



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

## REQUEST FOR ADDITIONAL INFORMATION

July 13, 2018

Steve Obst, President  
Raider Environmental Services, Inc.  
5080 East State Road 60  
Mulberry, Florida 33860  
[steve@raidernenvironmental.com](mailto:steve@raidernenvironmental.com)

**RE: First Request for Additional Information (RAI)**  
Polk County – Hazardous Waste  
Facility Name: Raider Environmental Services, Inc. – Mulberry Facility  
EPA I.D. Number: FLR 000 176 271  
Current Permit Numbers: 316140-001-HO & 316140-003-SO  
DEP Application Numbers: 316140-004-HO & 316140-005-SO

Dear Mr. Obst:

Thank you for your application for the Used Oil and Material Processing Permit for the above referenced Facility. The Department has assigned DEP Application Numbers 316140-004-HO & 316140-005-SO to the application. A Department staff review of the application dated June 10, 2018, indicates the application is incomplete. Pursuant to the provisions of Rule 62-710.800(3), Rule 62-730.220 F.A.C. and Rule 62-730.220(6), F.A.C., please provide the information in the attached document and refer to this correspondence in your response. The response to this correspondence must be signed, sealed, and dated by a registered Florida Professional Engineer.

In order for the Department to continue processing your application, please submit the requested information as soon as possible. The Department must receive a response within 30 days of the date of this letter, August 12, 2018, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Rule 62-730.220(6), F.A.C. and Section 120.60, F.S., failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

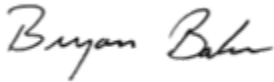
Please submit the response in electronic format to [HWPP@dep.state.fl.us](mailto:HWPP@dep.state.fl.us), with a copy to [bradley.buselli@floridadep.gov](mailto:bradley.buselli@floridadep.gov). If the file is very large, you may post it to a folder on this office's ftp site at: [ftp://ftp.dep.state.fl.us/pub/incoming/DWM/\[name of folder\]](ftp://ftp.dep.state.fl.us/pub/incoming/DWM/[name of folder]). After posting

Mr. Steve Obst  
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the document, send an e-mail to [HWPP@dep.state.fl.us](mailto:HWPP@dep.state.fl.us), with a copy to [bradley.buselli@floridadep.gov](mailto:bradley.buselli@floridadep.gov), alerting us that it has been posted.

If you have any questions, please contact Bradley Buselli by telephone at (850) 245-8989 or by e-mail at [bradley.buselli@floridadep.gov](mailto:bradley.buselli@floridadep.gov).

Sincerely,



Bryan Baker, P.G., Administrator  
Hazardous Waste Program and Permitting

Attached: List of Requested Information

cc:

Dawn Cinquino, DEP Headquarters, [Dawn.Cinquino@floridadep.gov](mailto:Dawn.Cinquino@floridadep.gov)

Bheem Kothur, DEP Headquarters, [bheem.kothur@dep.state.fl.us](mailto:bheem.kothur@dep.state.fl.us)

Ashanti McBride, DEP OGC, [ashanti.mcbride@dep.state.fl.us](mailto:ashanti.mcbride@dep.state.fl.us)

Financial Assurance Working Group, DEP Headquarters,

[financial.assurance.working.group@floridadep.gov](mailto:financial.assurance.working.group@floridadep.gov)

James Jarmolowski, DEP Headquarters, [james.jarmolowski@floridadep.gov](mailto:james.jarmolowski@floridadep.gov)

Elizabeth Knauss, DEP Southwest District, [elizabeth.knauss@floridadep.gov](mailto:elizabeth.knauss@floridadep.gov)

Shannon Kennedy, DEP Southwest District, [shannon.kennedy@floridadep.gov](mailto:shannon.kennedy@floridadep.gov)

John Jones, P.E., [johnmjonespe@sbcglobal.net](mailto:johnmjonespe@sbcglobal.net)

**Attachment: List of Requested Information**

Facility Name: Raider Environmental Services, Inc. – Mulberry Facility  
EPA ID Number: FLR 000 176 271  
Current Permit Number: 316140-001-HO & 316140-003-SO  
DEP Application Number: 316140-004-HO & 316140-005-SO

**Review Comments for Renewal of Used Oil Processing Facility Permit:** The renewal application for a used oil processing facility has been reviewed with respect to the applicable requirements in 62-710.800, F.A.C.; comments are included below. Please submit any necessary revisions electronically for our record, unless a physical copy is otherwise noted or requested.

1. The DEP Form 8700-12FL attached with the permit application is not the current version of the form. Please note that the Department has an up-to-date and approved form dated April 9, 2018, and revision of this item is not necessary.
2. **Application, DEP Form 62-710.901(6), Part I - Section B.3.:** Attachment 2 of the permit application does not contain a map of the facility area showing the location of all material and waste receiving areas, storage and processing areas (including tanks, containers, pipelines, and equipment), and waste traffic patterns for incoming and outgoing materials. The permit application contained several maps in other sections, including a site plan, however the font was either blurry, too small, or the map did not contain all the required information. Please submit a site map in an electronic format to be inserted into the permit that contains the above referenced items as applicable.
3. **Attachment 3, Facility Process Description:** An Inspection Report dated August 24, 2017 indicated that the facility had significantly upgraded its rail siding, and that used oil is typically being shipped by rail. This information was not detailed within the permit application. Please provide a description of the process for loading and unloading operations in this section of the permit application. In addition, indicate how rail cars are managed if they cannot be released within 24 hours of loading.
4. **Attachment 6, Contingency Plan:**
  - a. See comment 3 above; since the rail siding does not have track pans or secondary containment, in accordance with 40 CFR 279.45 and 279.54(b), the Department is requesting that this attachment be revised to reflect what safety precautions or Best Management Practices (BMPs) are utilized when used oil is loaded into or unloaded from rail cars. A Department Memorandum dated June 18, 1998 has been attached at the end of the review comments for your consideration.
  - b. The contingency plan must list the names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinators in accordance with 40 CFR 279.52(b)(iv). This attachment is missing the address for emergency coordinators identified under the plan. Please provide the home addresses for all emergency coordinators at this facility. In addition, local authorities should be notified of any revised emergency contacts. Please provide proof of notification to

local authorities of the updated ICP as needed.

- c. State Emergency Contacts: The district office for this facility location is the Southwest District, not the Southeast District. Contact information for the District Hazardous Waste Section, Kathy Winston (no longer with the Department), should be updated to reflect information from the current operating permit, which provides the address and telephone for the Southwest District Office as 13051 N Telecom Pkwy, Temple Terrace, Florida 33637-0926 and (813) 470-5700. Please review the general conditions of the permit and ensure proper notifications are made with regard to permit conditions and compliance issues.
- d. Table 3 – Emergency Equipment and Supplies: The location and a physical description of emergency equipment and a brief outline of its capabilities is provided, however, fire extinguishing systems are not documented within this attachment. Please either revise Figure 2 or provide a map showing the location of fire extinguishing systems in accordance with 40 CFR 279.52(b)(2)(v).

**5. Attachment 8, Closure Plan:**

- a. Process Description and Types of Products Collected: These sections indicate that the facility operates a *waste oil* collection, transportation, processing and recycling business... and receives “industrial *waste oils*.” The Department believes the term “waste oil” was mistakenly used, as this term refers to used oil that has been mixed with hazardous waste, and is not interchangeable with the term “used oil”. Please clarify and revise all affected attachments accordingly.
- b. Facility Closure Procedures: Notification to the Department must be made in writing *at least 60 days prior* to the scheduled date of closing the facility. In addition, a certification of closure completion must be submitted within 30 days after closing the facility. Please revise this section in accordance with Rule 62-710.800(5)(d) & (e) respectively.

**Review Comments for Renewal of Material Processing Facility Permit:** The renewal application for a material processing facility has been reviewed with respect to the applicable requirements in 62-701.710, F.A.C.; comments are included below. Certain sections of the Used Oil Processing Facility application, submitted as a separate document, were found to contain items applicable to the Material Processing Facility application. Please submit any necessary revisions electronically for our record, unless a physical copy is otherwise noted or requested.

- 1. The application form 62-701.900(4) was not properly completed. Please revise the application pursuant to Rule 62-701.710(2)(a), F.A.C. as follows:
  - a. Section A, Item 2, Type of Application: The checked box was for “Construction/Operation”, and it was indicated in Section A, Item 14, that construction has been completed. Please check the correct box.
  - b. Section A, Item 5, DEP ID Number: No DEP ID number was provided. Please provide the DEP ID number.
  - c. Section A, Item 7, Location Coordinates: No information was provided for this item. Please provide the location coordinate information.
  - d. Section A, Item 15, Expected volume of waste to be received: The response for this item was “variable”, which is very general. Please provide a range for the

volume of waste that may be received in a single day. (for example, 0 to 40 tons/day).

- e. Section C, Item 2, Professional Engineer Seal: The application did not contain a seal for John M. Jones, P.E. FL. Registration No. 50227. Please include the engineering seal on the revised application.
2. The renewal application indicates that the maximum amount of solid waste to be stored at the facility will be 40 tons. It is also indicated that the waste received daily will vary between 0 and 30 tons. Please indicate how long it takes to process 30 tons of material. Also, please indicate what steps are taken to prevent exceeding 40 tons of material being stored at the facility at any one time. Rule reference: 62-701.710(2)(a), F.A.C.
3. The renewal application did not include a site plan that shows the facility location, total acreage of the site, and other relevant features such as water bodies, or wetlands within 200 feet of the site, and potable wells within 500 feet of the site. The site plan should have a scale not greater than 200 feet to one inch, and be signed and sealed by a professional engineer pursuant to Chapter 471, Florida Statutes. Please submit a site plan that meets these requirements. Rule reference: 62-701.710(2)(b), F.A.C.
4. The renewal application did not include a boundary survey and legal description of the property. Please submit a boundary survey and legal description of the property. Rule reference: 62-701.710(2)(c), F.A.C.
5. The application did not include information regarding record keeping of the materials associated with the materials processing portion of the permit. Operational records are required to be maintained to include a daily log of the quantity of solid waste received, processed, stored, and removed from the site for recycling or disposal, and the county of origin of the waste, if known. These records shall include each type of solid waste, recovered materials, residuals, and unacceptable waste which is processed, recycled, and disposed. Such records shall be compiled on a monthly basis and shall be available for inspection by the Department. Records shall be retained at the facility for three years. Additional information regarding how the record keeping requirements will be met should be submitted. Rule reference: 62-701.710(2)(e) and 62-701.710(8)(a), F.A.C.
6. Please revise the section entitled "Facility Closure Procedures" to reflect that the closure plan is intended to fulfill the closure requirements in Chapter 62-701.710(6). Rule reference: 62-701.710(2)(f) and 62-701.710(6), F.A.C.
7. The application did not include a contingency plan. Please revise the application to reflect that a contingency plan that complies with 62-701.320(16) and 62-

701.710(2)(g) F.A.C. is included in the Used Oil Processing Permit Application that has also been submitted for this facility.

8. The application did not include any financial assurance documentation required by subsection 62-701.710(7), F.A.C. Please revise the application to reflect that financial assurance documentation that complies with 62-701.710(7), F.A.C. is included in the Used Oil Processing Permit Application that has also been submitted for this facility.
9. The application did not include a history and description of any enforcement actions by the applicant described in 62-701.320(3), F.A.C., relating to solid waste management facilities in Florida. Please submit this information.
10. The Solid Waste Closure Plan - Process Description section indicates that the facility operates a *waste oil* collection, transportation, processing and recycling business...”  
The Department believes the term “waste oil” was mistakenly used, as this term refers to used oil that has been mixed with hazardous waste, and is not interchangeable with the term “used oil”. Please clarify and revise all affected attachments accordingly.

**Citation Errors:** Please note that multiple citation errors were observed in the permit application in Attachments 3, 4, 5, 7, 8, and 9. Revisions of these items are not required; however, a thorough review and update of citations is recommended.

Memorandum

Florida Department of *Subs-  
Guidance ??*  
Environmental Protection

SATISH

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TO: Directors of District Management  
District Waste Program Administrators

FROM: John M. Ruddell, Director *WR2*  
Division of Waste Management

DATE: June 18, 1998

SUBJECT: Used Oil Transfer Facilities Utilizing Rail Cars and Barges

Chapter 62-710, F.A.C., adopted EPA's used oil management standards in 40 CFR Part 279. Paragraph 279.45(d) (under Subpart E) states that "containers used to store used oil at transfer facilities must be equipped with a secondary containment system." A "container" is defined in Subsection 279.1 as "any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled." An issue has come up as to the logistics of requiring secondary containment under rail cars or "around" barges (non double-hull construction). The existing interpretations of the used oil management standards do not take into account the unique nature of temporarily storing, bulking, and shipping used oil in rail cars or barges or the additional precautions that are employed by the DOT and the Coast Guard regulations when so doing.

The management standards also allow the use of "equivalent secondary containment systems" as defined at 40 CFR 279.45(d)(1)(iii), but fail to define what this might include. The EPA has acknowledged that rail cars and barges were not considered when the used oil management standards were written and that they did not intend for these regulations to apply to rail cars and barges transporting used oil or storing used oil for less than 35 days. The EPA has been asked to clarify this issue through guidance or a revision to the regulations.

Until the EPA clarifies this issue or explains what an "equivalent secondary containment system" is, it is not appropriate to take formal enforcement

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against facilities lacking complete secondary containment under rail cars or around barges collecting used oil. Until clarification is issued, DEP will accept, as secondary containment, spill pans placed beneath the rail car, centered under the dome or loading port, and spill pans or other spill control devices or equipment placed under valves and couplings on barges, when used oil is being transferred.

When inspecting facilities that utilize rail cars, it is appropriate to review their Spill Prevention, Control, and Countermeasures (SPCC) Plans or preparedness and prevention plans and ask the operators what safety precautions they take or Best Management Practices (BMPs) they use when used oil is loaded into or unloaded from rail cars or barges. Recommended precautions or BMPs include the following:

- The rail car or barge has a current DOT or Coast Guard certification/documentation that shows it has successfully passed the required inspections and is operating within its inspection interval (i.e., 49 CFR 180, Continuing Qualification and Maintenance of Packaging).
- Training has been provided (and documented) on loading and unloading procedures.
- The level of the rail car or barge contents are checked before loading to calculate the available capacity, always allowing adequate head space for expansion.
- For rail cars, the rail and ballast area are protected from used oil overfills by spill pans placed beneath the rail car, centered under the dome or loading port.
- The rail car or barge is always inspected for leaks, equipment problems, and unintentional releases prior to each loading and prior to shipment, but at a minimum of at least every 72 hours.
- An attendant is always present during loading/unloading operations.
- Used oil is top loaded when possible to minimize the possibility of a release during loading. Bottom valves should not be used during



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loading operations since they may become obstructed, allowing for potential releases.

- When top loading, the hose is tied/secured to the opening and the lid/port is closed if possible on the hose for extra security.
- When loading or unloading from bottom or side valves, the hose-to-valve connections are checked and drip pans are placed under the connections.
- All pumping equipment is shut off before disconnecting transfer hoses.
- Spill response equipment is present on site during transfer operations (allowing it to be on the truck or kept on site).
- Rail cars and barges are protected to minimize the possibility of vandalism-caused releases by either fencing or cable seals on valves when the units are not attended.

This guidance is subject to change when the EPA makes a determination on the applicability of secondary containment for used oil transfer facilities utilizing rail cars or barges. Until that time, these BMPs should be considered when conducting inspections of used oil transfer facilities and reviewing permit applications for used oil processing facilities receiving used oil by rail cars or barges.



Note: if a used oil processor utilizes rail cars or barges for the actual processing of used oil, the Department will not issue a permit authorizing such processing unless full secondary containment is provided.

JMR/tcc