Kim Thursby

Digitally signed by Kim Thursby
Date: 2017.12.27 10:40:22 -05'00'

Thursby, Kim

From: BOSEK, JOHN E <bosek.john@cleanharbors.com>
Sent: Friday, December 22, 2017 1:07 PM
To: Epost HWRS
Subject: Receipt confirmed

Permit modification receipt confirmed

Sent from my iPhone

Thursby, Kim

From: Thigpen, Hope on behalf of EPOST_SWM
Sent: Friday, December 22, 2017 12:04 PM
To: 'bosek.john@cleanharbors.com'
Cc: 'bastek.brian@epa.epamail.gov'; 'merizalde.carlos@epa.gov'; Knauss, Elizabeth; Kennedy, Shannon; Morgan, Steve; 'melonybell@polk-county.net'; 'jfclements@cityofbartow.net'; 'cindy@bartow-airport.com'; 'annie_dziergowski@fws.gov'; 'FWCConservationPlanningServices@myfwc.com'; 'desha.david@cleanharbors.com'; 'bclark@SCSEngineers.com'; Epost HWRS; Baker, Bryan
Subject: Clean Harbors Florida LLC Permit-FLD 980 729 610
Attachments: 1 Clean Harbors Permit Mod - Cover Letter.pdf

Importance: High

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

December 22, 2017

Mr. John Bosek, Facility General Manager
Clean Harbors Florida LLC
7001 Kilo Avenue
Bartow, FL 33803
Bosek.john@cleanharbors.com

RE: **Clean Harbors Florida LLC**
EPA ID Number: FLD 980 729 610
Hazard Waste Operating Permit No. 64247-017-HO; Solid Waste Permit No. 64247-018-SO
Polk County

Dear Mr. Bosek:

The purpose of this letter is to provide Notice of Intent to Issue a Hazardous Waste and Solid Waste Permit Modification for your facility located at 7001 Kilo Avenue**,** in Bartow**,** Polk County, Florida. The current hazardous waste permit is specifically for the continued operation of a hazardous waste container storage, tank storage and treatment facility including a fuel blending facility. The hazardous waste permit modification includes the management, storage and transportation of DOT Class 1.4 consumer fireworks, and the addition of a for-purpose permitted storage unit (magazine). The permit also applies to the operation of a solid waste processing facility (solid waste shredder and mix tub). The solid waste permit modification includes the addition of a shredder unit. The combined permit, including corrective action requirements, will be issued under the Department's authorized program for implementing/continuing the federal Hazardous and Solid Waste Amendments (HSWA). Please review the attached documents and ensure publication and broadcast within the time allotted.

If you have any questions or would like to discuss this matter, please contact the project manager, Amber Igoe at amber.igoe@floridadep.gov or (850) 245-8783.

Sincerely,

Bryan Baker

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

BB/ai

Enclosures

cc (with enclosures):

Brian Bastek, EPA Region 4, bastek.brian@epa.epamail.gov
Carlos Merizalde, EPA Region 4, merizalde.carlos@epa.gov
Beth Knauss, DEP Southwest District – elizabeth.knauss@floridadep.gov
Shannon Kennedy, DEP Southwest District – Shannon.kennedy@floridadep.gov
Steve Morgan, DEP Southwest District – steve.morgan@floridadep.gov
Melony M. Bell, Chair Polk County Commission, melonybell@polk-county.net
Mayor James F. Clements, City of Bartow, jfclements@cityofbartow.net
Cynthia L. Barrow, Bartow Airport Authority – cindy@bartow-airport.com
Annie Dziergowski, U.S. Fish & Wildlife Service - annie_dziergowski@fws.gov
Florida Fish & Wildlife Conservation Planning Services, FWCConservationPlanningServices@myfwc.com
David DeSha, Clean Harbors Environmental Services – desha.david@cleanharbors.com
Bruce Clark, SCS Engineers - bclark@SCSEngineers.com

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for a Permit Modification by:

Clean Harbors Florida, LLC
42 Longwater Drive
Norwell, MA 02061

DEP File No.: 64247-017-HO
64247-018-SO
Polk County

INTENT TO ISSUE

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

On February 21, 2017, the applicant, Clean Harbors Florida, LLC, applied to the Department, for a Permit Modification of the Hazardous and Solid Waste permits for its facility located in Bartow, Florida. The current hazardous waste permit is specifically for the continued operation of a hazardous waste container storage, tank storage and treatment facility including a fuel blending facility. The hazardous waste permit modification includes the management, storage and transportation of DOT Class 1.4 consumer fireworks, and the addition of a for-purpose permitted storage unit (magazine). The permit also applies to the operation of a solid waste processing facility (solid waste shredder and mix tub). The solid waste permit modification includes the addition of a shredder unit. Additional information was supplied on April 21, June 14, October 25, and December 19, 2017.

The Department has permitting jurisdiction under Section 403.722, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-730. The project is not exempt from permitting procedures. The Department has determined that an operating permit modification is required for the proposed work. The Department intends to issue the operating permit modification with the conditions included in the enclosed draft.

Pursuant to Sections 403.722 and 403.815, F.S. and Rule 62-730.292, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice, and to broadcast over a local radio station the enclosed Radio Announcement. The notice shall be published one time only within 30 days of receipt of the Intent in the legal ad section of a daily, major newspaper of general circulation in the area affected. The newspaper must contain at least 25 percent of its words in the English language, be for sale to the public generally, be available to the public generally for the publication of official or other notices and customarily contain information of a public character or of interest or of value to the public. The newspaper must have been in existence for one year, unless no such newspaper exists in the affected area. (See Sections 50.011 and 50.031, F.S.). 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 Statin #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Permitting and Compliance Assistance Program, within 14 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the operating permit modification.

The Radio Announcement shall be broadcast one time only within 30 days on a licensed commercial radio station of sufficient power to be clearly received in the area that may be affected by the permit. **Broadcast of the notice shall occur between 8:00 a.m. and 10:00 p.m**. The applicant shall provide proof of broadcast to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in the denial of the operating permit modification.

The Department will issue the operating permit modification with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or all parties reach written agreement on mediation as an alternate remedy under Section 120.573, F.S. before the deadline for filing a petition. 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 45-day period for requesting an administrative hearing begins on the date you receive this Intent.

If you should have any questions please contact Amber Igoe at (850) 245-8783 or amber.igoe@floridadep.gov.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker

Kimberly A. Walker, Program Administrator
Permitting & Compliance Assistance Program
2600 Blair Stone Road, MS 4550
Tallahassee, Florida 32399-2400

FILING AND ACKNOWLEDGMENT

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

Hope Thigpen _____ 12/22/2017
Clerk Date

Newspaper Notice:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT MODIFICATION UNDER SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO Clean Harbors Florida LLC. This permit relates to Clean Harbors Florida LLC, 7001 Kilo Avenue, Bartow, Florida 33830, FLD 980 729 610 and is issued as part of FDEP's hazardous waste management program, authorized pursuant to the Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments (RCRA/HSWA).

The draft permit modification contains the conditions for Hazardous Waste Permit 64247 -017-HO and Solid Waste Permit 64247-018-SO. The permit is for the purpose of continued operation of hazardous waste container storage, tank storage and treatment facility including a fuel blending facility, and includes corrective action requirements, under the Department's authorized program for implementing/ continuing the federal Hazardous and Solid Waste Amendments (HSWA) at Clean Harbors Florida LLC site in Bartow, Florida. The hazardous waste permit modification for this facility includes the management, storage and transportation of DOT Class 1.4 consumer fireworks, and the addition of a for-purpose permitted storage unit (magazine). The permit also applies to the operation of a solid waste processing facility (solid waste shredder and mix tub). The solid waste permit modification includes the addition of a shredder unit.

Copies of the application and the draft permit modification 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 FDEP, Southwest District Office, 13501 North Telecom Parkway, Temple Terrace, FL 33637-0926 and at Permitting & Compliance Assistance Program, Division of Waste Management, Bob Martinez Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8783. 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 or will be affected by the Intent to Issue 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 FDEP's Office of General Counsel, Agency Clerk, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 or agency.clerk@dep.state.fl.us. Petitions filed by the permit applicant and any parties entitled to written notice under Section 120.60(3), F.S. must be filed within 45 days of receipt of the Intent. Petitions filed by any other persons must be filed within 45 days of publication of this notice or receipt of the Intent, 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 within this time period shall constitute a waiver of that

person’s right to request a hearing under Sections 120.569 and 120.57, F.S. 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.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), F.S. A request for a public meeting is not equivalent to a request for a formal or informal administrative hearing. Public meetings are not evidentiary in nature, and information submitted at a public meeting is for non-binding consideration only. A public meeting is not subject to court or appellate review. A request for a public meeting must be filed (received) in the Office of General Counsel, Agency Clerk, within 45 days of publication of this notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such a person may have to request a meeting under Section 403.722(10), F.S.

Mediation is not available in this proceeding.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice that it has determined to issue a permit modification to Clean Harbors Florida, LLC. The permit modification authorizes Clean Harbors Florida, LLC at a facility located in Bartow.

A person who is substantially affected by the Department's action may request a hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. Any person who opposes the Department's action may submit comments or request a public meeting. A request for a public meeting is not equivalent to a petition for hearing. Comments are for non-binding consideration only. Any request must be received by the Department within 45 days of this announcement.

For more information concerning requirements of the petitioning process and the necessary time frames for filing a petition, submitting comments or requesting a public meeting, or obtaining a copy of the permit, please contact the Office of General Counsel in Tallahassee at (850) 245-2242, or 3900 Commonwealth Blvd, MS 35, Tallahassee, FL 32399.

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:
CLEAN HARBORS FLORIDA, LLC
7001 KILO AVENUE
BARTOW, FL 33830-9504

HAZARDOUS WASTE I.D. NUMBER: FLD 980 729 610
SOLID WASTE I.D. NUMBER: 101281
HAZARDOUS WASTE PERMIT NUMBER: 64247-017-HO
SOLID WASTE PERMIT NUMBER: 64247-018-SO
DATE OF ISSUE: Draft
EXPIRATION DATE: December 10, 2021

ATTENTION:
Mr. John Bosek, General Manager
Clean Harbors Florida, LLC
Cynthia L. Barrow, Exec. Director
Bartow Municipal Airport
Development Authority

COUNTY: Polk
PROJECT: Permit Modification for operation of a Hazardous Waste Container, Storage, Tank Storage and Treatment Facility including a Fuel-Blending Facility; and Operation of a Solid Waste Processing Facility (Solid Waste Shredder and Mix Tub)

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 the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit modification is issued under the provisions of Section 403.722 Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-730, 62-777 and 62-780 Florida Administrative Code (F.A.C.). This permit modifies the combined Hazardous Waste and Solid Waste permits 64247-016-HO and 64247-015-SO. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the hazardous waste and solid waste application dated February 21, 2017; and additional information on April 21, June 14, October 25, and December 19, 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. Solid waste management units (SWMUs) and areas of concern (AOCs) identified to date are listed in Appendix A. The RCRA-regulated units, permitted units or permitted activities are specifically described as follows:

Roll-off Boxes

Hazardous wastes may be stored in roll-off boxes provided they are clearly differentiated and delineated from roll-off boxes containing non-hazardous solid waste. The designated roll-off areas (SWMU 15) are shown on Attachment A.

DRAFT

North Container Storage Building
The permitted container storage area is within the floorplan of the North Container Warehouse which also includes container staging. The layout of the North Container Storage Building (SWMU 13) is shown in Attachment B.

South Container Storage Building
The permitted container storage area is in the southern half and a small portion of the northern half of the South Container Storage Building which also includes container staging and fuel blending. The layout of the South Container Storage Building (SWMU 2) is shown in Attachment C.

Fuel Blending Tanks
Hazardous waste fuel blending is conducted in tanks T-112 and T-114. Associated ancillary equipment are situated in the Fuel Blending Area (SWMU 1) located inside the northeastern portion of the South Container Storage Building as depicted in Attachment C.

Storage Tanks
Hazardous waste storage in tank systems is conducted in tanks designated as T-101 through T-110, located in the South Tank Farm (SWMU 5). The location of the South Tank Farm is presented in Attachment D. The West Tank Farm (vacant) is illustrated in Attachment E.

Solid Waste Shredder and Mix Tub Solidification Area. Non-hazardous liquids and semi-solids will be shredded and then solidified in the mix-tub using sawdust or other similar products to absorb free liquids and create a solidified waste. The layout of the Shredder and Mix Tub Solidification tank (SWMU 16) is shown on Attachment F.

Low Explosive Magazine
Low explosives, classified as Department of Transportation (DOT) Hazard Class 1.4, are stored at the facility in a Class II magazine. The magazine is 20 feet long by 10 feet wide by 8 feet high and is situated in a permitted location that is at least 50 feet from the facility's property line. The low explosives stored in the magazine include expired and/or discarded consumer products such as fireworks, marine and highway flares, flare guns, marine and other types of distress signals and small arms ammunition. These products, which are no longer suitable to be sold to the public, are collected from wholesale and retail outlets and are destined for destruction. The location of the magazine is shown on Attachment G.

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 Code of Federal Regulations (CFR) 260.10 [as adopted by reference in Subsection 62-730.020(1), F.A.C.], the corrective action requirements of this RCRA permit 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.

DRAFT

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 Section 403.727(3)(a) F.S. and Rule 62-730.290, F.A.C., and potential enforcement action.

The facility is located at 7001 Kilo Avenue, Bartow, Florida.

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

1. Revised RCRA Facility Assessment of Laidlaw Environmental Services, Bartow, Inc., Bartow, Florida dated August 21, 1991.
2. RCRA Permit Renewal for Safety-Kleen (Bartow), Inc. dated June 13, 2001. This renewal contains the groundwater monitoring data for the Stormwater Retention Pond (SWMU-4).
3. Operation Permit 64247-HO01-006 issued January 18, 2002. This permit classified the Stormwater Retention Pond (SWMU-4) as a No Further Action.
4. RCRA Permit Renewal for Clean Harbors Florida LLC. dated May 2011 (received May 31, 2011) with the fee submitted on June 6, 2011.
5. RCRA Part B Permit Renewal Submission Fee dated June 6, 2011.
6. Response to the First Notice of Deficiencies dated November 4, 2011.
7. E-mail transmitting electronic copies of Part B revisions including the electronic copy of closure cost estimates dated November 30, 2011.
8. E-mail transmitting updated information on SWMU-12 dated January 13, 2012.
9. Application for Minor Modification to Permit 64247-HO-011, Adding Tank T-106 back into service, dated March 4, 2013.
10. Solid Waste Mix Tub Permit Application, Clean Harbors, Florida, EPA ID# FLD980729610, Existing Hazardous Waste Permit # 64247-HO-011 dated April 22, 2013, and revised April 23, 2013 and August 13, 2013.
11. RCRA Part B Permit Modification dated April 23, 2013.
12. Minor Modification-Incorporating Solid Waste permit into RCRA Permit, First Notice of Deficiencies Response dated July 26, 2013.
13. Minor Modification-Incorporating Solid Waste permit into RCRA Permit dated August 12 and 13, 2013.

DRAFT

14. Application for Permit Renewals for RCRA Permit 64247-HO-014 & Solid Waste Permit 64247-014-SO, dated June 14, 2016.

15. Final Hazardous Waste Operating Permit No. 64247-HO-016; Solid Waste Operating Permit Renewal No. 64247-SO-015, dated October 5, 2016.

16. Hazardous Waste Permit Modification to Manage Consumer Fireworks (D003) and to Use a Purpose-Built Magazine for Storage of Same in Place of an Existing Permitted Roll-Off Container dated November 28, 2016 and the Department review dated December 19, 2016.

17. Application No. 64247-HO-017 for Permit Modification, dated February 21, 2017.

18. Request for Additional Information (RAI), dated March 1, 2017.

19. Response to First Request for Additional Information with April Permit Modification Revision 1, dated April 21, 2017.

20. Intermediate Permit Modification for Solid Waste Permit, Clean Harbors Florida LLC, FLD 980 729 610, Solid Waste Permit # 64247-SO-015, dated April 24, 2017 and revised October 25, 2017.

21. RCRA Part B Operating Permit Modification Application Revision 1 (resubmitted as a complete package), dated June 14, 2017.

DRAFT

TABLE OF CONTENTS

Part I – General and Standard Conditions 6
Part II – Operating Conditions 14
Part II Subpart A – General Operating Conditions 14
Part II Subpart B1 – Specific Operating Conditions for Containers 17
Part II Subpart B2 – Specific Operating Conditions for Tanks 20
Part II Subpart B3 – Specific Operating Conditions for Fuel Blending 22
Part II Subpart B4 – Specific Operating Conditions for the Low Explosive Magazine 22
Part II Subpart B5 – Specific Operating Conditions for Solid Waste Shredder and Mix Tub Operations 25
Part II Subpart C – Closure Conditions 27
Part III – Post closure Conditions 29
Part IV – Environmental Monitoring Conditions 29
Part V – Corrective (Remedial) Action Conditions 29
Subpart A – General Corrective Action Conditions 29
Part VI – Remedy Selection and Implementation 31
Part VI Subpart A – General Remedy Selection and Implementation Conditions 31
Part VI Subpart B – Selected Remedies 32
Appendix A - Summary of Facility Sites - Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) 32
Attachment A - Facility Map 36
Attachment B -North Container Storage Building (SWMU 13) 37
Attachment C -South Container Storage Building (SWMU-2), Including Fuel Blending Area (SWMU-1) 38
Attachment D – South Tank Farm (SWMU 5) 39
Attachment E – West Tank Farm (Vacant) 40
Attachment F – Solid Waste Shredder and Mix Tub Area (SWMU 16) 41
Attachment G – HSWA Units: SWMUs And AOC A Locations 42

DRAFT

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

DRAFT

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 prescribed 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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 of hazardous waste that may endanger public drinking water supplies. 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 is (850) 413-9911 or (800) 320-0519. During

DRAFT

normal business hours, the DEP District Office may be contacted at (813) 470-5700 (Tampa).

(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. Within 15 calendar days of discovery per Part V.A.1.b, the Permittee shall notify the Department in writing of any newly discovered release(s) of contaminant(s) to the environment resulting in a de Minimis cleanup (Part V.A.4) or a suspected new AOC(s) and/or SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means.

(1) The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as "site"), 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 (Part V.A.3). The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.
(3) Depending upon the type of discovery, notification requirements of Part I.12.b may also be required.

d. The Permittee shall comply with the "Notices" provisions of Rules 62-780.220, F.A.C., and 62-730.225, F.A.C.

(1) Prior to performing field activities.
(2) When contamination beyond the facility boundary is confirmed by laboratory analysis.
(3) When a Temporary Point of Compliance (TPOC) is established beyond the boundary of the source property in conjunction with monitored natural attenuation or active remediation.
(4) When a fifth year update to the status of a TPOC is issued.

DRAFT

(5) By placing warning signs at facilities where there may be a risk of exposure to the public of environmental media contaminated with hazardous waste.

e. The Permittee shall give written notice to the Department at least 15 days prior to physical alterations or additions to the facility that could affect activities covered by this permit. The notice shall include a summary description of the project, an evaluation of the effect it will have on: the operation of a hazardous waste facility, postclosure care, the ability to investigate contamination at or from a contaminated site, and an evaluation of the effect it might have on the known or suspected contamination.

f. Operating and Postclosure Permittees that generate hazardous waste, and all HSWA Corrective Action Permittees that are also a large quantity generator (LQG) of hazardous waste, shall submit a Biennial Report covering facility activities during the previous calendar year by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.

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; records of all data used to complete the permit application; and all monitoring data required by 40 CFR Part 264 and Part IV and when applicable, Part VI of 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. Any Remedial Action Plan as applicable for each contaminated site and associated cost estimate(s) shall be held until a Site Rehabilitation Cleanup Order is issued.

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. If the Permittee generates hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced to comply with land disposal restrictions (40 CFR Part 268 and Rule 62-730.183, F.A.C.) for at least three years from the date that the waste which is the subject of such documentation was last sent to an on-property or off-property facility for treatment, storage, or disposal, or until remedial activity is completed, whichever

DRAFT

date is later. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

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 in response to postclosure or operating permit conditions shall be sent to:

    Hazardous Waste Supervisor
    Department of Environmental Protection
    13051 North Telecom Parkway, Temple Terrace, FL 33637-0926

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. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S., and Subsection 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S., and Subsection 62-730.220(10), F.A.C.

18. All work plans, reports, schedules and other documents ("submittals") required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as

DRAFT

provided in the approved submittal. If the Department disapproves a submittal, the Department will do one of the following:

a. The Department will notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case, the Permittee shall submit a revised submittal within 60 days of receipt of the Department's disapproval unless an alternative deadline is approved in writing by the Department.
b. The Department will revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.

19. The Permittee shall revise "Part I – General" of the Application for a Hazardous Waste Facility Permit [DEP Form 62-730.900(2)(a)] 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.

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

21. This permit is transferable only upon written Department approval in accordance with Rule 62-4.120 and Subsection 62-730.290(6), F.A.C., as applicable. 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 264 and Chapter 62-730, F.A.C.

22. 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 a minimum of 180 calendar days before the expiration of the permit. The permit renewal application shall be submitted in accordance with Rules 62-4 and 62-730, F.A.C.
b. The Department may modify, revoke, reissue, or terminate for cause this permit in accordance with Chapters 62-4 and 62-730, F.A.C.
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 62-730.293, F.A.C. A

DRAFT

Permittee choosing to pay the fee on an annual basis shall submit the annual fee payment no later than the anniversary date of permit issuance.

(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.a., 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 certification of postclosure and termination of all corrective action, the Permittee must reapply for a permit in accordance with DEP Form 62-730.900(2), F.A.C.
g. Any request to modify a permit for the treatment, storage, or disposal of hazardous waste generated off-site shall include an evaluation of the applicability of, and Permittee's compliance with, the siting criteria of Section 403.7211, F.S., and Rule 62-730.182, F.A.C.

23. If and when the Permittee intends to transfer parcels to third parties, the Permittee may remove a parcel from the Facility covered by this permit, and the Department will approve the removal of the parcel so long as the parcel never contained a contaminated site, or so long as any contamination associated with the contaminated site has been addressed to the satisfaction of the Department. The Department will approve the transfer or removal of a parcel in writing.

a. The satisfaction of the Department may be conditioned on a sale with certain legal restrictions on the future use and/or remedial activity requirements on the parcel being transferred.
b. Following the legal transfer of the property, a permit modification request to transfer the parcel from the permit must be made per Part I.22 within 30 days. A new facility map denoting the current property boundary and new property boundary legal description shall be submitted with the permit modification request.
c. Even though a parcel is no longer defined as part of the facility as a result of the permit modification (using the minor modification requirements of Subsection 62-730.290(4), F.A.C.), in the event that a previously unknown contaminated site is found on the parcel, and such contamination resulted from activities which occurred prior to the sale, the Permittee will be responsible for any corrective action along with

DRAFT

any other persons who may have legal responsibility for the contamination (see Part V.A.1.b. regarding discovery of a new SWMU).

24. The following conditions apply to land disposal (placement) of hazardous wastes:

    a. 40 CFR Part 268 and Rule 62-730.183, F.A.C., identify hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The Permittee shall maintain compliance with the requirements of 40 CFR Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 CFR Part 268, the Permittee shall comply with all restrictions on land disposal under this Part pending final written approval of such application.
    b. Waste identified in 40 CFR Part 268 Subpart C may not be placed in a land disposal unit without treatment unless the requirements of 40 CFR Part 268 Subparts C and/or D are met.
    c. The storage of hazardous wastes restricted from land disposal in 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

25. 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.

26. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Subsection 62-730.180(6), F.A.C. Financial assurance shall be based on estimates of the costs to close the facility and to implement postclosure care and/or corrective action (including the assessment phase and interim measures - collectively referred to hereinafter as “remedial activities”) for a continuing (rolling) period of 30 years, unless this period is shortened or increased by the Department in a permit renewal or modification. Federal and State of Florida facilities are exempt from financial assurance requirements.

DRAFT

a. The cost estimates must be based on the cost to the owner or operator of hiring a third party to conduct remedial activities.
b. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and written approval by the Department
c. In the event the total cost estimate for all remedial activities exceeds the amount provided by Permittee, the financial assurance instrument(s) must be increased accordingly within 60 days of the exceedance, or, for those facilities using a financial test, in the next scheduled submittal.
d. If the cost estimate increase causes the inability of the facility to provide financial assurance through its currently selected mechanism, alternate financial assurance must be provided within 60 days.
e. All submittals relating to financial assurance shall be submitted to the following address. Where financial institutions allow digital submissions, alternate submittal mechanisms may be used without requiring a permit modification.

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

27. 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.

PART II – OPERATING CONDITIONS

Part II Subpart A – General Operating Conditions

1. The Permittee shall comply with those sections of 40 CFR Part 124 specified in Subsection 62-730.200(3), F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until all hazardous waste permitting operations have ceased and the facility has been closed and released from postclosure care requirements and all facility-wide corrective action requirements.

2. The Permittee shall comply with the manifest requirements of 40 CFR 264.71 and 264.72. The Permittee must document the reconciliation of any manifest discrepancies.

3. The Permittee shall comply with the import and export provisions of 40 CFR 262 Subpart H, the notification requirements of 40 CFR 264.12, and maintain all applicable records for Department inspection.

4. The owner or operator of a facility that is authorized by the Department to receive hazardous waste from an off-site source (except where the owner or operator is also the generator) must inform the generator in writing that he has the appropriate permit(s) for, and will accept, the waste the generator is shipping.

DRAFT

a. The Permittee that receives hazardous waste from an off-site source shall comply with the following notification and reporting requirements:

(1) Unmanifested Waste Report: The Permittee shall submit an Unmanifested Waste Report to the Department within 15 days of receipt of unmanifested waste.

(2) 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.

5. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with the Waste Analysis Plan of the permit application.

a. The Permittee is liable for waste profiles supplied by generators.
b. Prior to acceptance of new waste codes, a permit modification per Condition I.22 is required. The need for a substantial modification should be evaluated using the criteria in Subsection 62-730.182(4), F.A.C.

6. The Permittee shall comply with 40 CFR 264.17, 264.176, and 264.198, with respect to ignitable and reactive wastes. The Permittee shall comply with 40 CFR 264.17, 264.177 and 264.199, with respect to incompatible wastes.

7. If this facility has suspected or confirmed environmental contamination where there may be a risk of exposure to the public, then upon direction from the Department the Permittee must comply with the warning sign requirements of Section 403.7255, F.S. and Rule 62-780.220, F.A.C. The Permittee is responsible for supplying, installing and maintaining the warning signs.

8. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the facility security provisions of the permit application.

9. Facility personnel must successfully complete the approved training program indicated in the permit application, within six months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained at the facility. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility.

10. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

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

DRAFT

a. At a minimum, the Permittee shall have the equipment available at the facility which is described in the Prevention and Preparedness Plan (PPP) of the permit application. The Permittee shall visually inspect and maintain the facility emergency and safety equipment (40 CFR 264.32) listed in the PPP, in accordance with 40 CFR 264.15, 40 CFR 264.33 and the permit application, during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). 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.
b. The Permittee shall maintain immediate access to an internal communications or alarm system, fire protection equipment, spill control equipment and decontamination equipment.
c. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 264.37, 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.
d. The Permittee shall maintain aisle space, as required pursuant to 40 CFR 264.35, to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the facility.

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

a. The Permittee shall immediately carry out the provisions of the permit application, and follow the emergency procedures described by 40 CFR 264.56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents 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 Condition I.12.b.
b. The Permittee shall comply with the requirements of 40 CFR 264.53. Electronic copies of the CP must be submitted to the authorities/facilities in Condition II.A.11.c., provided the entity has the capability to receive electronic submittals.
c. Within seven calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) or (c), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change. Amendments to the plan must be approved in writing by the Department. All approved amendments or plans must be distributed to the State and local authorities in Condition II.A.11.c.
d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.

DRAFT

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.

13. The Permittee shall develop and maintain a Waste Minimization Program Plan. The Permittee shall maintain copies of the certification required by this Condition in the facility operating record for a minimum of three years. The Permittee must certify, no less often than annually, the following:

    a. The Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable.
    b. The proposed method of treatment, storage or disposal is the most practicable method available to the Permittee, which minimizes the present and future threat to human health and the environment.

14. The Permittee shall keep a written operating record at the facility that includes the following:

    a. The results of any waste analysis.
    b. Copies of hazardous waste manifests for three years.
    c. The results of inspections.
    d. The closure plan, postclosure plan, and remedial action (corrective measures) plans as applicable for each contaminated site, along with cost estimates for each plan.
    e. Inspections of emergency and safety equipment.
    f. Biennial reports.
    g. Personnel training records.
    h. The Waste Minimization Program Plan and annual certification of waste minimization.
    i. The description and quantity of each hazardous waste received or generated.
    j. The location and quantity of each hazardous waste within the facility.
    k. Notices to generators as specified in 40 CFR 264.12(b).
    l. A log of dates of operations and unusual events.
    m. A summary report and details of incidents that require implementation of the contingency plan.
    n. The date of annual review of the Contingency Plan.
    o. Monitoring and test data for 40 CFR 264 Subparts AA, BB, and CC requirements.
    p. Documentation that local officials have refused to enter into preparedness prevention arrangements with the Permittee, when applicable.

Part II Subpart B1 – Specific Operating Conditions for Containers

1. Hazardous wastes may be stored in roll-off boxes. Roll-off boxes may be stored only on the fenced and paved road area within the facility boundary. The permitted capacity allowed for the roll-off boxes is 24,240 (equivalent to three 40-cubic yard roll-off boxes). Hazardous wastes stored in these containers have designated hazardous waste codes listed in Appendix II-G of the November 2011 permit application. Roll-off boxes containing hazardous waste must be clearly differentiated and delineated from roll-off boxes

DRAFT

containing non-hazardous solid waste. The designated roll-off areas are shown on Attachment A. The North Container Storage Building is a hazardous waste container storage building with dimensions of 200 feet by 100 feet. The building is designed to store a maximum volume of 136,400 gallons (equivalent to 2,480 55-gallon drums). Total container storage volume in this unit shall not be exceeded at any time. The building is subdivided into 17 separate storage cells, designated as Cells A through Q, each with independent secondary containment. The maximum number of linear rows shall not exceed 62 rows in 17 individual cells. Hazardous waste stored in this unit and their designated hazardous waste codes are listed in Appendix II-G of the November 2011 permit application. The layout of the North Container Storage Building (SWMU-13) is shown in Attachment B.

2. The South Container Storage Building is a hazardous waste container storage building with dimensions of 125 feet 3 inches by 120 feet 3 inches. The permitted container storage area is in the southern half and a small portion of the northern half of the building. Other activities performed in the building include container staging and fuel blending. The permitted container storage area is designed to store a maximum volume of 106,920 gallons (equivalent to 1,944 55-gallon drums). The container storage area south of the fluid collection trench consists of 18 rows, whereas the container storage area north of the fluid collection trench, located next to the fuel blending area, consists of 1 row. Neither the maximum volume nor the linear rows stated above shall be exceeded at any time. Hazardous wastes stored in this unit and their designated hazardous waste codes are listed in Appendix II-G of the November 2011 permit application. The layout of the South Container Storage Building (SWMU-1) is shown in Attachment C.

3. Containers in storage (except for roll-off boxes described in Specific Condition Part II. Subpart B.3 above) shall be on pallets or otherwise elevated so that any liquids on the floor will not come into direct contact with the containers. The maximum container volume that may be placed on one pallet shall not exceed 255 gallons in drums or 330 gallons in one bulk container. Containers may be stacked up to 2 pallets high. Aisle space between pallet rows, or between pallet rows and adjacent walls, shall not be less than 30 inches.

4. Containers and roll-off boxes shall be kept closed except when adding or removing waste and shall be handled in a manner that will not allow the containers to rupture or leak. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition. [40 CFR 264.171 and 264.173].

5. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the container storage and staging areas and the secondary containment collection systems in as timely a manner as possible, but no later than 24 hours after discovery.

6. The Permittee shall use containers that are compatible with the hazardous waste to be stored [40 CFR 264.172].

7. The Permittee shall not store incompatible waste in containers or place it in unwashed containers that have previously held incompatible waste [40 CFR 264.177].

DRAFT

8. The Permittee shall follow the procedures and precautions concerning incompatible wastes and materials as stated in Section B, 4.0 Waste Segregation and Classification System of the permit application at all times.

9. The Permittee shall clearly mark each container of hazardous waste restricted from land disposal with the following information:

    a. A description of the contents, including all applicable EPA Waste Codes.
    b. The date the waste was received at the facility.

10. The Permittee shall inspect the container storage and staging areas in accordance with the procedures noted in Appendix II-F.6 of the 2017 permit application.

11. Receipt and sampling of containerized wastes (except bulk containers) shall only be conducted in the following staging areas. Staging time shall not exceed 3 working days.

    a. Cells A through G of the North Container Storage Building (Attachment B.) Each of these cells may be used as a permitted storage area or staging area at the discretion of the Permittee as long as the function of the cell is clearly marked.
    b. The northwestern portion of the South Container Storage Building (Attachment C).

12. Waste containers scheduled for fuel blending processing may be staged outside of the permitted container storage areas. Staging time shall not exceed 24 hours. This condition shall not apply to hazardous waste satellite accumulation containers or to hazardous waste sample containers having a volume of 0.5 gallons or less.

13. All hazardous waste samples shall be stored at the on-site laboratory.

14. The Permittee may store non-regulated materials in the permitted container storage areas provided that:

    a. The Permittee complies with the requirements of 40 CFR 264.175 and includes the volume of non-regulated materials in calculating the total volume of liquid to be stored in a permitted container storage area.
    b. The Permittee ensures that non-regulated materials have labels indicating the contents of the containers and that the materials are non-regulated.
    c. The Permittee shall maintain a written record (in the facility operating record) of non-regulated materials in the permitted container storage areas. The record shall include:

        (1) Description and quantity of each type of non-regulated material received.
        (2) Location of each type of non-regulated material within the facility and quantity at each location.
        (3) Waste analysis or equivalent documentation that the material is not regulated.
        (4) Documentation of the compatibility of the non-regulated materials with all other materials already present in the storage area.

15. The Permittee shall manage all containers, including containers in staging areas and containers of non-regulated materials, in the manner described in this Subpart of the

DRAFT

permit to minimize the potential of a release of hazardous waste or hazardous constituents.

16. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage or staging area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle. Documentation of the above shall be maintained in the facility's operating record.

17. This condition does not apply to vehicles transporting hazardous waste for which the Permittee is acting solely as a transfer facility. Appropriate documentation verifying transfer facility activity shall be maintained in the facility operating record as required in General and Standard Condition 14.e.

Part II Subpart B2 – Specific Operating Conditions for Tanks

1. The Permittee is allowed to store in tanks only those hazardous wastes specified in Appendix II-G of the permit dated May 2011 and November 4, 2011.

2. The storage of hazardous waste in tanks shall only be conducted in tanks T-101 to T-110 within the South Tank Farm (SWMU-5). The locations of these tanks are depicted in Attachment D.

3. Previously, hazardous waste storage in tank systems was also conducted in two 7,000-gallon carbon steel tanks ("Bottoms Tanks") designated as R-202 and R-203, formerly located in the West Tank Farm. The total permitted storage capacity was 12,600 gallons or 6,300 gallons per tank. Hazardous wastes stored in these two tanks and their designated hazardous waste codes are listed in Appendix II-G of the November 2011 permit application. Although Tanks R-202 and R-203 have been removed, their capacity has been retained and could be utilized in the future with prior Department approval and permit modification. The West Tank Farm is illustrated in Attachment E.

4. The Permittee shall not place waste into tanks that are incompatible with the construction materials of the tank. [40 CFR 264.192(a)]

5. The Permittee shall not place waste into an insufficiently cleaned tank that previously held incompatible waste or material. [40 CFR 264.199(b)]

6. The Permittee shall ensure that ignitable or reactive waste is not placed into any tank unless the requirements of 40 CFR 264.198(a) are met.

7. The volume of waste handled in each tank and their corresponding maximum liquid levels shall not exceed the following:

Tank Number	Maximum Working Volume	Maximum Liquid Level
T-101 to T-110	6,000 gallons	2 feet below the top of the tank

DRAFT

8. The Permittee shall notify the Department if annual thickness testing results show any portion of a tank having a thickness less than the limits stated below. Records of all thickness determinations shall be maintained for a period of three years.

MINIMUM THICKNESS			
Tank Number	Wall	Head	Cone/Bottom
T-101 to T-110	0.1801 inches	0.1339 inches	0.2175 inches

9. The Permittee shall report any extensive repairs of a tank system to the Department. This report will include the information required by 40 CFR 264.196(e). The tank system shall not be returned to service until the certification report required by 40 CFR 264.196(f) has been submitted to the Department and approved.

10. The Permittee shall ensure that the secondary containment systems, including the curbed driveway, are maintained to prevent a release to the environment.

11. The Permittee shall inspect all permitted storage tank systems (T-101 to T-110) in accordance with procedures stipulated in Inspection Procedures in Appendix II-F.6 of the November 2011 permit application.

12. The Permittee shall report any release greater than one pound (1 lb.) resulting from a leak or spill to the environment within 24 hours of its detection to the Department [40 CFR 264.196(d)]. The released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment. [40 CFR 264.196(b)(2)]

13. The Permittee shall submit to the Department a report that contains the requirements of 40 CFR 264.196(d)(3) within 30 calendar days of detection of a release to the environment.

14. The Permittee shall comply with the provision of response to leaks or spills and disposition of leaking or unfit-for-use tank systems of 40 CFR 264.196 by satisfying the following requirements:

    a. Stop flow or addition of waste into the tank or secondary containment and inspect the system to determine the cause of the release. [40 CFR 264.196(a)]
    b. Remove waste from leaking tank system to prevent further releases and to allow for inspection and repair, and remove released waste from the secondary containment structure at the earliest possible time. [40 CFR 264.196(b)]
    c. Prevent possible or further migration of the leak or spill to the environment, and remove and properly dispose of wastes, contaminated soils or residues. [40 CFR 264.196(c)]
    d. Comply with the notification and report requirements of 40 CFR 264.196(d).

DRAFT

e. Comply with the secondary containment, repair or closure requirements of 40 CFR 264.196(e).
f. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).

Part II Subpart B3 – Specific Operating Conditions for Fuel Blending

1. The Permittee is allowed to process and blend only those hazardous wastes specified in Appendix II-G of the November 2011 permit application.

2. The blending of hazardous waste fuels in tanks shall only be conducted in tanks T-112 and T-114 within the South Container Storage Building (SWMU-1). Storage of hazardous waste fuels shall not be conducted in these tanks. Blended fuels shall be removed from the blending tanks immediately after blending. The locations of these two tanks are illustrated in Attachment C.

3. The fuel blending tanks, appurtenant equipment and secondary containment systems shall be maintained to minimize the release of hazardous constituents to the environment.

4. The volume of waste handled in each tank and their corresponding maximum liquid levels shall not exceed the following:

Tank Number	Maximum Working Volume	Maximum Liquid Level
T-112 & T-114	780 gallons	5.5 feet or 2 feet minimum freeboard

5. The Permittee shall notify the Department if annual thickness testing results shows any portion of a tank having a thickness less than the limits stated below:

	MINIMUM THICKNESS		
Tank Number	Wall	Head	Bottom
T-112 & T-114	0.1337 inches	0.1462 inches	0.1551 inches

6. Records of all thickness determinations shall be maintained for a period of three years.

7. The Permittee shall inspect all permitted fuel blending tank systems (T-112 & T-114) in accordance with procedures stipulated in Appendix II-F6 (Inspections) of the November 2011 permit application.

Part II Subpart B4 – Specific Operating Conditions for the Low Explosive Magazine

1. Permissible Explosives: The Permittee is allowed to conduct the management, storage and transportation of Department of Transportation (DOT) Class 1.4 low explosives (i.e., expired and/or discarded retail consumer products) hereafter referred to as "low explosives". Only DOT Class 1.4 classified low explosives shall be stored in the permitted magazine at the facility.

   a. The low explosives allowed at this facility shall only consist of the following:

      (1) consumer fireworks;
      (2) flares;

DRAFT

(3) emergency signals;
(4) marine distress devices; and,
(5) small arms ammunition.

b. The Permittee shall not store or manage any other consumer product not listed in 4.a.i. above. These low explosives fall under the following hazardous waste codes: D001, D003, D005 and D008.

2. Storage: The low explosives shall be stored in a DOT-approved and OSHA-approved fit-for-purpose "magazine".

   a. The magazine shall be located in the permitted location as shown on Attachment G – HSWA Units. The permitted location is at least 50 feet from the facility's property line. The magazine shall not be moved from this location without written approval from the Florida Department of Environmental Protection (FDEP), Hazardous Waste Program and Permitting Section.
   b. The permitted magazine is 20 feet long by 10 feet wide by 8 feet high. The maximum container volume which may be placed within the magazine shall not exceed 2,000 gallons (equivalent to thirty-six (36) 55-gallon drums).
   c. Replacement of the magazine with another magazine or a roll-off requires written approval from the Florida Department of Environmental Protection (FDEP), Hazardous Waste Program and Permitting Section.
   d. Containers may be stacked up to two pallets high, with no more than three (3) 5-gallon containers high per pallet. Containers shall be a minimum of five (5) inches from the walls of the magazine. Aisle space between pallet rows, or between pallet rows and adjacent walls, shall not be less than 30 inches.
   e. The Permittee shall not store incompatible waste within the magazine or place it in unwashed containers that have previously held incompatible waste [40 CFR 264.177].
   f. The Permittee shall manage all containers stored within the magazine in such a manner as to minimize the potential of a release of hazardous waste or hazardous constituents.
   g. The magazine shall have sufficient and unobstructed means of entry/exit.

3. Loading/Unloading: The low explosives shall be loaded into the magazine immediately upon arrival at the facility. Under no circumstances shall low explosives remain in transportation trucks at the facility for longer than 24 hours before being unloaded into the magazine.

4. Packaging and Labeling: All low explosive items will be shipped and stored in accordance with applicable regulations.

   a. All applicable proper DOT classification(s), shipping descriptions, markings, and placarding, shall be followed. Proper hazardous waste markings shall also be affixed to the outside of the containers.
   b. All fireworks and signal flares must be packed in combination packaging; no loose fireworks and signal flares may be placed in drums. The packaging procedures must also entail:

DRAFT

(1) Steel and plastic drums are applicable container types for packaging and transporting 1.4 Consumer Fireworks and signal flares.
(2) All screw type closures on containers must be secured in place with tape.
(3) No devices with protruding parts that may penetrate a level of packaging material may be utilized.
(4) All inner packaging must be secured from movement.
(5) Containers must be filled with packing material so that no empty void space remains.
(6) All articles that contain a means of self-ignition must be secured as to prevent accidental ignition.
(7) All metal packaging types used must contain a rubberized gasket as to prevent sparking.

c. Fireworks must be packaged as follows:

(1) Fireworks must be packed under water.
(2) Fireworks must be packed into inner, liquids-rated, poly container.
(3) Containers must be filled with water.
(4) Inner containers must be sealed and packed into an outer steel or Poly drum.
(5) The void space between inner and outer containers must be filled with vermiculite.

d. Signal flares must be packaged in combination packaging as follows:

(1) Original manufacturers packaging is acceptable if intact and unopened
(2) If signal flares are not in the original manufacturer's unopened packaging, flares must be packed into inner container prior to packaging into outer steel or poly drum.

e. Precautions shall be taken to segregate or prohibit incompatible materials in order to prevent reactions which generate extreme heat or pressure, fire or explosions, or violent reactions [40 CFR 264.17(b)].
f. Low explosives must be compatible with the container and the container must be in good condition [40 CFR 262.16(b)(2) and 262.17(a)(1)(ii)-(iii)].

5. Management of Low Explosives Magazine: The magazine permitted to store low explosives at the facility shall be maintained to provide a safe and secure storage of the low explosives.

a. Access to the storage magazine shall be limited and controlled for security as well as safety reasons, in accordance with 40 CFR 264.14.
b. The magazine shall remain locked and secured except when loading or unloading [27 CFR 555.205], or during inspections.
c. Loading and/or unloading of low explosives from the magazine shall only occur during daylight hours.
d. Spark-producing materials, electronics, devices or tools shall be prohibited in and near the magazine, in accordance with 40 CFR 264.17 and 27 CFR 555.212. Spark-producing materials include but are not limited to: tools, dollies, carts, chairs, cell

DRAFT

phones and other spark-producing electronic devices, plastic bags, and drums and other containers. Tools for opening and closing containers and cleaning utensils must not have spark-producing metal parts.

e. Clothing worn by employees handling these explosives shall be static-proof. Materials made of 100% polyester, nylon, silk, and wool are highly static producing and shall be avoided.
f. Any explosive dust on the floor of the magazine shall be kept swept up in accordance with 40 CFR 264.17(a) and (b)(2). Reactive and/or ignitable waste must be protected from frictional heat [40 CFR 264.17(a)].
g. The low explosives must be separated and protected from sources of ignition and reaction, including but not limited to: open flames, smoking, cutting and welding, hot surfaces, and frictional heat [40 CFR 261.17(a)]. Smoking, matches, open flames, and volatile materials are prohibited in and within 50 feet of the magazine [27 CFR 555.212 and 27 CFR 555.215].
h. The area around the permitted magazine shall be kept clear of rubbish, brush, dry grass, or trees (except live trees more than 10 feet tall), for not less than 25 feet in all directions [27 CFR 555.215].
i. The area around the magazine shall slope away for drainage per Section I-C-1.8.1 of the 2017 permit application.
j. No vehicle with internal combustion engines except those classified as intrinsically-safe (or explosion proof) shall be allowed to park within 25 feet of the magazine to reduce the possibility of sparking per Section I-C-1.8.1 of the 2017 permit application.

6. Inspections: The Permittee shall keep, maintain and follow an inspection plan that includes specific reference to inspections of this magazine storage unit in accordance with 40 CFR 264.15 and 264.1201(f). At a minimum, the magazine shall be inspected weekly [40 CFR 262.16(b)(2)(iv) and 262.17(a)(1)(v); 40 CFR 555.221(b)]. The Permittee shall inspect the magazine in accordance with the procedures noted in Appendix II-F.6 of the 2017 permit application.

7. Training: All facility employees involved with the packaging, transportation and storage of the low explosives shall be properly trained in accordance with DOT, OSHA and/or RCRA standards. Additionally, these employees shall receive site-specific training, on an annual basis, specific to explosives, and for emergency procedures at the facility per the facility's Contingency Plan.

Part II Subpart B5 – Specific Operating Conditions for Solid Waste Shredder and Mix Tub Operations

1. General Operating Requirements. The Permittee shall operate the shredder and mix tub solidification area (SWMU-16) in accordance with the approved Operation Plan [ref. Chapter 1, Appendix C, Section I-C-1.9, dated 10/24/2017]. The Department shall be notified before any changes, other than minor deviations, to the approved Operation Plan are implemented in order to determine whether a permit modification is required.

2. Authorized Waste and Material Types. The shredder and mix tub solidification area is authorized for the shredding, storage and solidification of non-hazardous materials only.

a. "Solidification" for the purpose of this permit means the process of physically solidifying a liquid or semi-solid waste.
b. "Solidification media" for the purpose of this permit include materials which may change the physical characteristics (e.g. solid/liquid state), but not the chemical characteristics of the materials.

3. Unauthorized Waste Types. The facility is not authorized to process the following materials:

   a. activated carbon, reactive materials, oil or solvent-based paint filters, pesticides, oxidizers, grinding swarf, metal powders, poisons (Hazard Class 6.1), dyes, inks in dry powder form, cyanides, and corrosive sludges.
   b. RCRA and Toxic Substances Control Act (TSCA) wastes.

4. Maximum Storage Quantities. The storage limit of solid waste in the mix tub solidification area (excluding solidification media) is the capacity of the mix tub solidification unit (7,474 gallons).

5. Mix Tub Solidification Area Capacity. If the mix tub solidification area has reached its permitted capacity for storage of wastes or solidification media, the Permittee shall not accept additional waste or materials for processing until sufficient capacity has been restored.

6. Storage and Management. Material shall be stored in shredder and mix tub solidification area as shown on Attachment F. Containers of non-hazardous waste to be shredded shall be staged in the containment areas in front and/or adjacent to the shredder. All mix tub waste and material shall be stored on the concrete slab impervious surface.

7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan. Notification shall be made to the DEP's Southwest District Office Compliance Assistance Program at (813) 470-5700 or SWD_Waste@dep.state.fl.us.

8. Housekeeping. The shredder and mix tub solidification area shall be operated to control dust, litter and objectionable odors.

9. Leachate Control System. The mix tub solidification area shall be operated with a leachate control system to prevent discharge of liquids outside the containment area and minimize the presence of standing water in the area. The leachate control system shall be maintained to function as designed. Any liquids in the mix tub solidification area and/or shredder secondary containment, including liquids in the sump drain, shall be pumped into the mix tub for solidification or collected and pumped into one of the existing RCRA tanks for characterization and off-site disposal. Uncontaminated accumulated rainwater may be managed as stormwater using the facility's existing collection and discharge to POTW methods and procedures in the Contingency Plan.

DRAFT

a. The mix tub leachate collection sump drain shall be inspected for damage and clogging daily on operating days and cleaned in accordance with the procedures in Operation Plan, checking for accumulated debris and/or sediment that could impede flow. Accumulated debris that interferes with the proper functioning of the leachate collection system shall be removed immediately. Removed solids and sediments from the drains shall be disposed of as Class I waste.
b. The shredder and mix tub solidification area shall be inspected for damage and cleaned daily on operating days, as in accordance with the procedures in the Operation Plan. The mix tub shall be maintained and repaired immediately, in the event that leakage from the tub is identified. The floors shall be maintained and repaired, as needed, to prevent ponding of liquids.

Part II Subpart C – Closure Conditions

1. The Permittee shall close the container storage units and tank systems in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, postclosure 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 (40 CFR Part 264.111).

2. The Permittee shall have a written Closure Plan as required by 40 CFR 264.112(a). The Closure Plan and all revisions to the plan must be kept at the facility until closure is completed, certified in accordance with 40 CFR 264.115, and accepted by the Department.

3. Modifications to the approved Closure Plan shall be in accordance with the requirements of 40 CFR 264.112(c) and Rule 62-730.290, F.A.C.

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 II.C.3.

5. Within 90 days after receiving the final volume of hazardous waste or upon notification by the Department that closure of a unit is required, the owner or operator must treat or remove from the unit all hazardous waste.

6. The Permittee shall complete closure activities within 180 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 30 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.”

DRAFT

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.

7. The Permittee shall notify the Department 45 days prior to the date on which the Permittee expects to begin partial or final closure of a unit(s).

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

9. The Permittee shall manage all hazardous wastes, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the unit(s) in accordance with the applicable provisions of 40 CFR Parts 260 through 268, including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with the Closure Certification.

10. 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.).

11. Within 30 days of determining that all contaminated soil cannot be practically removed or decontaminated, the Permittee shall notify the Department of such determination. Within 90 days of the determination the Permittee shall submit an application for permit modifications to close the facility as a landfill (land disposal unit) and perform postclosure care as required by 40 CFR 264.

12. Within 60 calendar days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a Closure Certification Report signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the unit has been closed in compliance with the Closure Plan and the conditions of this permit. The Closure Certification must be based on the Professional Engineer's own observation and knowledge of the closure activities. The Closure Certification 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 (Condition II.C.6 of this Subpart).

DRAFT

13. Within 30 calendar days of submitting a Closure Certification Report for a land disposal unit, including a land disposal unit identified under Part II.C.11, the Permittee shall submit to the Department and to the local zoning authority, or the authority with jurisdiction over local land use, a survey plat indicating the type, location, and quantity of hazardous wastes disposed of within the unit with respect to permanently surveyed benchmarks in accordance with 40 CFR 264.116. For hazardous wastes disposed of before January 12, 1981 the owner or operator must identify the type, location, and quantity of the hazardous wastes to the best of the Permittee's knowledge and in accordance with any existing records. This notice is in addition to the requirement to execute a formal land use control (*e.g.,* a restrictive covenant) in order to obtain a site rehabilitation completion order based on restricted exposure risk assumptions under Chapter 62-780, F.A.C.

14. General Closure Requirements for Solid Waste. The Permittee shall close the solid waste processing facility in accordance with the provisions of the approved Closure Plan [Section K, dated 2/7/13]. The Department shall be notified before any changes, other than minor deviations, to the approved Closure Plan are implemented in order to determine whether a permit modification is required.

15. Notification Requirements for Solid Waste. The Permittee shall notify the Department at least 180 days prior to ceasing operations, and shall submit a written certification to the Department when closure is complete.

PART III – POST CLOSURE CONDITIONS

Not applicable at this time.

PART IV – ENVIRONMENTAL MONITORING CONDITIONS

Not applicable at this time.

PART V – CORRECTIVE (REMEDIAL) ACTION CONDITIONS

Subpart A – General Corrective Action Conditions

1. The Conditions of this Part apply to the following:

   a. The SWMUs and AOCs identified in Appendix A.
   b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. As used in this Part, the terms "discover", "discovery", or "discovered" refer to the following:

      (1) The date the Permittee visually observes evidence of a new SWMU or AOC.
      (2) The date the Permittee visually observes evidence of a previously unidentified release of contaminant(s) to the environment.
      (3) The date the Permittee receives information from a credible source of the presence of a new release of contaminant(s) to the environment.

DRAFT

c. Contamination that has migrated beyond the facility boundary, if applicable.

2. The Permittee shall comply with the notification requirements for the discovery of a new SWMU in Part I.12.c.

3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. The Work Plan shall be submitted within 60 calendar days of notification by the Department unless the notification letter establishes a different time frame.

   a. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously existing data may be submitted with the work plan for the Department's consideration.
   b. In accordance with the schedule in the approved CS Work Plan, or no later than 60 calendar days after Department's written approval of a CS Work Plan, the Permittee shall submit a Confirmatory Sampling Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.

4. De Minimis discharge is a release of a contaminant(s) that is removed from the soil, sediment, surface water, and groundwater to cleanup target levels or background concentrations within 30 days of discovery of the release. If the Permittee intends to treat a discharge under the De Minimis discharge provision of Rule 62-780.550 or Rule 62-780.560 F.A.C., the Permittee must meet the notification requirements of Part I.12.c, and inform the Department that a De Minimis action is underway. A De Minimis Remediation Report must be submitted to the Department within 90 days of discovery of the release. The report must include a description of all actions taken in response to the discharge and the information required by the Interim Source Removal Report pursuant to Subsection 62-780.500(6)(a), F.A.C.

5. If contamination is confirmed by the Confirmatory Sampling Report, the Department will notify the Permittee to commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs ("contaminated sites") identified in the notification. The Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C., unless the notification letter specifically establishes a different time frame to commence or complete site assessment. An alternative schedule can be implemented with written Department approval.

6. The Permittee shall conduct Emergency Response Actions in accordance with Subsections 62-730.225 and 62-780.500, F.A.C. The Permittee may, or upon notification by the Department, shall conduct an Interim Source Removal action in accordance with Subsections 62-730.225 and 62-780.500 F.A.C. for any release, SWMUs, or AOCs

DRAFT

determined necessary to minimize or prevent further migration of contaminants or to limit human or environmental exposure to contaminants.

7. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of Rule 62-730.225 or Chapter 62-780, F.A.C. or this permit for prior or continuing releases of contaminant(s) to the environment, the Permittee shall submit an amended work plan to the Department within 60 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION

Part VI Subpart A – General Remedy Selection and Implementation Conditions

1. Within 90 calendar days of Department approval of a Site Assessment Report or Site Assessment Report Addendum the Permittee shall submit a Remedial Action Plan developed in accordance with Chapters 62-780 and 62-730, F.A.C. Remedial Action Plans may be performance based, including remediation options to be implemented based on changing conditions at the site.

2. The Permittee shall apply for a permit modification in accordance with Part I.22. of this permit within 30 days of a Department approved final remedy unless an alternative permit modification schedule has been approved by the Department. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.

3. The Remedial Action Plan shall include a provision for the Permittee to submit periodic Remedial Action Status Reports in accordance with Subsection 62-780.700(12), F.A.C. The intent to implement a different approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report. Proposals to modify a previously approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report and implemented with written Department approval. The Remedial Action Status Reports may be combined with any Environmental Monitoring Report required by Part IV.

4. When site rehabilitation (remedial action) is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Subsection 62-780.750(6), F.A.C. Site Rehabilitation Completion Reports can be part of a combined document with the Remedial Action Status Report.

5. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a designated regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased as per 40 CFR 264.100(f).

6. When appropriate, the Department will approve completion of site rehabilitation by inclusion in a permit renewal, permit modification, or separate Site Rehabilitation Completion Order.

DRAFT

Part VI Subpart B – Selected Remedies

Not applicable at this time.

APPENDIX A - SUMMARY OF FACILITY SITES - SOLID WASTE MANAGEMENT UNITS (SWMUS) AND AREAS OF CONCERN (AOCS)

A.1 List of SWMUs / AOCs requiring Confirmatory Sampling				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				

A.2 List of SWMUs / AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI]) or a Risk Assessment				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a Site or Risk Assessment.				

A.3 List of SWMUs / AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a RCRA Corrective Measures Study [CMS])				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified at this time requiring a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				

A.4 List of SWMUs / AOCs implementing a Remedial Action Plan or Natural Attenuation Monitoring Plan (a/k/a Corrective Measures Implementation [CMI]				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified at this time undergoing a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				

DRAFT

A.5 List of SWMUs / AOCs at which Site Rehabilitation Completion Determinations With Controls have been made		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.		

A.6 List of SWMUs / AOCs at which Site Rehabilitation Completion Determinations Without Controls have been made		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.		

A.7 List of SWMUs / AOCs where No Further Action Determinations have been made based on no suspected or confirmed contamination (*i.e.* not 'contaminated sites' as defined by 62-780 F.A.C.)			
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU - 1	Hazardous Waste Fuel Blending Area, South Container Storage Building	Production Area. Part of a RCRA Permitted Unit.	1987 to Present
SWMU - 2	South Storage Building, Drum Staging and Storage Area	Loading Dock, Sampling Area, and Storage Unit. Part of a RCRA Permitted Unit.	1987 to Present
SWMU - 3	Stormwater Collection Tank	Used for Temporary Storage of Water Pumped from the Perimeter Road Containment Area.	1987 to Present
SWMU - 4	Storm-Water Retention Ponds (off-site)	Surface Impoundment	1987 to Present
SWMU - 5	Crude Storage Area (South Tank Farm)	Ten Steel Storage Tanks. Part of a RCRA Permitted Unit.	1987 to Present
SWMU – 6	Intermediate Storage Area	Ten Steel Storage Tanks.	1987 to Present

DRAFT

SWMU – 7	Process Area	Production Area. Part of a RCRA Permitted Unit.	1987 to Present
SWMU - 8	Amnesty Days Dumpster	Waste Accumulation Unit	1987 to Present
SWMU - 9	Fume Hood Collection Tank	Waste Accumulation Unit	1987 to Present
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU - 10	Laboratory Satellite Accumulation Containers	Waste Accumulation Unit	1987 to Present
SWMU - 11	Boot Cover Disposal Drums	Waste Accumulation Unit. This SWMU has been Removed.	1987 to 2001
SWMU - 12	Former Laboratory Trailer Drain Containment Pad	This SWMU is no longer used for its original purpose. It is now used as a scrap metal storage area.	1987 to Present
SWMU - 13	North Container Storage Building	Loading Dock, Sampling Area, and Storage Unit. Part of a RCRA Permitted Unit.	1987 to Present
SWMU - 14	Petroleum Wastewater Tanks	Waste Accumulation Unit	1987 to Present
SWMU - 15	Three 40 CY Hazardous Waste Roll-off Storage Units* and Four 40 CY Solid Waste Roll-off Storage Units	Waste Accumulation Unit	2006 to Present
SWMU - 16	Solid Waste Mix Tub Area	Mix tub for solid waste stabilization	2013 to Present
SWMU- 17	Low Explosive Magazine	Magazine for storage of “low explosive” DOT Hazard Class 1.4	March 2017 to Present
AOC - A	Freon Wash Water Storage Tank	Waste Accumulation Unit	1987 to Present

*=Permitted Unit

DRAFT

Issued Date

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

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

Filing and Acknowledgment

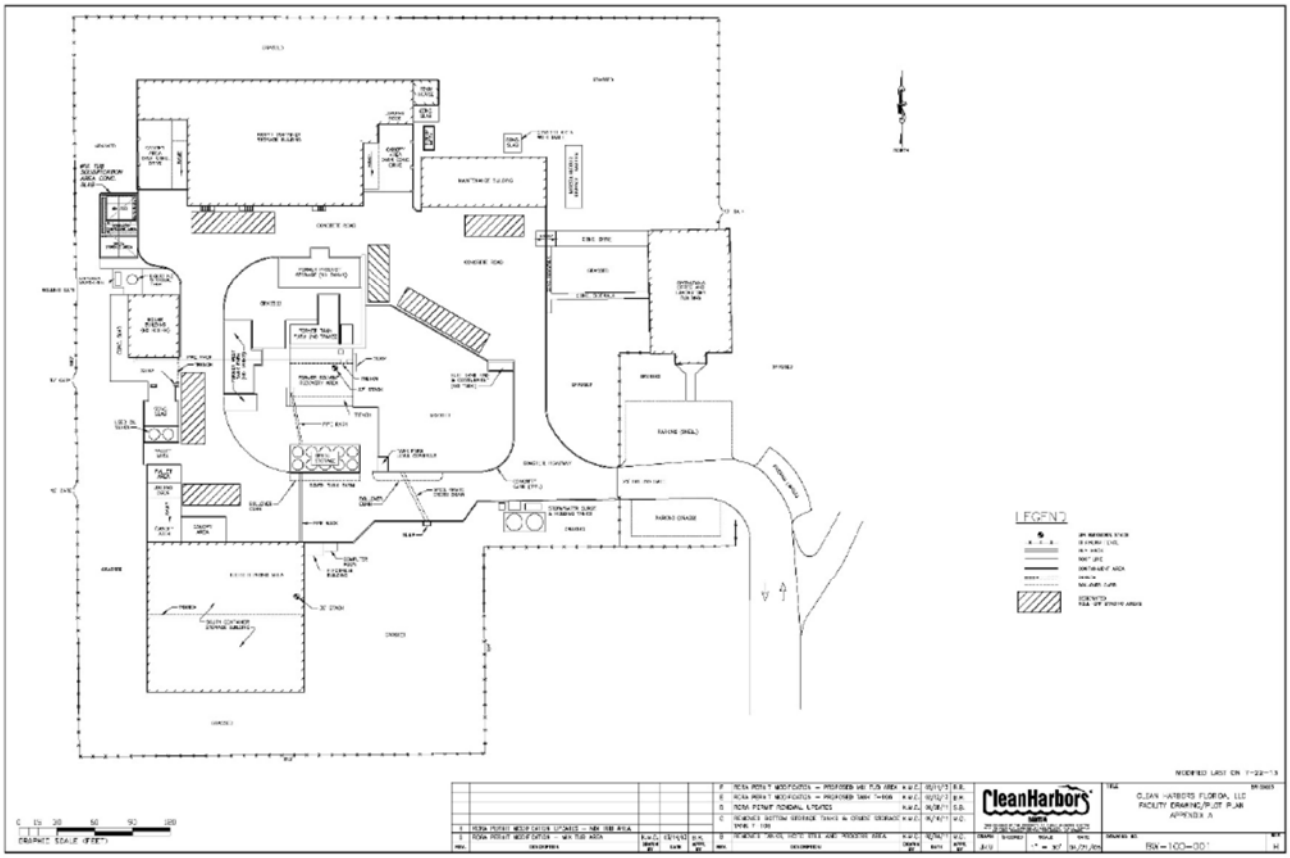
Filed on this date, pursuant to Section 120.52 Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

Signature
CLERK

Date
DATE

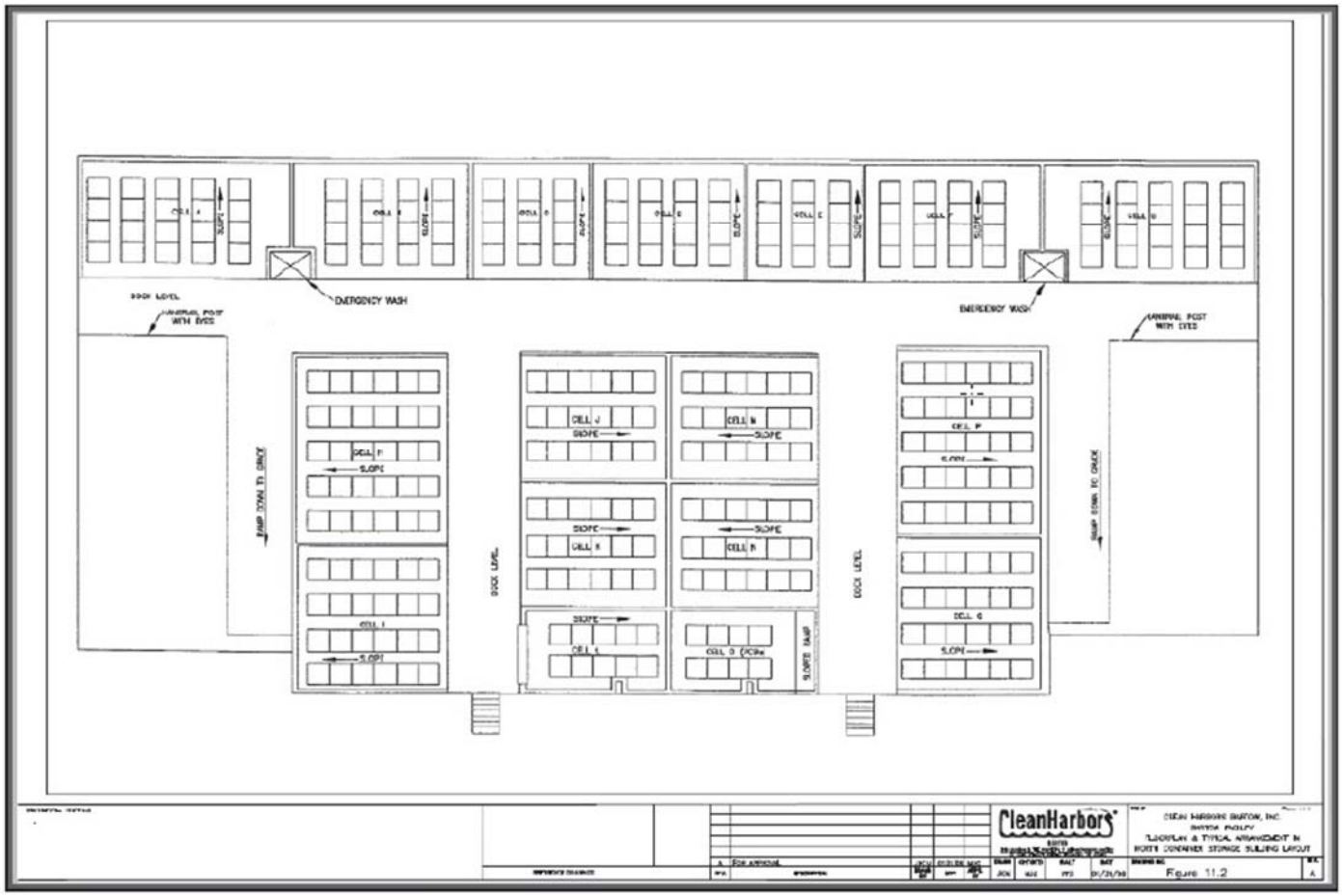
DRAFT

ATTACHMENT A - FACILITY MAP



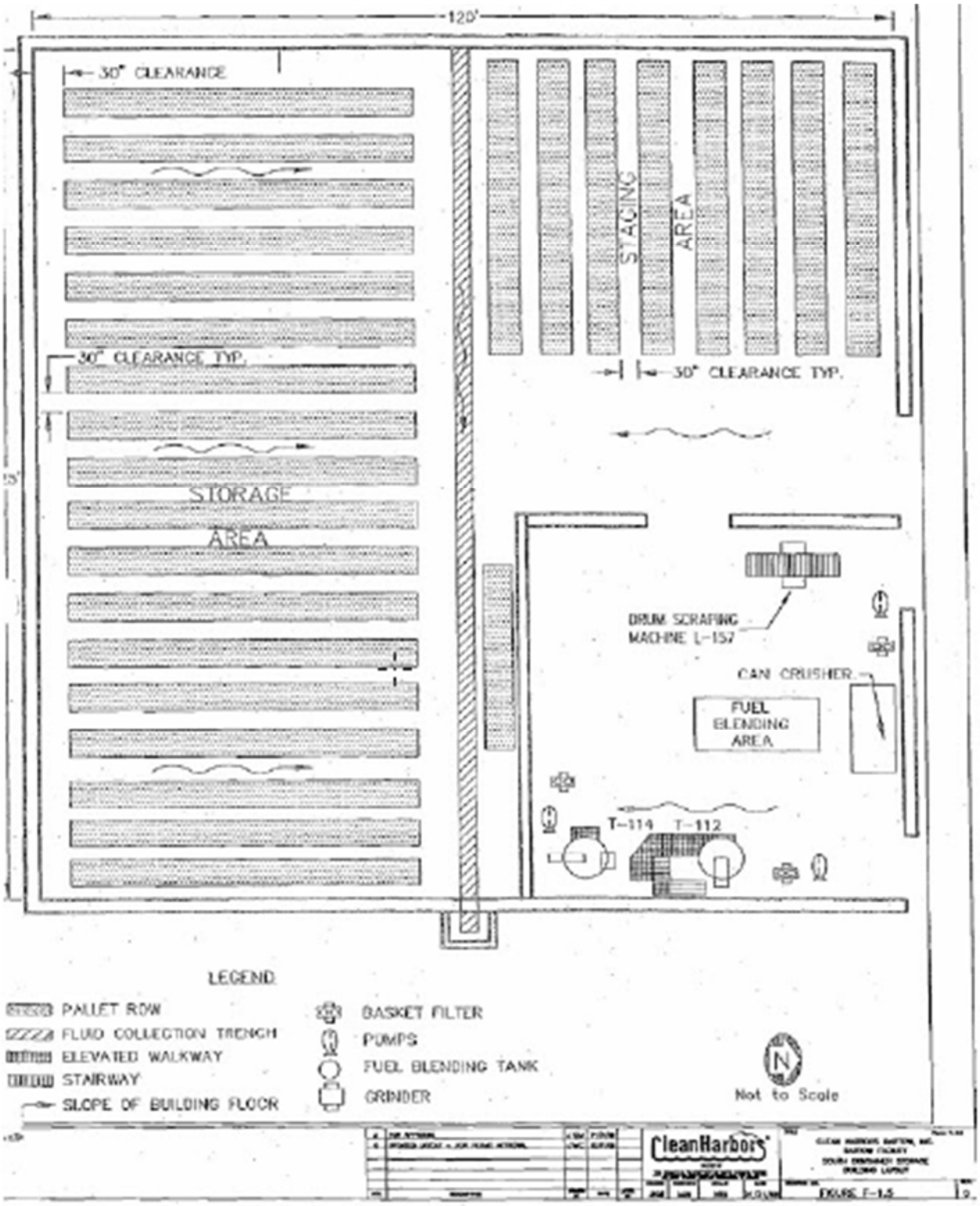
DRAFT

ATTACHMENT B -NORTH CONTAINER STORAGE BUILDING (SWMU 13)

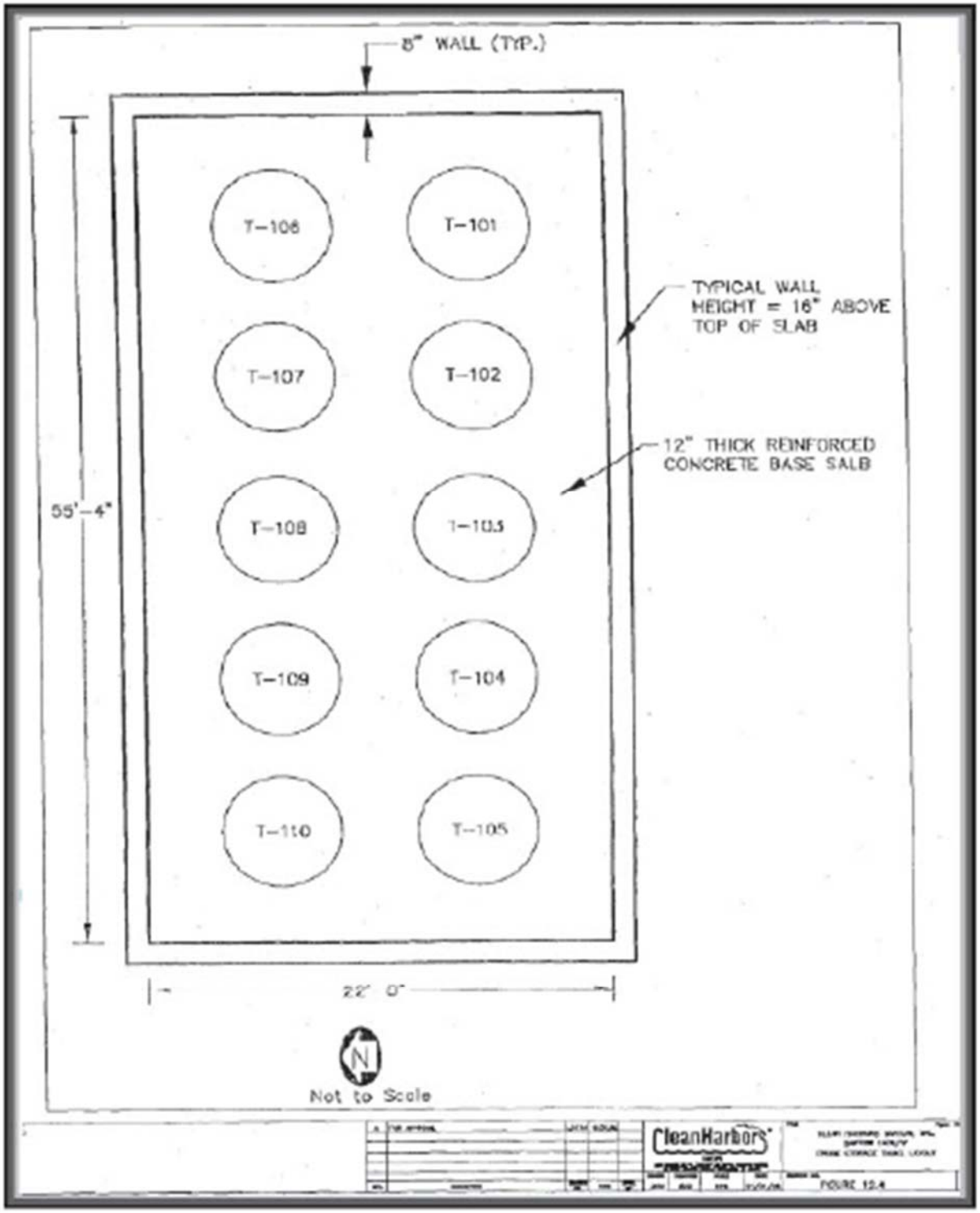


DRAFT

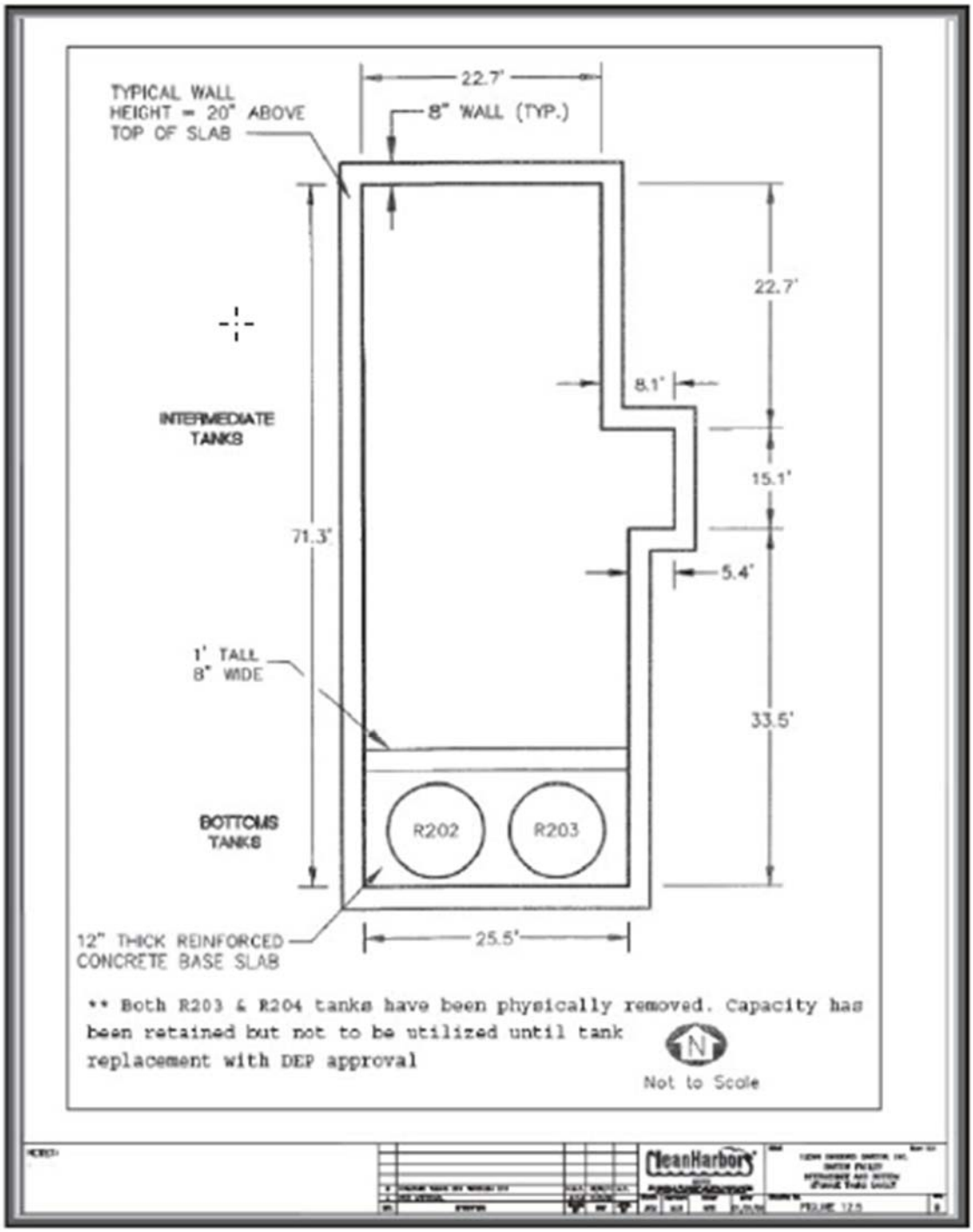
ATTACHMENT C -SOUTH CONTAINER STORAGE BUILDING (SWMU-2), INCLUDING FUEL BLENDING AREA (SWMU-1)



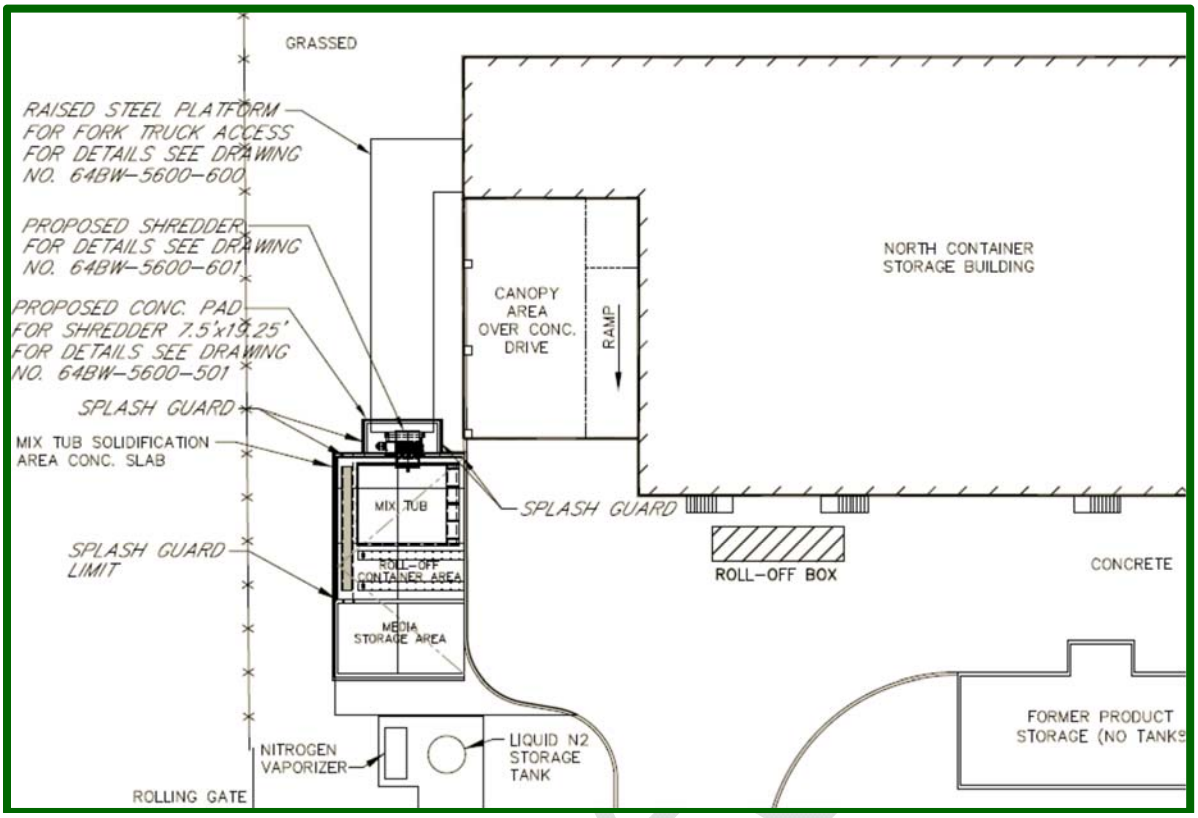
ATTACHMENT D – SOUTH TANK FARM (SWMU 5)



ATTACHMENT E – WEST TANK FARM (VACANT)

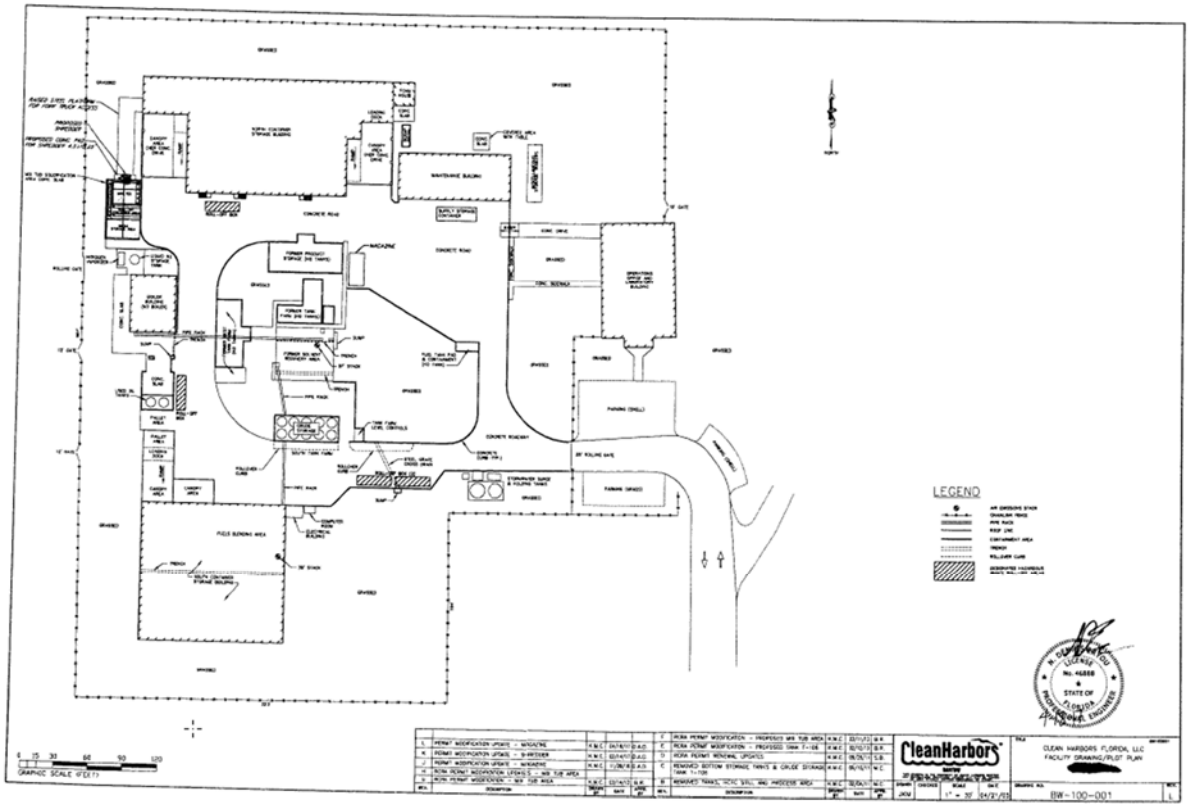


ATTACHMENT F – SOLID WASTE SHREDDER AND MIX TUB AREA (SWMU 16)



DRAFT

ATTACHMENT G – HSWA UNITS: SWMUS AND AOC A LOCATIONS



DRAFT