

S. Kastury



January 17, 1992

Project No. 13112.21, Task 11

JAN 28 1992

FLORIDA'S WASTE  
PERMITTING

Mr. Robert Kukleski  
Florida Department of  
Environmental Regulation  
1900 South Congress Ave.  
Suite A  
West Palm Beach, FL

RE: Meeting with Safety-Kleen on January 14, 1992

Dear Bob:

Thank you for meeting with us to discuss permitting issues in your district. This letter summarizes the minutes of that meeting.

Attendees at the meeting were Robert Kukleski, Knox McKee, Saadi Motamedi, Vivek Kamath, and Tim Gray of FDER; Cynthia Norton of ERM, and myself.

FDER started the meeting by clarifying the issue of implementation of the FRS modification prior to approval of the modification. Having conferred with Satish Kastury, Bob indicated that the only way the FRS modification can be instituted prior to approval is through the use of a Consent Order.

FDER went on to discuss their review of the major permit modification requests for Miami and Boynton Beach.

FDER will be issuing a NOD for the Boynton facility permit modification request within 15 days. Minor deficiencies and clarifications are being noted. Discussions were had regarding the termination of manifests. Safety-Kleen does not wish to terminate FRS wastes at the service center. FDER is to provide an opinion on this issue with the NOD. The ethylene glycol tank will need to be hydrostatically tested. FDER will also draft a Consent Order to allow the FRS operations to continue in Boynton Beach. The Consent Order will have a small fee (\$500) associated with it and will be executed only after the NOD issues are resolved.

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The major permit modification request for Miami was then discussed. FDER indicated that it had sufficient grounds for an intent to deny. These grounds were predominantly the storage of FRS wastes in trucks in the yard overnight. Extensive discussions occurred in which Safety-Kleen agreed to modify the procedures such that truck-to-truck transfers will take place. FDER has agreed to issue an NOD within 15 days and to draft a Consent Order. The Consent Order will not be executed until after the NOD issues are resolved.

The discussion then moved on to the transition between Miami and Medley. The schedule presented by Safety-Kleen was reviewed. It was agreed that the changing of the permit condition to allow operation under the construction permit could be handled as a separate issue from the rest of the items in the major permit modification request which will be submitted for the Medley facility. The importance of FDER's rapid review and cooperation with the Medley/Miami schedule will be critical.

Other issues discussed included the status of the Miami and Boynton Beach inspections. Final inspection reports are not yet available. FDER also agreed that the off-specification perchloroethylene generated by Safety-Kleen did meet the exclusion in 40 CFR 261.2(a)(3) and is therefore not a hazardous waste.

Again, thank you for taking the time to meet with us. If you have any questions or discrepancies with this letter, please contact me at (813) 682-8094.

Sincerely,



Victor L. San Agustin, P.E.  
Regional Environmental Engineer  
Tampa Region

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c: Cynthia H. Norton - ERM, Tampa  
Satish Kastury - FDER, Tallahassee  
James Kutzman - EPA, Region IV  
Alex Padva - FDER, Southeast District