plan at the facility.

15. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: the Permittee shall maintain records on DEP Form 62-710.901(2), F.A.C., or on substantially equivalent forms which contain at least the same information as the Department form.

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

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

(2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
(3) The quantities of each type of used oil accepted and date of acceptance; and
(4) Waste stream approval number and the off-load number.

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

(1) The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
(2) The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
(3) The quantities of used oil shipped and date of shipment; and
(4) The laboratory analytical results.

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

Part II Subpart C – Tank and Container Conditions

1. "Tank system", for the purpose of this permit, is currently defined as the storage tank(s) listed on Attachment B of this permit, along with ancillary equipment and any secondary containment structures.

2. Volumes of used oil and /or oily wastewater should not exceed 352,925 gallons in processing at any given time (95% of 371,500 gallons [total of all used oil/water tanks listed in Attachment B]). To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW (if applicable) stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

3. Labeling of Used Oil tanks and containers: The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [Rule 62-710.401(6), F.A.C., and 40 CFR 279.54(f)].

4. The Permittee shall, in the event of a release and in accordance with 40 CFR 279.22(d) and Chapter 62-780, F.A.C.:

a. Stop the release;
b. Contain the release;
c. Clean up and manage properly the released waste and other materials;
d. If necessary, repair or replace any leaking storage containers or tanks prior to returning them to service;
e. Notify FDEP and other authorities, as applicable;
f. Perform remedial actions in accordance with Chapter 62-780, F.A.C., if applicable.

5. The Permittee shall, as part of the general operating requirements:

    a. Not place petroleum contact water (if permitted), used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
    b. Use appropriate controls and practices to prevent spills and overflows;
    c. Follow the Operating Procedures described in the permit application;
    d. Comply with the requirements of 40 CFR 279.54(g) and Chapter 62-780, F.A.C. if a leak or spill occurs;
    e. Comply with the notification requirements for the discovery of a release greater than fifty (50) gallons or that requires tanks to be removed from service per Part I.12. b and c.

6. The Permittee shall store used oil only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.

7. If a container holding used oil is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22].

8. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in the Operating Information section of the permit application.

9. The Permittee must initiate the removal of spilled or leaked waste from the secondary containment areas within twenty-four hours of the incident and the waste should be completely removed within three (3) days [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within twenty-four hours after a rainfall event. The above materials shall be managed in accordance with the Operating Information section of the permit application.

10. The Permittee shall keep containers closed except when adding or removing waste.

11. Aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for shop fabricated tanks per Rule 62-762.501, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

Part II Subpart D – Petroleum Contact Water Conditions

1. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter in compliance with Rule 62-730.170, F.A.C., or has received a DEP/EPA ID number by notifying the Department on DEP/EPA Form 8700-12FL of its intent to transport PCW. [Rule 62-740.200(2), F.A.C.].

2. The Permittee shall maintain the following records for a minimum of three years [Paragraph 62-740.300(2)(c), F.A.C.]. For each shipment of PCW received:

a. Name and address of the PCW producer.
b. Name and address of the PCW transporter.
c. Date of receipt of the PCW shipment.
d. Volume of PCW received.
e. A copy of the shipping paper used for shipment of the PCW.
f. Have on file written assurances from the producers that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW [Rule 62-740.300(4), F.A.C.].

3. The Permittee is authorized to handle PCW but not store PCW.

Part II Subpart E – Non-Hazardous, Non-Used Oil Waste Conditions

1. The facility may only accept non-hazardous, oil contaminated solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, and latex paint. The waste will be bulked and /or processed for acceptance at permitted solid waste disposal facilities.

2. All non-hazardous solid waste received at the site for bulking will be received either in drums or containers.

3. Prior to acceptance of non-hazardous solid/sludge at the facility, the Permittee shall obtain from the generator a signed Profile Document which demonstrates that the waste is non-hazardous. The profile must be supported by laboratory analytical results (SDS sheets may be accepted for virgin, unused materials). The Permittee shall perform, or shall require the generator to perform the sampling and analysis. The minimum required analysis shall include total or TCLP Metals (As, Cr, Cd, Pb) and total or TCLP Volatile Organics. For small volumes of waste, generator's knowledge may be applied on a case by case basis to support a claim that an oil contaminated solid waste is non-hazardous. Generator knowledge must be supported by historical analytical results.

4. Processed solids shall be stored in covered, 20-cubic yard roll-off containers or covered drums on impervious surfaces. The number of containers storing processed solids awaiting disposal shall not exceed three hundred (300) 55-gallon drums or equivalent containers, or as modified in an approved closure cost estimate.

5. All processed and unprocessed solid wastes shall be stored within the Containment Area #3 or the Drum Storage Building indicated on Figure 2, Site Plan of the permit application.

6. Liquid wastes/sludges will be solidified with pigs, oil absorbents, pads, used oil dry, or swellgel. All are solidified in either drums or inside hoppers; nothing is solidified inside the roll-off container, but absorbent material may be used to address de minimis free liquids inside the roll-off. All materials shall be processed and managed on impervious surfaces, or in drums or containers.

7. The owner or operator shall ensure that neither liquids nor solids are discharged outside the containment areas.

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8. Containers with processed waste shall be clearly labeled "Processed Solid Waste".

9. Containers shall be covered at all times, except during loading or unloading.

10. The owner or operator shall conduct daily inspections to document the conditions of the storage containers, the pavement within the storage facility, and the processing equipment. These inspections shall be recorded on an appropriate form on a weekly basis. In the event deficiencies are discovered (e.g. leakage), the corrective actions taken shall be noted on the inspection form.

11. The permitted facility shall maintain records of the total amount of oil contaminated solid waste delivered, processed and disposed of annually. The records shall be maintained a minimum of three (3) years.

PART III – CLOSURE CONDITIONS

1. The Permittee shall close the facility in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, escape of hazardous waste, hazardous waste constituents, hazardous waste decomposition products, contaminated leachate or run-off to the groundwater, surface waters, or to the atmosphere.

2. The Permittee shall have a Department-approved written Closure Plan as required by 40 CFR 279.54(h) and Rule 62-710.800(5), F.A.C. The Closure Plan and all revisions to the plan must be kept at the facility until closure is completed and approved by the Department. The Closure Plan must demonstrate how the facility will be closed so that there will be no need for further facility maintenance. The Closure Plan requires at a minimum the following:

   a. Above-ground Tanks (ASTs):

      (1) All tanks, piping, secondary containment and ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
      (2) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C. Closure of ASTs shall include:

         (a) Testing of residue in the tanks. If the residue is hazardous, follow the steps outlined in the Closure Plan. In accordance with 40 CFR 279.54(h), the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste.
         (b) Remove and properly dispose any non-hazardous residue.
         (c) Triple rinse the tanks, piping and ancillary equipment.
         (d) Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

b. Containers: Containers holding used oils or residues of used oil must be removed from the facility. As with tanks, the Permittee must manage removed materials as hazardous waste, unless the materials are not hazardous as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.
c. Solid Waste: All solid waste must be removed from the facility and recycled or disposed of in accordance with the requirements of Rule 62-701.710(6), F.A.C.

3. Modifications to the approved Closure Plan shall be made whenever significant operational changes occur or design changes are made, and shall be approved by the Department.

4. The Permittee shall notify the Department within seven calendar days of any determination that actions undertaken as part of closure or associated monitoring programs no longer satisfy the requirements set forth in this permit. If the Department determines that a modification of the permit is required, the Permittee shall, within 60 calendar days of notice by the Department, submit an application for a permit modification in accordance with Part I.20. of this permit.

5. The Permittee shall complete closure activities within 90 days after notification to the Department of closure and in accordance with the closure schedule in the permit application. Any changes in the time allowed for closure activities or reporting requirements shall require prior written Department approval. At least 60 calendar days prior to initiating physical closure activities, the Permittee shall prepare and submit a Closure Activities Report.

   a. The Closure Activities Report will be in columnar format (*i.e.* a table or spreadsheet) with columns for "closure activity," "schedule date," and "completed date."
   b. The Closure Activities Report shall be maintained and updated by the Permittee throughout the closure period, with copies submitted monthly to the Department, unless an alternate submittal schedule is approved by the Department in writing. Each report must be submitted to the Department by the tenth day of each month for the preceding month until the acceptance of physical closure by the Department. These reports can be submitted electronically.
   c. Any deviation from the schedule or described tasks shall be fully documented in the Closure Activities Report.

6. The Permittee shall notify the Department 60 days prior to the date on which the Permittee expects to begin partial or final closure of a unit(s).

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

8. The Permittee shall provide opportunities for site inspections by the Department by informing the Department at least seven days in advance of any major physical closure activity (*e.g.,* unit decontamination or removal, cap installation, soil sampling, soil removal, etc.).

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9. Within 30 calendar days of the completion of closure, the Permittee shall submit to the Department, a Closure Report. The Closure Report must include, but not be limited to the following:

   a. Environmental sampling data to verify closure activities.
   b. Decontamination data.
   c. Copies of manifests or other appropriate shipping documents for removal of all hazardous wastes and all contaminated residues.
   d. A description of final closure activities.
   e. A final Closure Activities Report (Part III.5. of this permit) that documents:

      (1) The weight of #1 heavy metal scrap sold.
      (2) The weight of other scrap sold, by classification.
      (3) The weight of scrap disposed and how disposed.
      (4) An inventory of the valves and fittings that were retained for future application.
      (5) A statement that the tanks and piping have been completely removed and that everything removed is included in the above listing.

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Issued Date

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Signature
KIMBERLY A. WALKER, PROGRAM ADMINISTRATOR
PERMITTING AND COMPLIANCE ASSISTANCE PROGRAM

Filing and Acknowledgment

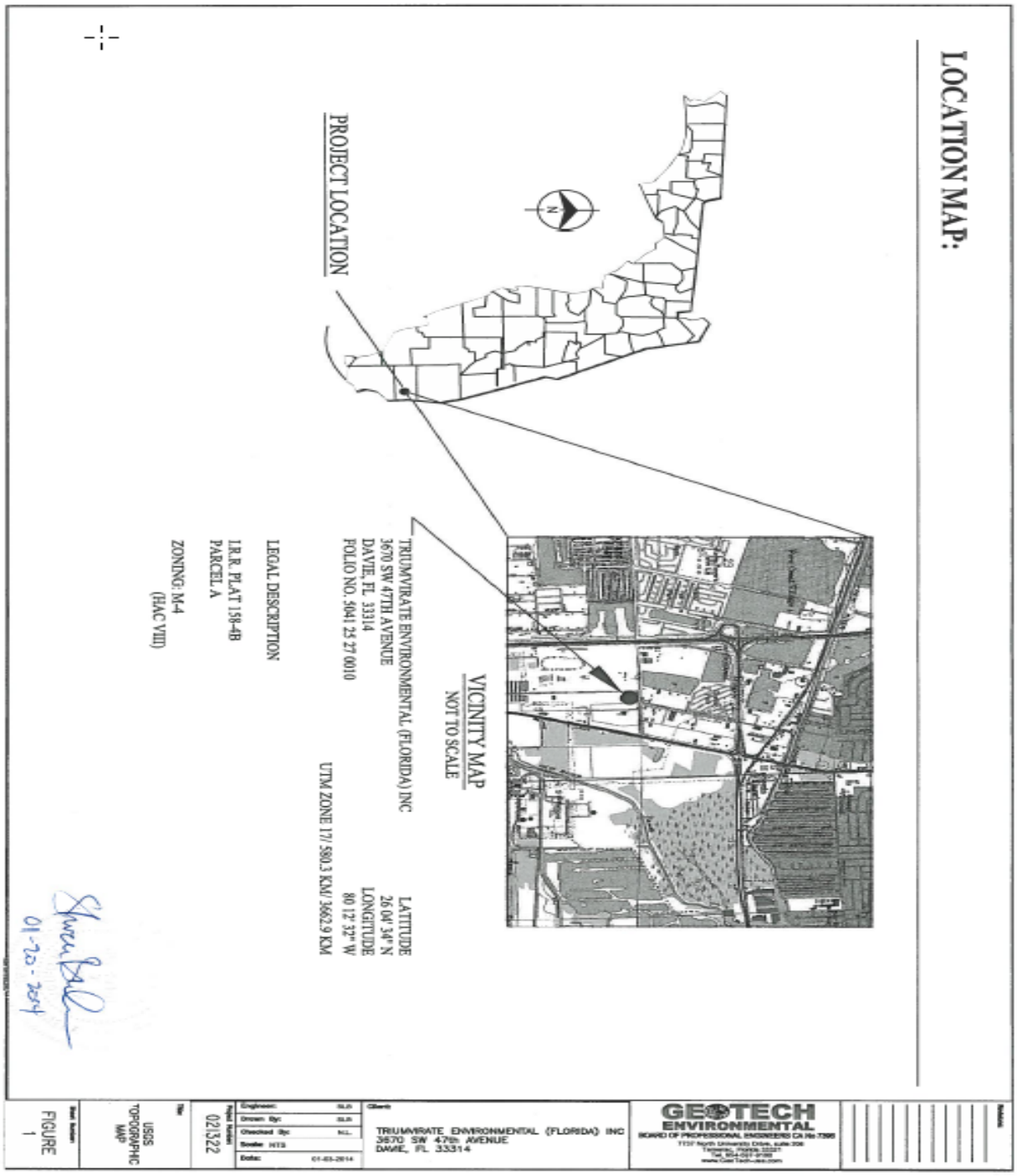
Filed on this date, pursuant to Section 120.52 Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

Signature
CLERK

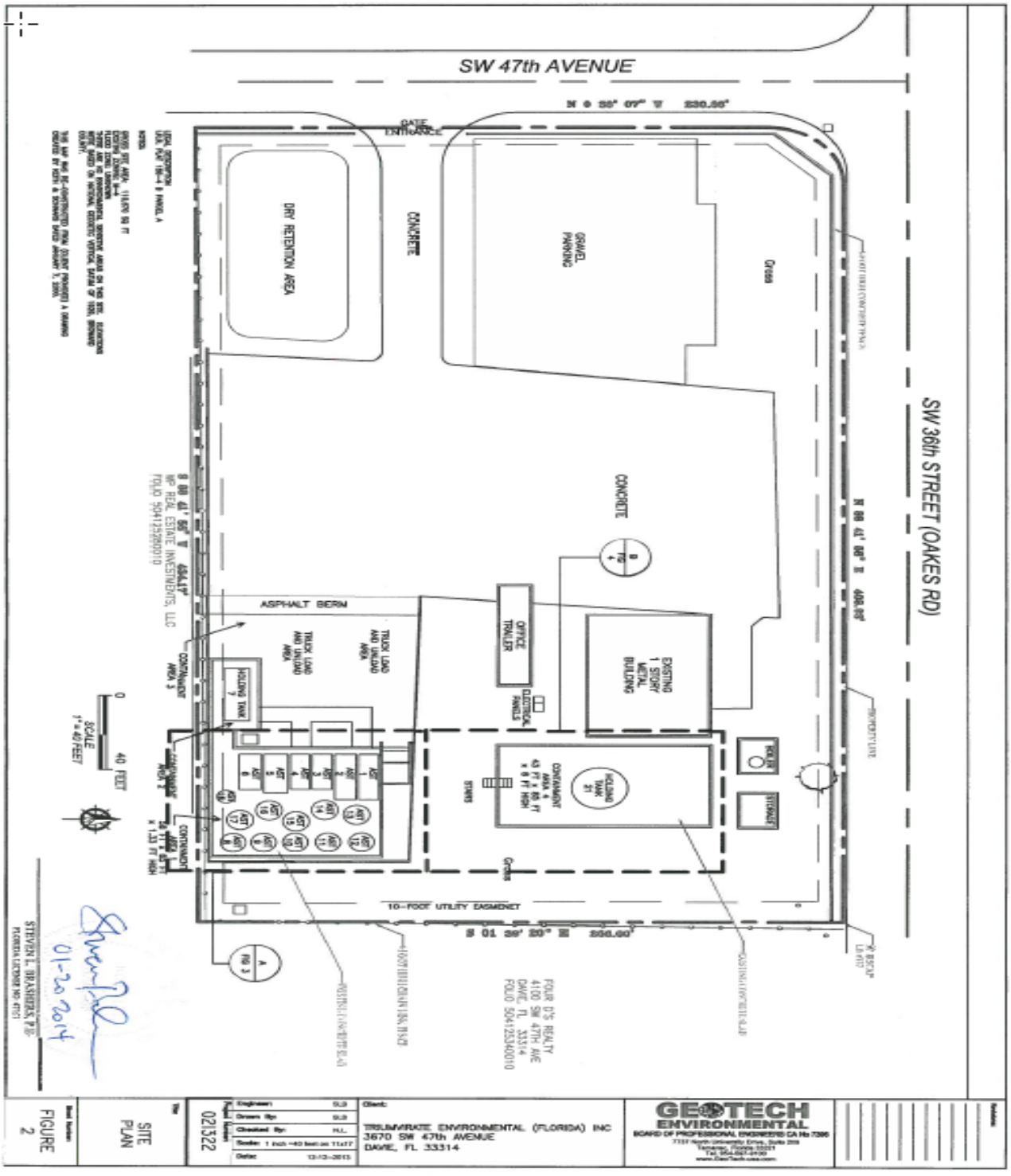
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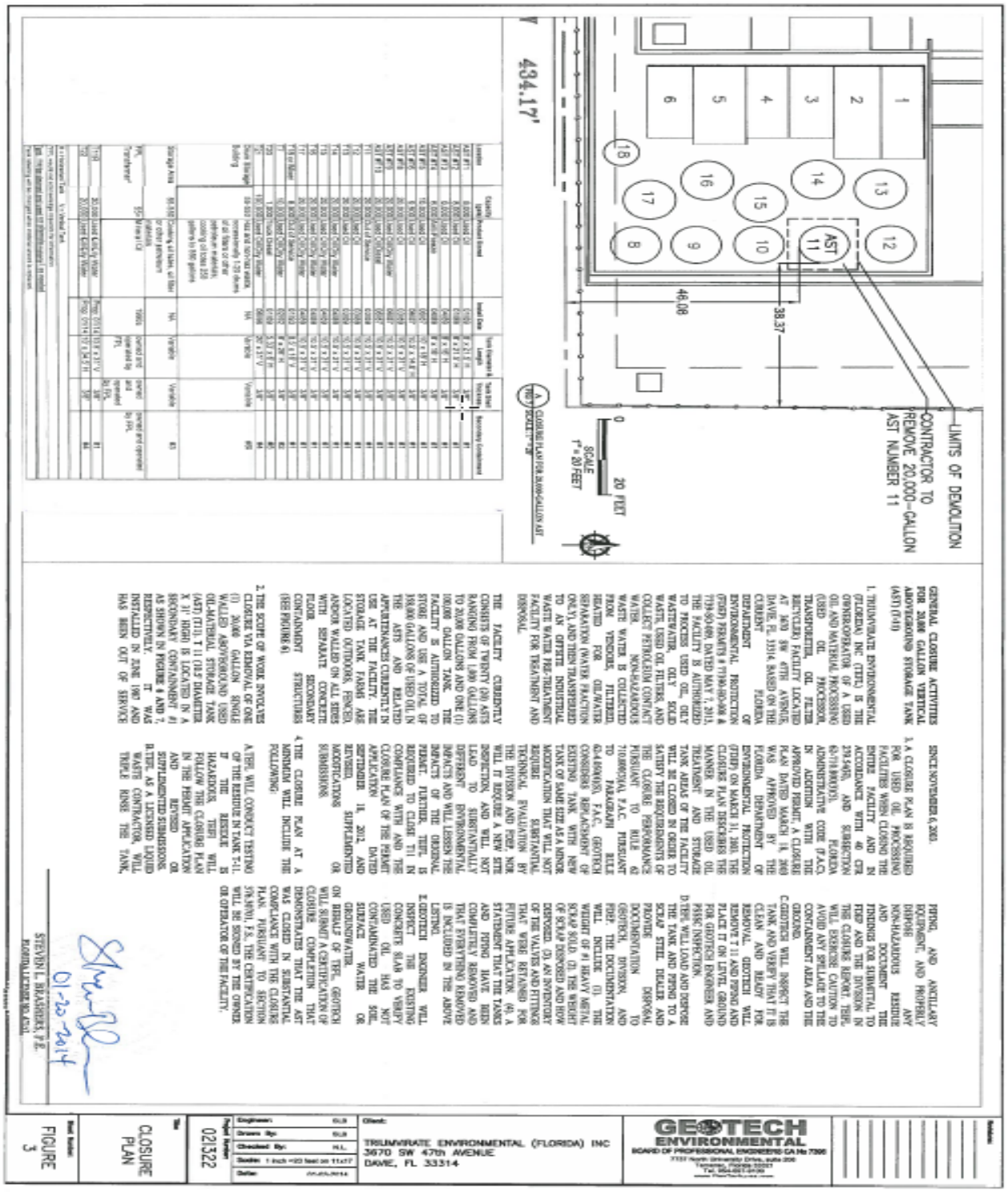
ATTACHMENT A – FACILITY MAP



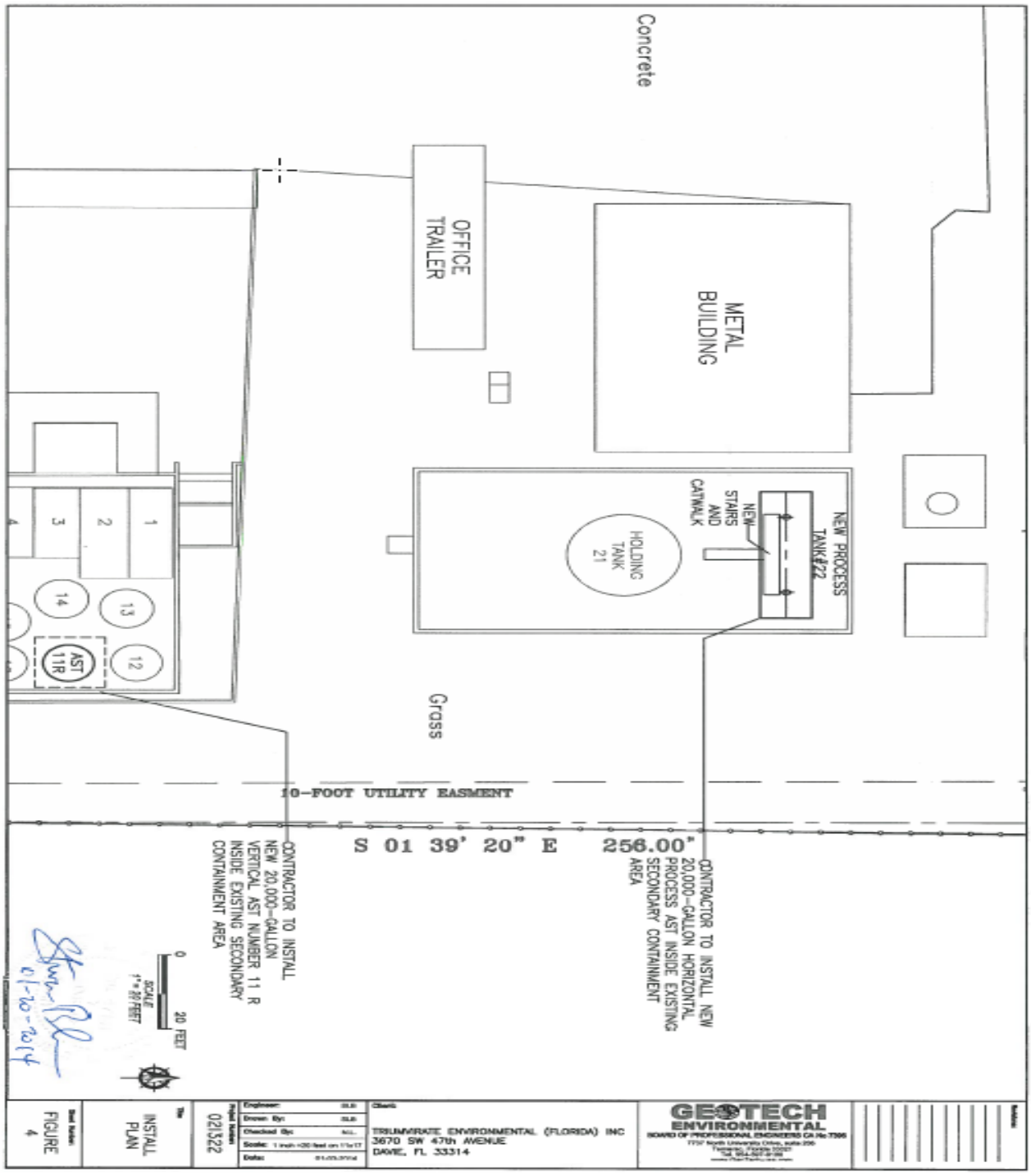
ATTACHMENT A – FACILITY MAP (Continued)



ATTACHMENT A – FACILITY MAP (Continued)



ATTACHMENT A – FACILITY MAP (Continued)



ATTACHMENT B – TANK TABLE

Location	Capacity (gals)	Product Stored	Install Date	Tank Diameter & Length	Tank Shell Thickness	Secondary Containment
AST #T1	8,000	Used Oil	01/89	8' x 21.5' H	3/8"	#1
AST #T2	8,000	Used Oil	01/89	8' x 21.5' H	3/8"	#1
AST #T3	6,000	Used Oil	04/89	8' x 16' H	3/8"	#1
AST #T4	6,000	Anti-Freeze	04/89	8' x 16' H	3/8"	#1
AST #T5	10,000	Used Oil	06/87	10' x 16' H	3/8"	#1
AST #T6	9,500	Used Oil	06/87	10.5' x 14.6' H	3/8"	#1
AST #T8	20,000	Used Oil	03/89	10.5' x 31' V	3/8"	#1
AST #T9	20,000	Used Oil/Oily Water	06/87	10.5' x 31' V	3/8"	#1
AST #T10	20,000	Used Oil/Diesel	06/87	10.5' x 31' V	3/8"	#1
T11	20,000	Out of Service	03/89	10.5' x 31' V	3/8"	#1
T12	20,000	Used Oil	03/89	10.5' x 31' V	3/8"	#1
T13	20,000	Used Oil	03/89	10.5' x 31' V	3/8"	#1
T14	20,000	Used Oil/Oily Water	04/89	10.5' x 31' V	3/8"	#1
T15	20,000	Used Oil/Oily Water	04/89	10.5' x 31' V	3/8"	#1
T16	20,000	Used Oil/Oily Water	04/89	10.5' x 31' V	3/8"	#1
T17	20,000	Used Oil/Oily Water	04/89	10.5' x 31' V	3/8"	#1
T18 or Mixer**	6,500	Out of Service	01/93	8.5' x 16' V	3/8"	#1
T7	10,000	Used Oil/Oily Water	02/92	8' x 26' H	3/8"	#2
T20	1,000	Truck Diesel	01/89	5.33' x 6' H	3/8"	#5
T21	100,000	Used Oil	06/96	20' x 31' V	3/8"	#4
Drums	55-550	Haz and non-haz waste, oil filters or other petroleum, and cooking oil	NA	NA	NA	#3 and #6
T11R***	20,000	Used Oil/Oily Water	02/14	10.5' x 31' V	3/8"	#1
T22****	20,000	Used Oil/Oily Water	02/14	10' x 34.5' H	3/8"	#4

* The permit lists 366,000 gallons as the total facility capacity; individual tank fill volume calculated at 95% of used oil/oily water tank size

** T18 or Mixer AST has been out of service since 1989, therefore should not be included in the facility volume calculations

*** T11R is a replacement of T11 with the same volume as there is no net add or loss to the permit volume or secondary containment

**** T22 is a process tank that takes product from tank farm and so not add or loss to the permit volume or secondary containment