

Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Telephone: 407/433-2650

Fax: 407/433-2666

Carol M. Browner, Secretary

DEC 10 1992

*MAH
JTEH
File*

Mr. Doug Morecchi
Friends of the Everglades
101 Westward Dr., Suite #2
Miami Springs, FL 33166

Re: Information request on the Notice of Application for Operating Permit. Safety-Kleen Corporation at 8755 95th Avenue, Dade County, City of Medley. Operating Permit # HO 13-216311.

Dear Mr. Morecchi:

The Department appreciates your interest in the Notice of Application from Safety-Kleen Corporation for a hazardous waste storage facility.

The application has been processed and an operating permit, permit/certification number, HO 13-216311, has been issued. Notice of the Department's intent to issue was published in the Miami Herald on October 1, 1992. Notice of Intent was also broadcast by radio station WMBM, 1490 AM, on October 12 (1:30 P.M.) and October 13 (8:15 A.M. and 1:30 P.M.). Copies of the newspaper and radio announcements are attached.

Should you have additional questions, please call me at 407/433-2650.

Sincerely,

J. Knox McKee, Jr.
Supervisor, Hazardous Waste Section

cc: Satish Kastury, DER/Tlh.
Vic Kamath, DER/WPB

Alan Farmer, EPA/Atlanta
File Coordinator

8 1992

The Miami Herald

PUBLISHED DAILY
MIAMI-DADE-FLORIDA

STATE OF FLORIDA
COUNTY OF DADE

Before the undersigned authority
personally appeared:

ANN MARTULA

who on oath says that he/she is:

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issues of:

OCTOBER 1, 1992

Affiant further says that the said The Miami Herald is a newspaper published at Miami, in the said Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered as second class mail matter at the post office in Miami, in said Dade, County Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).

Ann Martula

Sworn to and subscribed before me
this 2nd day of October A.D. 1992

My Commission
expires: *Virginia J. Gallon*

RECEIVED

OCT 26 1992

DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

AGENCY ACTION
FLORIDA DEPARTMENT
OF ENVIRONMENTAL
REGULATION
SOUTHEAST FLORIDA
DISTRICT OFFICE
1900 South Congress
Avenue
Suite A
West Palm Beach, Florida
33406

The Florida Department of Environmental Regulation (DER) gives notice of its intent to issue a Permit under the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous Solid Waste Amendments to 1984, Section 403.722, Florida Statutes, and Chapter 17-4 and 17-730 of the Florida Administrative Code (FAC) to Safety-Kleen Corporation, 8755 NW 95th Street, Medley, Dade County, for the operation of a Hazardous Waste Storage Facility. The facility will consist of a container storage area, return/fill area and above-ground storage tanks (all equipped with secondary containment) for the storage of waste: mineral spirits, dumpster sediment, immersion cleaners, dry cleaning wastes, and paint wastes (EPA Waste Codes D001, D006, D008, F002, F004, F005). The completed construction of the facility has been certified by a professional engineer registered in the State of Florida. The facility has the assigned facility I.D. Number FLD #984171894. The permit, if issued, will be the State permit which covers the Resource Conservation and Recovery Act (RCRA) program that was in effect prior to the passage of the Hazardous and Solid Waste Amendments of 1984 (MSWA). The Environmental Protection Agency (EPA) has evaluated the necessity of a Solid Waste Management Unit (SWMU) permit that covers the new requirements brought about by the MSWA. Once the State permit is issued along with the Federal SWMU permit, if required, Safety-Kleen Corporation will have a complete RCRA permit.

The State of Florida has been granted authorization for those portions of the RCRA Hazardous Waste Program that were in effect prior to the passage of the Hazardous and Solid Waste Amendments of 1984. The Federal Environmental Protection Agency will administer the applicable portions of the Hazardous and Solid Waste Amendments of 1984 (specifically the waste minimization and prior review sections) until the State receives authorization for these provisions.

A draft permit, prepared in accordance with the provisions of Chapter 17-730 of the Florida Administrative Code (FAC), contains the conditions for the operation of a Hazardous Waste Storage Facility. The application and a copy of the proposed permit are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Southeast Florida District Office, 1900 South Congress Avenue, Suite A, West Palm Beach, Florida 33406.

Any person may request a public meeting regarding the proposed permitting decision pursuant to Section 403.722(10), Florida Statutes. A request for 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 the General Counsel within 45 days of publication of the notice. Failure to file a request for a public meeting within this time period shall constitute a waiver of any right such person may have to request a meeting under Section 403.722(10), F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 45 days of receipt of this intent. Petitions filed by other

in said Dade, County Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).

Ann Martella

Sworn to and subscribed before me
this 2nd day of October A.D. 1992

My Commission

expires: *Virginia J. Hallon*

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The Petition shall contain the following:

- (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 the material facts disputed by Petitioner, if any;

- (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 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.

If a petition is filed, the administrative hearing process is designed to formulate agency action.

Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 45 days of receipt of this intent in the Office of General Counsel at the above address of the Department.

Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S.

and to participate as a party to this proceeding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

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

PUBLIC NOTICE OF PROPOSED AGENCY ACTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

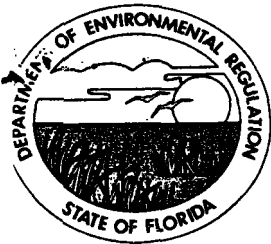
Radio Announcement:

SOUTHEAST FLORIDA DISTRICT OFFICE

The Department of Environmental Regulation (DER) gives notice of its Intent to Issue a permit under the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), Section 403.722, Florida Statutes, and Chapter 17-4 and 17-730 of the Administrative Code (FAC) to Safety-Kleen Corporation, Medley, Dade County, for the operation of a Hazardous Waste Storage Facility. The permit, if issued, will constitute the State permit which covers the RCRA program that was in effect prior to the passage of the HSWA. The U.S. Environmental Protection Agency (EPA) may take permitting actions under the provisions of the HSWA. Once the State permit is issued, Safety-Kleen Corporation, 8755 NW 85th Street, Medley, Florida will have a RCRA permit for those portions of the Program that were in effect prior to the passage of the HSWA.

A person whose is substantially affected by the Department's proposed permitting decision may petition for a hearing in accordance with Section 120.57, Florida Statutes. Any person may request a public meeting pursuant to section 403.722(10), Florida Statutes. If a petition of the Department's permit is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this preliminary statement. Therefore, persons who support the proposed agency action may also wish to intervene in the processing.

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



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Telephone: 407/433-2650

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Should you have additional questions, please call me at 407/433-2650.

Sincerely,

J. Knox McKee, Jr.
Supervisor, Hazardous Waste Section

cc: Satish Kastury, DER/Tlh.
Vic Kamath, DER/WPB

Alan Farmer, EPA/Atlanta
File Coordinator

8 1992

The Miami Herald

PUBLISHED DAILY
MIAMI-DADE-FLORIDA

STATE OF FLORIDA
COUNTY OF DADE

Before the undersigned authority
personally appeared:

ANN MARTULA

who on oath says that he/she is:

CUSTODIAN OF RECORDS

of The Miami Herald, a daily news-
paper published at Miami in Dade
County, Florida; that the attached
copy of advertisement was published
in said newspaper in the issues of:

OCTOBER 1, 1992

Affiant further says that the said
The Miami Herald is a newspaper
published at Miami, in the said
Dade County, Florida and that the
said newspaper has heretofore been
continuously published in said Dade
County, Florida each day and has
been entered as second class mail
matter at the post office in Miami,
in said Dade, County Florida, for a
period of one year next preceding
the first publication of the at-
tached copy of advertisement; and
affiant further says that he has
neither paid nor promised any per-
son, firm or corporation any dis-
count, rebate, commission or refund
for the purpose of securing this
advertisement for publication in
the said newspaper(s).

Ann Martula

Sworn to and subscribed before me
this 2nd day of October A.D. 1992

My Commission
expires: *Virginia J. Gallon*

RECEIVED

OCT 26 1992

DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

AGENCY ACTION
FLORIDA DEPARTMENT
OF ENVIRONMENTAL
REGULATION
SOUTHEAST FLORIDA
DISTRICT OFFICE
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Sworn to and subscribed before me
this 2nd day of October A.D.1992

My Commission

expires: Virginia J. Hallon

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Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding.

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

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