

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

MAY 15 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED

MAY 20 1992

HAZARDOUS WASTE
PERMITTING

Mr. Victor L. San Agustin, P.E.
Regional Environmental Engineer
Safety-Kleen Corporation
129 South Kentucky Ave., Suite 701
Lakeland, FL 33801

Re: Modification of Hazardous Waste Construction Permit
Safety-Kleen/Medley, HC 13-175466

Dear Mr. San Agustin:

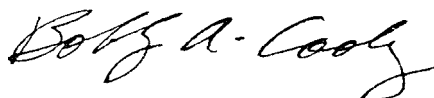
The above referenced permit modification has been finalized.
The modifications included in the permit are as follows:

- provision to allow operation under the construction permit while the operating permit application is under review;
- addition of Fluid Recovery Service (FRS) wastes as permitted wastestreams;
- inclusion of a 20,000-gallon ethylene glycol tank;
- addition of references to Toxicity Characteristic Leaching Procedure (TCLP), including spent ethylene glycol;
- deletion of references to specific container colors and sizes;
- inclusion of the new dumpster/barrel washers;
- variations in dimensions and capacities between the final engineering drawings and the permit application, as noted by Questec Corp. (letter of 10/14/91 from Gary McLogan of Questec to Melissa Hlebasko of Safety-Kleen), Safety-Kleen's construction contractor.
- various other informational changes to update the permit.

The attached revised permit replaces the previously issued permit.

This letter constitutes final agency action unless a person substantially affected by this action requests an administrative hearing pursuant to Section 120.57, Florida Statutes. The petition must be filed within fourteen (14) days from receipt of this letter. The petition must comply with the requirements of Florida Administrative Code Rule 28-5.201 and be filed pursuant to Rule 17-103.155(1) in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions which are not filed in accordance with the above provisions will not be accepted by the department. If a formal proceeding pursuant to Section 120.57(1) is requested, at such formal hearing all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order or hearing officer's recommended order, and to be represented by counsel. If an informal proceeding is requested, the agency will, in accordance with its rules of procedure, give affected persons or parties or their counsel an opportunity, at a convenient time and place, to present to the agency or hearing officer written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction, pursuant to Section 120.57(2), Florida Statutes. The hearing process is designed to formulate agency action. Accordingly, the Department's final action as a result of a hearing may be different from the position taken by it in this stage. Therefore, any person who may wish to contest the Department's ultimate permitting decision must petition for hearing within the fourteen day period described above. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, Florida Statutes.

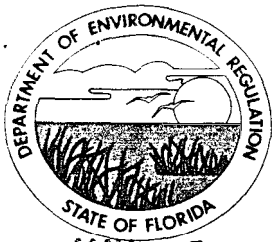
Sincerely,



Bobby A. Cooley
Acting Director of District Management

BAC:km:gml/965.49

cc: Satish Kastury, DER/Tlh.
Alan Farmer, EPA/Atlanta
DERM
Tim Gray, DER/WPB



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PERMITTEE:

Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Mr. Victor L. San Agustin,
Regional Environmental Engineer
Tampa Region

PERMIT/CERTIFICATION NUMBER: HC 13-175466

DATE OF ISSUE: March 1, 1991

DATE OF EXPIRATION: December 1, 1992

DATE OF MODIFICATION:

COUNTY: Dade County

LATITUDE/LONGITUDE: N25°51'90"/W80°20'23"

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 17-730 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 CONSTRUCT: A Hazardous Waste Storage Facility consisting of a container storage area, return/fill area and above-ground storage tanks.

CONTAINER STORAGE AREA:

The container storage is 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
- Spent Immersion Cleaner
- Dry Cleaning Wastes
- Paint Wastes
- Transfer/Fluid Recovery
- Service Waste (FRS)

The transfer/fluid recovery service waste will be stored within the container storage area, but apart from those wastes with manifests which are terminated at the facility. The facility will manage the FRS waste in accordance with 17-730.171 F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate, area.

DER Form 17-1.201(5)

Effective November 30, 1982



PERMITTEE:

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

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TANK SYSTEM:

The secondary containment of the tank farm building will house two above-ground waste storage tanks. The capacity of the waste mineral spirits (D001, D006, D008) tank is 20,000 gallons. The capacity of the used antifreeze (D004-D011, D018, D019, D021-D030, D032-D043) tank is 20,000 gallons. The tanks will be constructed with adequate secondary containment/leak detection systems and operated at a volume of 95% of their total capacity. Each tank may be filled beyond 95% of their total capacity only for testing purposes. The tank testing will be provided to ensure the proper functioning of each tank's high level alarm system.

IN ACCORDANCE WITH: Application DER Form 17-730.900(2) Dated January 26, 1990 and with additional information submitted May 1, 1990, November 12, 1990, February 4, 1992, March 10, 1992, May 6, 1992 and Public Notice dated March 30, 1992.

LOCATED AT: Safety-Kleen Corporation, N.W. 96 St. and N.W. 89th Avenue, Medley, Florida.

SUBJECT TO: General Conditions 1-17 and Specific Conditions 1-15.

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

PERMIT/CERTIFICATION NUMBER: HC 13-175466
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GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, 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 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 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 or 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. 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 to:
 - (a) Have access to and copy any records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

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GENERAL CONDITIONS Cont'd:

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. 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 prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
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 or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements
 3. the date(s) analyses were performed;
 4. the person responsible for performing the analyses;
 5. analytical techniques or methods used; and
 6. results of such analyses.

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GENERAL CONDITIONS Cont'd:

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.
16. In the case of an underground injection control permit, the following permit conditions also shall apply:
 - (a) All reports or information required by the Department shall be certified as being true, accurate and complete.
 - (b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
 - (c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
 1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.
17. 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 17-730, F.A.C.
 - (b) Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within 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.

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SPECIFIC CONDITIONS:

1. This permit authorizes construction only of the facility described in the application. The Department shall be notified and prior approval shall be obtained of any changes or revisions made during construction.
2. The permittee shall retain the engineer of record for the inspection of the construction of the project. Upon completion, the engineer shall inspect for conformity to the permit application and additional information submitted and shall so certify to the Department. The certification is to be submitted within 30 days after completion.
3. The permittee, in accordance with 40 CFR 264.192(b), shall provide a professional engineer registered in the State of Florida to monitor and/or visually inspect the tank installation in order to identify the presence of any of the following items:
 - (a) weld breaks
 - (b) punctures
 - (c) scrapes in the protective coatings
 - (d) cracks
 - (e) corrosion
 - (f) other structural damage or inadequate construction/installationShould any of the above problems be identified they must be remedied before the tank system is placed in use.
4. Upon completion of construction of the tanks, the permittee shall perform a tightness test using hydrostatic pressure by preloading the tanks with water before hazardous waste storage.
5. At a minimum, the permittee shall equip the facility with the equipment specified in the application, as required by 40 CFR 264.32.
6. The completed construction of the container storage shall be in compliance with 40 CFR 264.175 and 40 CFR 264.176.
7. The completed construction of the above-ground tank system shall be in compliance with 40 CFR 264.193 and 40 CFR 264.198.
8. The permittee may not commence storage of hazardous waste at the facility until:
 - (a) The permittee has submitted the engineering certification of construction in compliance with the permit application;
 - (b) The Department has inspected the newly constructed facility and finds it in compliance with the conditions of the permit, and other applicable state regulations;
 - (c) Personnel training has been completed.
 - (d) The permittee may, however, as per FAC Rule 17-730.250(3), operate until final agency action is taken on the operating permit. Storage of hazardous waste may commence only after Specific Conditions 8.(a), 8.(b), and 8.(c), above, have been met.
9. The permittee shall submit an application for an Operation Permit at least 135 days prior to expiration of this permit.
10. The Department may modify the conditions in this permit upon written request of the permittee in accordance with FAC Rule 17-730.290(3).

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SPECIFIC CONDITIONS:

11. The provision for the storage of FRS Waste is contingent upon all principles of waste compatability identified in the segregation chart of hazardous materials (49 CFR, Chapter I, Subpart 177.848) being adhered to at all times. The FRS wastes are to be managed as a segregated transfer facility waste stream. The FRS hazardous transfer waste will be stored within the container storage area but apart from the wastes with manifests which are terminated at the facility. The facility will manage the FRS waste in accordance with 17-730.171 F.A.C. and insure that the transfer (FRS) waste is maintained within a permanently designated, distinctly separate, area. The maximum storage volume of the container storage area will remain 6912 gallons (432 16-gallon containers, or the equivalent).
12. The permittee may store only those wastes specified, in Attachment I.D.3-1 and Table II.A.5-1 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).
13. Construction of the facility will also include new dumpster/barrel washers located within the mineral spirits return and fill shelters. The new dumpster/barrel washers will conform with the drawings (Figures II.C.2-2(a) through II.C.2-2(j)) of the application. The capacity of the wet dumpsters (504 gallons per dumpster) is not to be increased by the design changes of the new dumpster/barrel washers.
14. The floors of the container storage area, mineral spirits return and fill shelters and the tank vault systems interior walls and concrete slab will receive two coats of Semstone 140 or equivalent.
15. Construction of the facility will include revised dimensions and capacities as addressed in the revised engineering drawings. These variations are as follows:
 - (a) container storage area containment-3036 gal.
 - (b) return/fill area containment-2014 gal.
 - (c) exterior trench/loading dock-706 gal.

All discrepancies between approved engineering drawings and final construction must be addressed in the final engineering certification of the facility.

Issued this 15th day of MAY, 1992.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


Bobby A. Cooley, P.E.
Acting Director of District Management

BAC:km:gml/965.61