

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

ENFORCEMENT TELEPHONE LOG

CASE NAME: SAFETY-KLEEN/HCI3-175466 DATE: 11/6/90 TIME: 1:07:PM
CONTACT: MELISSA HUEBASKO / PERMIT WRITER OF: SAFETY-KLEEN CORPORATE OFFICE CALLED /
PHONE: 708/697-8460 EXT 2228 WAS CALLED

DISCUSSION: MELISSA HUEBASKO CALLED TO INTRODUCE HERSELF AND GET AN UPDATE ON
MEDLEY AND MIAMI FACILITY STATUS. MELISSA REPORTED THAT THE OUTSTANDING
ITEMS REQUESTED FOR MEDLEY WOULD BE SUPPLIED BY ERM (BUCKLE) ON TIME
(NOV. 12, 1990). MELISSA WAS ASKED TO CHECK ON THE STATUS OF THE BOYNTON FACILITY OPERATING
PERMIT. MELISSA AGREED TO CHECK ON THE BOYNTON FACILITY OPERATING PERMIT.

PREPARED BY: KUQ MCKEE

RECEIVED
NOV 18 1990
HAZARDOUS WASTE
PERMITTING WASTE
DIVISION

TO: ALEX PADVA

FROM: KNOX MCKEE

SUBJ: STATUS OF CONSTRUCTION PERMIT APPLICATION. FILE
NUMBER HC 13 - 175466, SAFETY-KLEEN CORPORATION/
MEDLEY.

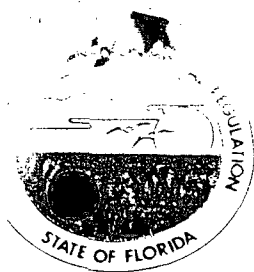
DATE: NOVEMBER 5, 1990.

- SEPTEMBER 18, 1990 FRED BUCKLE OF THE ERM GROUP SUBMITTED A COMPLIANCE SCHEDULE FOR SUPPLYING ADDITIONAL INFORMATION IN RESPONSE TO THE FIRST NOTICE OF DEFICIENCY. (N.O.D. ISSUED MARCH 26, 1990)
- THE ERM GROUP HAS AGREED TO PROVIDE THE ADDITIONAL INFORMATION ON NOVEMBER 12, 1990 WHICH IS TO INCLUDE THE FOLLOWING:
 - 1.) A DRAINAGE MANAGEMENT PLAN CERTIFIED BY THE DESIGN ENGINEER;
 - 2.) REVISED PORTIONS OF THE CONSTRUCTION PERMIT APPLICATION (IF APPROPRIATE); AND
 - 3.) AN ENGINEER'S CERTIFICATION FOR THE CONSTRUCTION PERMIT APPLICATION.
- TALLAHASSEE / HAZARDOUS WASTE SECTION HAS BEEN APPRISED OF THE COMPLIANCE SCHEDULE APPROACH TO THE CONSTRUCTION PERMIT APPLICATION COMPLETION AND CONCURS WITH THE STRATEGY.
- SEPTEMBER 27, 1990 DEPARTMENT SENT MR. FRED BUCKLE, OF THE ERM GROUP, A LETTER REITERATING THE IMPORTANCE OF A TIMELY FULFILLMENT OF THE OUTSTANDING DEFICIENCIES (NOVEMBER 12, 1990) AND THE DEPARTMENT'S INTENTION OF ISSUING A PERMIT DENIAL SHOULD ERM DEFAULT ON THAT FULFILLMENT

• AN INTENT TO DENY CONSTRUCTION HAS BEEN DRAFTED
AND AWAITS SIGNING SHOULD THAT LESS DESIRABLE
ALTERNATIVE BECOME NECESSARY.

CC: BOB KUKIESKI

LUCK KAMETH



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

September 27, 1990

Dade County
HW - Safety-Kleen Corporation

Mr. Fred Blickle
ERM-South, Inc.
9501 Princess Palm Ave
Suite 100
Tampa, FL 33619

RE: Compliance schedule for Completion of Construction Permit Application. File Number HC 13-175466, Safety-Kleen Corporation/Medley

Dear Mr. Blickle:

The Department acknowledges receipt of the compliance schedule with dates for supplying additional information, as requested in the First Notice of Deficiencies, March 26, 1990.

Many of the items of the First Notice of Deficiencies have been satisfied through submittals received April 25, 1990 and July 5, 1990. Items requiring further attention follow:

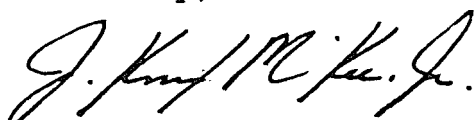
1. Provide a site specific surface water management plan, certified by the design engineer.
2. Provide manufacturer's specifications which support that the containment area coating (Sikagard 62 or Concressive 1305) material is compatible with all solvents with which it may contact (Exhibit I.E. 3-10).
3. Provide manufacturer's specifications which support that the sump liner (SK Part No. 5280) is compatible with all solvents with which it may contact (Exhibit I.E. 3-10).
4. Drawing D 11150, solvent pump piping installation details have not, to date, been supplied to the Department. The drawing should show the location of the tank's drain line connection, vent line connection, fill line connection and the connection of the high level alarm transmitter.
5. Revised portions of the construction permit application (if appropriate).
6. An engineer's certification for the construction permit application.



Mr. Fred Blickle
IRM-South, Inc.
Page 2 of 2

The Department looks forward to the correction of these deficiencies no later than November 12, 1990. If a complete response to each item is not submitted in compliance with this time frame the Department will deny the permit. If you have any questions or would like any clarification of the above items contact Knox McKee at (407) 433-2650.

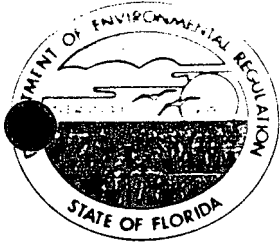
Sincerely,



J. Knox McKee, Jr.
Engineer, Hazardous Waste Permitting

JKM:rh/19

cc: Satish Kastury, DER/Tallahassee
James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta
Ms. Ellen Jurczak, Safety-Kleen
File, Report Coordinator
File, DER/WPB



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

Dade County
HW - Safety-Kleen Corporation

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Rob Omiecinski, Environmental Permit Writer
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

Dear Mr. Omiecinski:

RE: File Number HC 13-175466, Safety-Kleen Corporation/Medley
Intent to Deny Construction Permit Application #HC 13-175466
Dade County

The subject application has been evaluated. This Department hereby gives notice of its Intent to Deny and requests the publication of notice for the above referenced permit. Pursuant to Section 403.815, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rule 17-730.220(6), you are required to provide public notice at your expense, the attached Notice of Proposed Agency Action. Also, attached are the Intent to Deny, and language for the newspaper and radio announcements.

Pursuant to Rule 17-103.150, the Notice must be published one time only in the legal advertisement section of a major local newspaper of general circulation in Dade County within thirty (30) days of receipt of this letter. Proof of publication and broadcast must be provided to the Department within fourteen (14) days of publication of this notice.

Failure to publish this notice and provide proof of publication and broadcast within the allotted time may result in denial of the permit without any further notice or opportunity for hearing.

Sincerely,

J. Scott Benyon
Deputy Assistant Secretary

JSB:rk:rh/18

Enclosure

cc: James Scarbrough, EPA Region IV, Florida RCRA Activities/Atlanta
Satish Kastury, DER/Tallahassee
Mike Graham, DERM
Hazardous Waste Enforcement, DER/WPB

FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION
DEPARTMENT OF ENVIRONMENTAL REGULATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Mr. Bob Omiecinski /
Environmental Permit Writer /
Safety-Kleen Corporation /
777 Big Timber Road /
Elgin, IL 60120 /

DER File No. HC 13-175466
Palm Beach County
Safety-Kleen Corp.

INTENT TO DENY

The Department of Environmental Regulation hereby gives notice of its Intent to Deny a permit for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Deny for the reasons stated below.

The applicant, Safety-Kleen Corp., applied on January 26, 1990 to the Department of Environmental Regulation for a permit to construct a hazardous waste storage facility at the Delray Beach facility.

The Department of Environmental Regulation on March 26, 1990 issued a Notice of Deficiencies requesting additional information pursuant to Florida Administrative Code (FAC) Rule 17-730.220 and Chapter 403.0876 Florida Statutes (FS). Safety-Kleen was provided with thirty (30) days to correct the noted deficiencies. The Notice of Deficiencies stated that if the facility could not submit the requested information within thirty (30) days the facility had to provide a schedule with dates when the information would be submitted.

The facility provided a schedule with dates when outstanding information would be submitted. The scheduled submission dates were not met and repeated requests for additional information have not been satisfied.

Pursuant to Sections 403.815, F.S., and F.A.C. Rule 17-30.220, you (the applicant) are required to publish at your expense the enclosed Notice of Proposed Agency Action on permit application. The notice must be published one time only in a section of a major newspaper of general circulation in the county in which the project is located, and broadcast over a local radio station within thirty (30) days from receipt of this intent. Proof of publication and broadcast must be provided to the department within fourteen (14) days of publication of the notice.

Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit without any further notice or opportunity for hearing.

The Department will deny the permit in accordance with the grounds herein unless petition for an administrative proceeding (hearing) is filed pursuant to the provisions

Mr. Bob Omiecinski
Environmental Permit Writer
Safety-Kleen Corporation

/ DER File No. HC 13-175466
/ Palm Beach County
/ Safety-Kleen Corp.

of Section 120.57, F.S. A person whose substantial interests are affected by the Departments proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57(1), F.S. Petitions must comply with the requirements of F.A.C. Rules 17-103.155 and 28.5.201 (copies enclosed) and be filed with the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of receipt of this intent, whichever first occurs. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative proceeding (hearing) under Section 120.57, F.S., concerning the subject application. Petitions which are not filed in accordance with the above provisions will be dismissed.

DONE AND ENTERED this _____ day of _____, _____ in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL
REGULATION

J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave.,
Suite A
West Palm Beach, FL 33406

JSB:rk:rh/37

Copies furnished to:

cc: Satish Kastury, DER/Tallahassee
James Scarbrough/EPA Region IV, Florida RCRA Activities,
Atlanta
Mike Graham, DERM

This is to certify that this NOTICE OF INTENT TO DENY was mailed before the close of business on the date indicated on the return receipt request form.

Signature

Enclosures:
F.A.C. 17-103.155
F.A.C. 28-5.201

Newspaper Announcement

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action on Permit Application

The Department gives notice of its Intent to Deny a permit to Safety-Kleen Corporation to construct a hazardous waste storage facility East of NW 89th Avenue and 96th Street, Medley, Florida. Safety-Kleen Corp. has failed to provide the Department with additional permit application information as requested. Thereby the Department is issuing an Intent to Deny due to the incompleteness of the permit application.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must conform to the requirements of Florida Administrative Code (F.A.C.), Chapters 17-103 and 28-5, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period constitutes a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this preliminary statement. Therefore, persons who may not object to the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, F.A.C., at least five (5) days before the final hearing and may be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32399. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Southeast Florida District Office, 1900 South Congress Ave., West Palm Beach, Florida 33406.

RADIO ANNOUNCEMENT

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action on Permit Application

The Department gives notice of its Intent To Deny a permit to Safety-Kleen Corporation, East of NW 89th Avenue and 96th Street, Florida to operate a hazardous waste storage facility.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with section 120.57, Florida Statutes. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this preliminary statement. Therefore, persons who support the proposed agency action may also wish to intervene in the proceeding.

For more information concerning the applicable requirements of the petitioning process and the necessary time frames for filing, please contact the Southeast Florida District Office at (407)433-2650. The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Southeast Florida District Office, 1900 South Congress Avenue, Suite A, West Palm Beach, FL 33406