Kim Thursby Digitally signed by Kim Thursby
Date: 2020.08.12 07:16:15 -04'00'

Thursby, Kim

From: Ed Kinley <ekinley@uestampa.com>
Sent: Tuesday, August 11, 2020 2:33 PM
To: Epost HWRS
Subject: Universal Environmental Solutions, LLC – Tampa; FLR 000 199 802; Final Permit

Email & document received / acknowledged.

Regards,
Ed Kinley

Ed Kinley, President
(813)390-0659

Thursby, Kim

From: Thursby, Kim
Sent: Tuesday, August 11, 2020 2:25 PM
To: 'ekinley@uestampa.com'
Cc: Smith, Michell M.; Walker, Kim (Waste); 'bastek.brian@epa.gov'; merizalde.carlos@epa.gov; Boatwright, Kelley M.; kcoates@acgtampa.com; 'Financial.Assurance.Working.Group@floridadep.gov'; Petersen, Dane; 'annie_dziergowski@fws.gov'; 'FWCConservationPlanningServices@myfwc.com'; murmans@hillsboroughcounty.org; Bob.Buckhorn@tampagov.net; Jim Seavy; Ciaravella, Philip; Kothur, Bheem
Subject: Universal Environmental Solutions, LLC – Tampa; FLR 000 199 802; Final Permit
Attachments: 8-11-20 UES LLC Final Permit.Receipt.pdf

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.

Michell Mason Smith
Environmental Administrator
Hazardous Waste Program & Permitting

FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

August 11, 2020

Mr. Edward Kinley, President
Universal Environmental Solutions, LLC
1650 Hemlock Street
Tampa, Florida 33881
EKinley@uestampa.com

RE: Universal Environmental Solutions, LLC – Tampa Facility
EPA ID Number: FLR 000 199 802
Operating Permit Numbers: 330300-005-HO; 330300-004-SO
Hillsborough County

Dear Mr. Kinley:

Enclosed are Operating Permit Numbers 330300-005-HO and 330300-004-SO to operate Used Oil and Waste Processing Facilities. The permits are being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-710, 62-160, 62-701, 62-730, 62-740 and 62-780, Florida Administrative Code (F.A.C.).

These permits **are** final and effective ("issued") on the date filed with the Clerk of the Department. When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice to Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal.

The Notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you should have any questions, please contact Bheem Kothur, P.E., DEE, by telephone at (850) 245-8781 or by email at Bheem.Kothur@floridadep.gov

Sincerely,

Michell M. Smith

Michell M. Smith, Environmental Administrator
Hazardous Waste Program & Permitting

MS/bk

Enclosures
cc (with enclosures):

Brian Bastek, EPA Region 4, bastek.brian@epa.gov
Carlos Merizalde, EPA Region 4, merizalde.carlos@epa.gov
Kelley M. Boatwright, FDEP Southwest District, kelley.m.boatwright@floridep.gov
Keith Coates, Seavy & Associates, kcoates@acgtampa.com
Financial Assurance Working Group, DEP Headquarters,
financial.assurance.working.group@floridadep.gov
Dane Petersen, OGC Headquarters, dane.petersen@floridep.gov
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Florida Fish & Wildlife Conservation Planning Services
FWCConservationPlanningServices@myfwc.com
Sandra Murmans, Commissioner, Hillsborough County, murmans@hillsborougkcounty.org
Bob Buckhorn, Mayor, City of Tampa, bob.buckhorn@tampagov.net
Jim Seavy & Associates, jimseavy@seavyassociates.com
Philip Ciaravella, FDEP Headquarters, philip.ciaravella@floridadep.gov

FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

PERMITTEE:
UNIVERSAL ENVIRONMENTAL SOLUTIONS, LLC.
1650 HEMLOCK ST.
TAMPA, FLORIDA 33605

I.D. NUMBER: FLD 000 199 802
PERMIT NUMBER: 330300-005-HO
330300-004-SO
DATE OF ISSUE: AUGUST 11, 2020
EXPIRATION DATE: APRIL 7, 2025

ATTENTION:
MR. ED KENLEY, PRESIDENT

COUNTY: HILLSBOROUGH
PROJECT: USED OIL AND MATERIAL PROCESSING FACILITY

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 40 Code of Federal Regulations 279, this permit is issued under the provisions of Section 403.722 Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740, 62-762, 62-777 and 62-780 Florida Administrative Code (F.A.C.). This permit replaces existing permit 330300-003-HO. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the complete application comprised of two submittals which were dated January 31, 2020, and February 5, 2020. The Permit was renewed on March 16, 2020. DEP received a complete Solid Waste permit application on June 1, 2020 that is incorporated herein as major modification to the existing permit (as combined permit), and collectively referred to as the "permit applications." The permit applications also include any approved drawing(s), plans, and proposed plans, approved drawing(s) and documents that are specifically identified and incorporated by reference. The permitted units or permitted activities are specifically described as follows:

- To operate a used oil and material processing facility hereinafter referred to as the "Facility", located on an approximately 1.29-acre parcel of land leased by Universal Environmental Solutions, LLC in Hillsborough County, at 1650 Hemlock Street, Tampa, Florida, 33605. A diagram of the site layout and tank storage area are included as Attachment A (Facility Map) of this permit. Tank capacity and contents are shown in Attachment B (Tank Table) of this permit.
- To transport, store and process used oil, oily wastewater, petroleum contact water (PCW), non-hazardous wastewater and used oil filters under this permit.
- To market used oil.

The Facility consists of 27 tanks of which a total of four (4) above-ground storage tanks are regulated under this permit. There are three (3) 5,000-gallons PCW tanks (tanks # 11, 12, and 13) and one (1) 20,000-gallon used oil tank (tank #6). The 20,000-gallon tank #6 (frac tank 4) designated for used oil storage has been registered. This permit

authorizes the use of this tank for used oil processing. An Alternative Procedure Request [Form 62-762.901(4) to utilize a 20,000 gallon frack tank as a used oil tank, dated July 10, 2018] was submitted to the Department on July 27, 2018 and approved [AP-1180] on November 9, 2018 (see Attachment C).

All tanks and piping are located within secondary containment as shown in Attachment A. The facility is authorized to store and use a total of 33,250-gallons (95% of 35,000-gallons) of used oil, oily wastewater and PCW in tanks and related appurtenances installed at the facility.

This permit authorizes the construction of a Solid Waste Processing Facility (SWPF). The proposed facility is located on a 150 feet X 200 feet parcel of land adjacent to the Sparkman Channel.

The SWPF contained concrete pad design consists of a 50' x 70' x 1' thick concrete pad with a 6” x 6” concrete containment curb and sloped concrete entry way that rises 6” above the finished grade concrete. The interior concrete pad will be sloped toward each of the processing pits to allow a cleaning of the interior surface and collection of the rinse water for disposal. A 50' x 70' x 34' steel building will cover the SWPF containment pad. The main entry point on the east side of the steel building will consist of a 4' x 40' x 6" sloped concrete ramp that match the 6" containment curbing at the edge of the concrete pad and a 4' x 40 'x 6" sloped concrete ramp that will enter into the facility to maintain containment of the interior concrete pad. The main entry point will feature two 20' x 25' sliding doors that will be closed during rain events. The steel building roof that covers the concrete containment will be sloped to the east and west and feature a gutter and drainage system to maintain rainwater runoff. The rainwater runoff piping will be integrated into the existing stormwater system. The drum/tote storage area is located on the south side of the building and will be able to store up to 70 - 55 gallon drums (19 cubic yds) or 17 - 225 gallon totes (19 cubic yds) or a total of 50.0 tons. The 20 cubic yard roll off box will be positioned to facilitate drop off and removal by roll-off truck. The two concrete pits will be 18' x 14' x 4'. The base of the pit will be sloped to one end for fluid collection.

Anticipated construction start and completion dates are November 1, 2020 and November 1, 2021, respectively. Upon construction completion, the facility must submit as-built drawings to the Department for their records. Permittee cannot use the SWPF until the Department accepts the as-built drawings. Per Rule 62-630.710(7)(a), F.A.C., the financial assurance deferral language of Rules 62-701.630(2)(b) and (c), F.A.C., applies to the SWPF. “Proof of financial assurance … shall be provided at least 60 days prior to the planned initial receipt of waste at such unit,” and “No solid waste shall be stored or disposed of at a solid waste disposal unit until the permittee has received written approval of the financial assurance mechanism from the Department.” See permit conditions 23 and 24 for detailed financial assurance requirements.
For a detailed process description, see Attachment 3 and Page 14 of the permit application dated June 1, 2020.

The Facility collects non-hazardous solid and sludge wastes from petroleum and non-petroleum impacted non-hazardous solid waste streams. Solid wastes will be stabilized and solidified onsite and transferred as co-disposal solid wastes to an approved landfill for disposal offsite. Solid wastes and sludges will be co-mingled and dried by mixing with sawdust for solidification and lime for stabilization, containerized and disposed.

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 Rule 62-730.020(1), F.A.C.], and Chapter 62-780 F.A.C. corrective action requirements 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.

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 Rules 62-4.050, 62-710.800, and 62-701, F.A.C. and potential enforcement action.

This permit replaces the permit that was issued on March 16, 2020.

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

1. Permit number 330300-001-HO issued April 7, 2015, and documents referenced therein.
2. Inspection Report dated May 9, 2018.
3. Warning Letter #WL18-33HW29SWD dated June 7, 2018.
4. Permit Major Modification Application (Revision 3) dated November 1, 2018.
5. Alternative Procedure Request and Alternative Procedure Approval Order (AP-1180) dared July 10, 2018 and November 19, 2018.
6. Request for Additional Information (RAI) dated December 18, 2018.
7. Partial RAI Responses and Time Extension Request & Approval dated January 15, 2019.
8. RAI Responses (Permit Major Modification – Revision 4) dated February 19, 2019.

9. Permit number 330300-002-HO issued March 7, 2019, Major Modification updated Site Map and Tank Table.

10. Used Oil Permit 330300-003-HO, renewal Application dated January 31, 2020 and DEP Received on February 5, 2020.

11. Solid Waste Permit Application dated April 30, 2020 and DEP Received on May 6, 2020 and revised on June 1, 2020.

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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.

    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 proscribed 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.

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 that may endanger public drinking water supplies, or that requires the Permittee to take any of the tanks out of service. 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 normal business hours, the Hazardous Waste Program & Permitting Section in Tallahassee may be contacted at 850-245-8707, 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. The Permittee shall record all releases greater than one (1) gallon in the facility's written operating record. If a release equal to or greater than twenty-five (25) gallons occurs, the Permittee shall also notify the Department, no later than 24 hours after occurrence, using the Discharge Report Form [DEP Form Number 62-762.900(1)] in accordance with Rule 62-780.210(1), F.A.C., and 62-762.411(5), F.A.C., if the discharge is from an Aboveground Storage Tank System regulated by Chapter 62-762, F.A.C. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service. Releases shall be immediately cleaned up in accordance with the approved facility Contingency Plan, this permit, and any applicable rules.

(1) For all releases, the information recorded, and/or submitted to the Department, shall include at a minimum, the location of the release, time of the release, time and description of the response, 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.
(3) Depending upon the type of discovery, notification requirements of Part I.12.b may also be required.

d. Before closing or making any substantial modification to the facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rule 62-4.080 and Subsection 62-710.800(3), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida.

e. Capacity: In order to prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds ninety-five percent (95%) of the maximum storage capacity of the tank as specified in the Operating Information section of the permit application and Attachment B of this permit.

f. Annual Reporting:
(1) Used Oil: The Permittee shall submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3), F.A.C., by March 1 of each year in accordance with Subsection 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510 and Subsection 62-740.300(5), F.A.C.
(2) PCW: The Permittee shall submit an annual report covering petroleum contact water (PCW) activities for the previous year by March 1 of each year. The report shall include:
(a) The total quantity of PCW received during the previous calendar year.
(b) An estimate of the total quantity of product recovered from the PCW as described in the permit application pursuant to Rule 62-740.300(5), 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; and records of all data used to complete the permit application. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
c. All manifests, both electronic and paper, must be submitted to EPA's Hazardous Waste Electronic Manifest (e-Manifest) System.
d. 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.

e. Information regarding the recordkeeping requirements for those facilities that handle and/or store Petroleum Contact Water (PCW) are provided in detail in Part II Subpart D of this permit, if applicable.

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 shall also 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. The Permittee shall revise “Part I – General” of the Application for a Used Oil Processing Facility Permit [DEP Form 62-710.901(6)] 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.

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

19. This permit is transferable only upon written Department approval in accordance with Rules 62-4.120 and 62-710.800 F.A.C., as applicable. The Permittee shall submit an application for transfer of the permit, at least thirty (30) days prior to transferring the facility, on DEP Form 62-701.900(8), F.A.C., accompanied with an appropriate application fee, required pursuant to Rule 62-4.050, F.A.C. 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 279 and Chapter 62-710, F.A.C.

20. 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, on DEP Form 62-710.901(6), F.A.C. - the “Used Oil Processing Facility Permit Modification Request”, and in a manner prescribed by the Department, a minimum of 60 calendar days before the expiration of the permit, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-4.080, F.A.C. and Rule 62-710.800(3), F.A.C. The permit renewal application shall be submitted in accordance with Chapters 62-4 and 62-710, F.A.C.
    b. The Department may modify, revoke, reissue, or terminate for cause this permit in accordance with Chapter 62-4, F.A.C and 403.704(10), F.S.
    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 62-4.050 and Rule 62-710.800(4), F.A.C.
(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, 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 closure certification, the Permittee must reapply for a permit in accordance with DEP Form 62-710.901(6), F.A.C.

21. Land disposal (placement) of used oil, for dust suppression, weed abatement, road treatment or other similar uses that have a potential to release used oil into the environment, is prohibited in accordance with 40 CFR 266.23(b) and Rule 62-710.401(5), F.A.C.

22. 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.

23. The permittee may not receive waste for disposal or storage in any disposal unit for which financial assurance is deferred. Proof that the financial mechanisms are established and funded in accordance with Rule 62-701.630, F.A.C., shall be submitted to the Department at least sixty (60) days prior to the planned initial receipt of solid waste.

    Once established, the Permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance per Rule 62-701.630 F.A.C., as adopted by reference in Rules 62-710.800(6) and 62-630.710(7), F.A.C. Proof of financial assurance and required annual adjustments, shall be submitted within the time frames specified in Rule 62-701.630, F.A.C. All submittals in response to this specific condition shall be sent to:

    Florida Department of Environmental Protection
    Solid Waste Financial Coordinator
    2600 Blair Stone Road, MS 4548Tallahassee, Florida 32399-2400

24. The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7), F.A.C. and Form 62-701.900(28), as appropriate, or when inflation-factor adjusting, the Waste Processing Facility estimate may be added to the Used Oil estimate and use only Form 62-710.901(7), F.A.C. Adjustments shall be made in accordance with Rules 62-710.800(6) and 62-701.710(7)(a), F.A.C. The Permittee shall submit the adjusted cost estimate(s) between January 1 and March 1 of each year. All submittals in response to this specific condition shall be sent to the addresses on the Used Oil cost estimate form.

25. 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 all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C. This facility shall be constructed, operated and maintained and closed in accordance with all applicable requirements of Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740, 62-762, 62-777 and 62-780, F.A.C., and all other applicable requirements of Department Rules. By acceptance of this permit, the Permittee certifies that they have read and understand the obligations imposed by this permit, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.

2. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of used oil or used oil constituents to air, soil, or surface water which could threaten human health or the environment in accordance with 40 CFR 279.52(a)(1).

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

    1. The Permittee shall maintain a copy of the Spill Prevention Control and Countermeasures Plan (SPCC) (also known as the Preparedness and Prevention Plan (PPP)) submitted with the permit application at the facility.
    2. At a minimum, the Permittee shall have the equipment available at the facility which is described in the SPCC in accordance with 40 CFR 279.52(a)(2). The Permittee shall visually inspect and maintain the facility emergency and safety equipment listed in the SPCC, in accordance with 40 CFR 279.52(a)(3) and the permit application, during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection. 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.
    3. The Permittee shall maintain immediate access to an internal communications or alarm system, fire protection equipment, spill control equipment and decontamination equipment per 40 CFR 279.52(a)(2) and (4).
    4. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 279.52(a)(6), 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.

5. The Permittee shall maintain aisle space, as required pursuant to 40 CFR 279.52(a)(5), to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the facility.

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

6. The Permittee shall immediately carry out the provisions SPCC Plan and Contingency Plan submitted with the permit application and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises as detailed in Part I.12.b and, within five calendar days, must submit to the Department a written report which includes all information required in Part I.12.b of this permit.
7. The Permittee shall comply with the requirements of 40 CFR 279.52(b)(3). A copy of the CP and all revisions to the plan must be maintained at the facility. Electronic copies of the CP must be submitted to the authorities/facilities in Part II.A.3.d., provided the entity has the capability to receive electronic submittals.
8. Within thirty days of meeting any criterion listed in 40 CFR 279(b)(4)(i-v), the Permittee shall amend the plan and submit the amended plan to the Department. Any other changes to the plan must be submitted to the Department within thirty days of the change. All amendments or plans must be distributed to the State and local authorities in Part II.A.3.d.
9. The Permittee shall comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator.
10. 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.

5. The Permittee, pursuant to 40 CFR 279.57, must keep and maintain a written operating record at the Facility until closure of the Facility, which includes the following information:

11. Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55; and described in the permit application.
12. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping.
13. The closure plan and remedial action (corrective measures) plans as applicable for each contaminated site.
14. Inspections of emergency and safety equipment.

15. Annual reports.
16. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
17. Documentation that local officials have refused to enter into preparedness prevention arrangements with the Permittee, when applicable.
18. All registration and/or certification documentation related to the facility.
19. Any hazardous materials manifests and/or shipping records. For electronic manifests, this recordkeeping condition is satisfied by the retention of the facility's electronic manifest copies in its account on the e-Manifest system, provided such copies are readily available for viewing and production if requested by the Department inspector.
20. This permit and any related supporting documentation.

Part II Subpart B – Used Oil Conditions

1. The Permittee shall register their used oil handling activities annually with the Department on DEP Form 62-730.900(1)(b).

2. The Permittee shall comply with the annual reporting and recordkeeping requirements pursuant to Rules 62-710.500 and 62-710.510 F.A.C. using DEP Form 62-710.901(3).

3. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C].

4. The Permittee shall not accept or store any hazardous wastes in the permitted tanks or in any other area at the facility without a Department approved hazardous waste permit.

5. The Permittee shall store used oil, used oil residues or used oil filters only in those containers or tanks which are made of or lined with materials that will not react with and are otherwise compatible with the waste to be stored.

6. The Permittee is authorized to store used oil only in aboveground tanks or containers within the secondary containment, and/or within double-walled tanks as shown in Attachment A of this permit. The permitted units and tank capacities are shown for Tanks in Attachment B.

7. To prevent the release of used oil, oily waste or oily wastewater to the environment, the Permittee shall ensure that all tank and container systems, including ancillary equipment be provided with secondary containment that meet the requirements of 40 CFR 279.54 (d or e) and Rule 62-710.401(6), F.A.C. All new tank systems shall have secondary containment as required by this condition prior to being put into service. The secondary containment systems shall be maintained in accordance with the permit application and shall comply at a minimum with the requirements set forth below:

a. Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;
b. Capable of detecting and collecting releases and run-on until the collected material is removed;
c. Constructed of, or lined with, materials compatible with the waste to be stored and have sufficient structural strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses which may be induced by the environment;
d. Placed on a foundation or base capable of providing support to the secondary containment system;
e. Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
f. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
g. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

8. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning or resuming operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

9. Pursuant to 40 CFR 279.55, for the written analysis plan, and 40 CFR 279.56, concerning Tracking, the Permittee shall:

    a. Sample and analyze each incoming shipment by EPA Method 9077 or a leak detector device (i.e., Tek Mate Sniffer or equivalent) as set forth in the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with the permit application;
    b. Test all containers of the same waste stream for the parameters listed in the permit application, if any of the samples fail the analysis required by Part II.B.9.a. of this permit, the Permittee may collect a representative sample from containers received from the same generator for this analysis;
    c. Reject any incoming containers of used oil which fail the analysis required by Part II. B.9.a. of this permit. The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and
    d. Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in the permit application to determine whether the used oil is on-specification or off-specification. However, the testing is not required if the used oil is sent to another Used Oil processor for further processing.
    e. Sample and analyze samples in accordance with Chapter 62-160, F.A.C. All analyses must be conducted by a laboratory accredited by the National

Environmental Laboratory Accreditation Program (NELAP) and certified by the Florida Department of Health.

f. Keep a copy of the written analysis plan at the facility.

10. Pursuant to 40 CFR 279.56 and 40 CFR 279.65 (Tracking), and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: the Permittee shall maintain records on DEP Form 62-710.901(2), F.A.C., or on substantially equivalent forms which contain at least the same information as the Department form.

a. Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

(1) The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
(2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refiner from whom the used oil was received for processing/re-refining;
(3) The quantities of each type of used oil accepted and date of acceptance; and
(4) Waste stream approval number and the off-load number.

b. Deliveries: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
(1) The name, address and EPA identification number (if applicable) of the transporter who delivers the used oil to the receiving facility;
(2) The name, address and EPA identification number (if applicable) of the burner, processor/re-refinery or disposal facility who will receive the shipment;
(3) The quantities of used oil shipped and date of shipment; and
(4) The laboratory analytical results.

c. The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.

Part II Subpart C – Tank and Container Conditions

1. "Tank system", for the purpose of this permit, is currently defined as the storage tank(s) listed on Attachment B of this permit, along with ancillary equipment and any secondary containment structures.

2. Volumes of used oil must not exceed 19,000 gallons in processing at any given time (95% of 20,000 [total of used oil tanks listed in Attachment B]) and volumes of PCW must not exceed 14,250 gallons in storage/processing at any given time (95% of 15,000) [total of PCW tanks listed in Attachment B]). To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily water, or PCW stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

3. The total containment capacity within the used oil secondary containment area shall not be modified from the capacity (i.e., calculations) presented within the permit application. Any modification to the containment area (e.g., addition or modification of tanks) that effects the containment capacity of this area requires written approval from the Department.

4. Labeling of tanks and containers:

   a. Used Oil: The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [Rule 62-710.401(6), F.A.C., and 40 CFR 279.54(f)].
   b. PCW: The Permittee shall label or mark all containers or tanks which are solely used for the storage of Petroleum Contact Water with the words "Petroleum Contact Water" [Rule 62-740.100(1), F.A.C.].

5. The Permittee shall store used oil, used oil residues, used oil filters or PCW (if applicable) only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.

6. The Permittee shall keep containers and tanks closed or covered except when adding or removing waste in accordance with Rule 62-710.401(6), F.A.C.

7. Aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for shop fabricated tanks per Rule 62-762.501, F.A.C. Repair and operation of aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.

8. The Permittee shall inspect the tank system in accordance with the permit application. At a minimum, these requirements shall also include:

a. Inspecting, at least once a month, the condition of storage tank systems, including secondary containment, that contain, transfer, store, or are designed to contain, transfer, or store regulated substances;
b. Developing and following a schedule and procedure for inspecting overfilling controls;
c. Inspecting at least once each operating day the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. However, the Permittee shall document the daily inspections at least once a week; and
d. The results of the inspections in (a), (b), and (c) of this condition shall be maintained in the operating record at the facility.

9. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and manage the material in accordance with the Spill Prevention Control and Countermeasures Plan (SPCC) (also known as the Preparedness and Prevention Plan (PPP)) and the Contingency Plan of the permit application.

10. If a container or tank holding used oil, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.54(b)].

11. The Permittee shall, in the event of a release and in accordance with 40 CFR 279.54(g) and Chapter 62-780, F.A.C.:

a. Stop the release;
b. Contain the release;
c. Clean up and manage properly the released waste and other materials;
d. If necessary, repair or replace any leaking storage containers or tanks prior to returning them to service;
e. Notify FDEP and other authorities, as applicable;
f. Perform remedial actions in accordance with Chapter 62-780, F.A.C., if applicable.

12. As part of the general operating requirements, the Permittee shall:

a. Not place used oil, PCW, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
b. Use appropriate controls and practices to prevent spills and overflows;
c. Follow the operating procedures described in the permit applications;
d. Comply with the requirements of 40 CFR 279.54(g) and Chapter 62-780, F.A.C., if a leak or spill occurs; and
e. Comply with the notification requirements for the discovery of a release greater than twenty-five (25) gallons or that requires tanks to be removed from service per Part I.12. b and c.

Part II Subpart D – Petroleum Contact Water Processing Conditions

1. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter in compliance with Rule 62- 730.170, F.A.C., or has received a DEP/EPA ID number by notifying the Department on DEP/EPA Form 8700-12FL of its intent to transport PCW. [Rule 62-740.200(2), F.A.C.].

2. The Permittee shall store PCW only in those containers or tanks which are made of, or lined with, materials which will not react with and are otherwise compatible with the waste to be stored. PCW received into the Facility may be commingled and stored in Facility tanks with other petroleum or used oil-contaminated water for processing and recovery in accordance with the permit application. The volume of PCW stored within any tank at the facility shall not exceed the maximum capacity of that tank as listed in Attachment B for the storage of PCW.

3. If a container or tank holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition.

4. The Permittee shall store or treat PCW in tanks registered under the specifications of Chapter 62-762, F.A.C., or in containers or tanks that do not require registration but meet the requirements of Rule 62-740.100(2), F.A.C. [Rule 62-740.300(2)(a) and (b), F.A.C.].

5. The Permittee shall maintain records of the following PCW related activities for each shipment of PCW received for a minimum of three years, and make the records available to the Department upon request [Rule 62-740.300(2)(c), F.A.C.]:

   a. Name and address of the PCW producer.
   b. Name and address of the PCW transporter.
   c. Date of receipt of the PCW shipment.
   d. Volume of PCW received.
   e. A copy of the shipping paper used for shipment of the PCW.
   f. Documentation of weekly PCW container or tank inspections as required in Rule 62-740.100(2)(e), F.A.C.

6. Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW [Rule 62-740.300(3), F.A.C.].

7. Have on file written assurances from the producers that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW [Rule 62-740.300(4), F.A.C.].

8. The Permittee shall document quantities of product recovered from PCW and submit a report to the Department by March 1 of each year [Rule 62-740.300(5), F.A.C.].

9. The Permittee shall test and manage all waste residuals after the recovery of product from PCW in accordance with Chapter 62-730, F.A.C., or other applicable rules of the Department [Rule 62-740.300(6), F.A.C.].

Part II Subpart E – Non-Hazardous, Non-Used Oil Waste Conditions

1. The facility may only accept non-hazardous, oil contaminated solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, and latex paint. The waste will be bulked and /or processed for acceptance at permitted solid waste disposal facilities.

2. All non-hazardous solid waste received at the site for bulking will be received either in drums or containers.

3. Prior to acceptance of non-hazardous solid/sludge at the facility, the Permittee shall obtain from the generator a signed Profile Document which demonstrates that the waste is non-hazardous. The profile must be supported by laboratory analytical results (SDS sheets may be accepted for virgin, unused materials). The Permittee shall perform or shall require the generator to perform the sampling and analysis. The minimum required analysis shall include total or TCLP Metals (As, Cr, Cd, Pb) and total or TCLP Volatile Organics. For small volumes of waste, generator's knowledge may be applied on a case by case basis to support a claim that an oil contaminated solid waste is non-hazardous. Generator knowledge must be supported by historical analytical results.

4. All unprocessed solid wastes shall be stored within the storage building containment areas as indicated on the site plan of the permit application dated April 30, 2020 and June 1, 2020.

5. Liquid wastes/sludges will be solidified using, for example: oil absorbents, pads, used oil dry, pigs, swellgel, or other similar materials. Liquids shall not be solidified inside the roll-off container, but absorbent material may be used to address de minimis free liquids inside the roll-off. All materials shall be processed and managed on impervious surfaces, or in drums or containers.

6. Daily maximum solid waste processing capacity (30.8 yds^3) or 50 tons. Maximum solid waste capacity on site equal Drum/tote maximum storage tonnage plus daily processing limit tonnage 50 tons plus 50 tons equal 100 tons.

7. The drum/tote storage area is located on the south side of the building and will be able to store up to 70 - 55 gallon drums (19 cu yds) or 17 - 225 gallon totes (19 cu yds) or a total of 50.0 tons. The 20 CY roll off box will be positioned to facilitate drop off and removal by Roll-off truck. The two concrete pits will be 18-8"' x 14' x 4', the base of the pit will be sloped to one end for fluid collection.

8. The owner or operator shall ensure that neither liquids nor solids are discharged outside the containment areas.

9. Containers with processed waste shall be clearly labeled “Processed Solid Waste”.

10. Containers shall be covered at all times, except during loading or unloading.

11. The owner or operator shall conduct daily inspections to document the conditions of the storage containers, the pavement within the storage facility, and the processing equipment. These inspections shall be recorded on an appropriate form on a weekly basis. In the event deficiencies are discovered (e.g. leakage), the corrective actions taken shall be noted on the inspection form.

12. The permitted facility shall maintain records of the total amount of oil contaminated solid waste delivered, processed and disposed of annually. The records shall be maintained a minimum of three (3) years.

PART III – CLOSURE CONDITIONS

1. The Permittee shall close the facility in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, 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.

2. The Permittee shall have a Department-approved written Closure Plan as required by 40 CFR 279.54(h) and Rule 62-710.800(5), F.A.C. The Closure Plan and all revisions to the plan must be kept at the facility until closure is completed and approved by the Department. The Closure Plan must demonstrate how the facility will be closed so that there will be no need for further facility maintenance. The Closure Plan requires at a minimum the following:

   a. Above-ground Tanks (ASTs):

      (1) All tanks, piping, secondary containment and ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
      (2) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C. Closure of ASTs shall include:

         (a) Testing of residue in the tanks. If the residue is hazardous, follow the steps outlined in the Closure Plan. In accordance with 40 CFR 279.54(h), the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components,

contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste.
(b) Remove and properly dispose any non-hazardous residue.
(c) Triple rinse the tanks, piping and ancillary equipment.
(d) Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

b. Containers: Containers holding used oils or residues of used oil must be removed from the facility. As with tanks, the Permittee must manage removed materials as hazardous waste, unless the materials are not hazardous as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.
c. Solid Waste: All solid waste must be removed from the facility and recycled or disposed of in accordance with the requirements of Rule 62-701.710(6), F.A.C. and in accordance with solid waste permit application closure plan dated April 30, 2020 and revised June 1, 2020.

3. Modifications to the approved Closure Plan shall be made whenever significant operational changes occur or design changes are made and shall be approved by the Department.

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 I.20. of this permit.

5. The Permittee shall complete closure activities within 90 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 60 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.”
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.

6. The Permittee shall notify the Department 60 days prior to the date on which the Permittee expects to begin partial or final closure of a unit(s).

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

8. 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.).

9. Within 30 calendar days of the completion of closure, the Permittee shall submit to the Department, a Closure Report. The Closure 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 (Part III.5. of this permit) that documents:
      (1) The weight of #1 heavy metal scrap sold.
      (2) The weight of other scrap sold, by classification.
      (3) The weight of scrap disposed and how disposed.
      (4) An inventory of the valves and fittings that were retained for future application.
      (5) A statement that the tanks and piping have been completely removed and that everything removed is included in the above listing.

Issued **August 11, 2020**

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Kimberly A. Walker

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

Filing and Acknowledgment

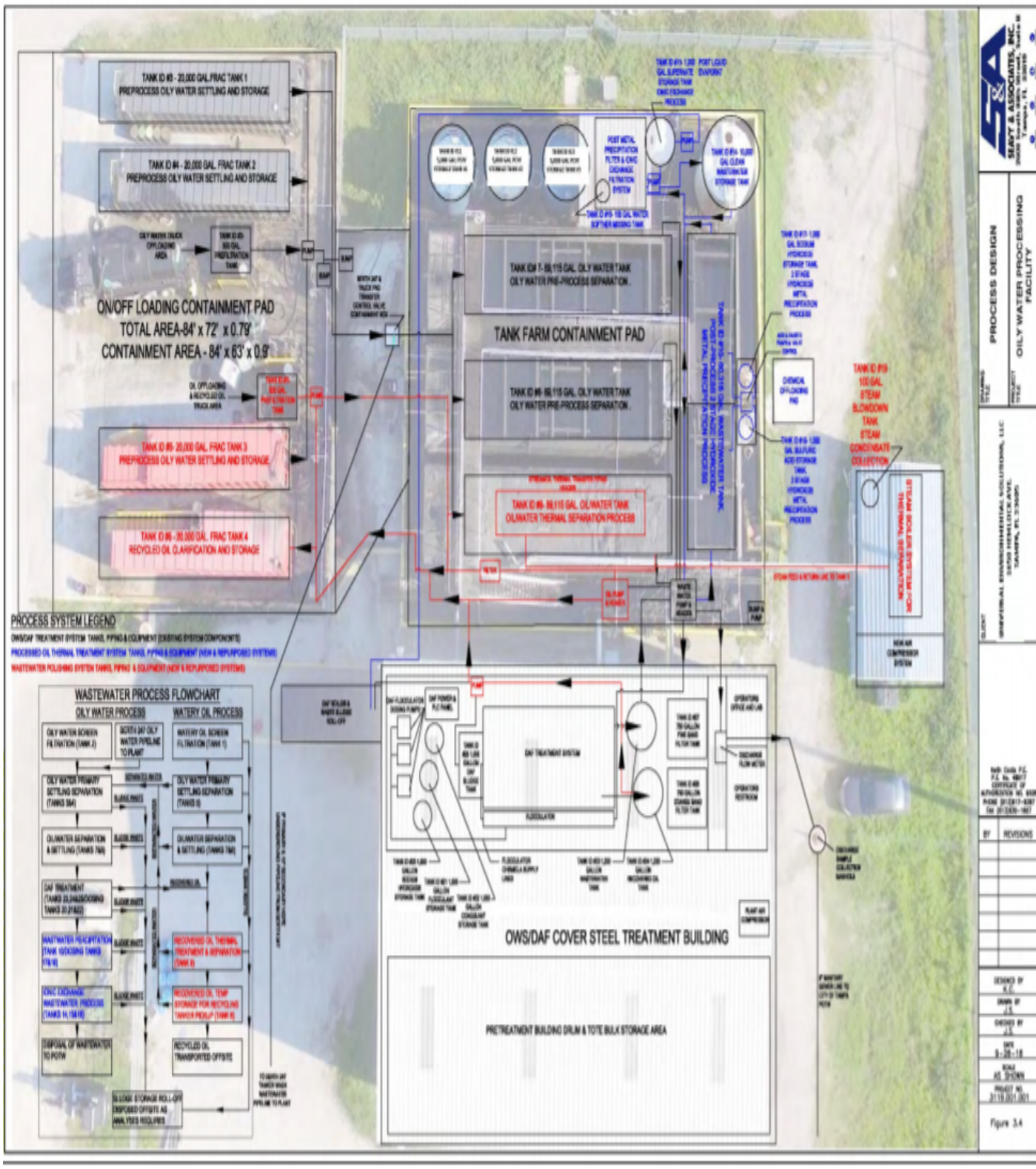
Filed on this date, pursuant to Section 120.52 Florida Statutes, with the designated Clerk, receipt of which is acknowledged.

CLERK

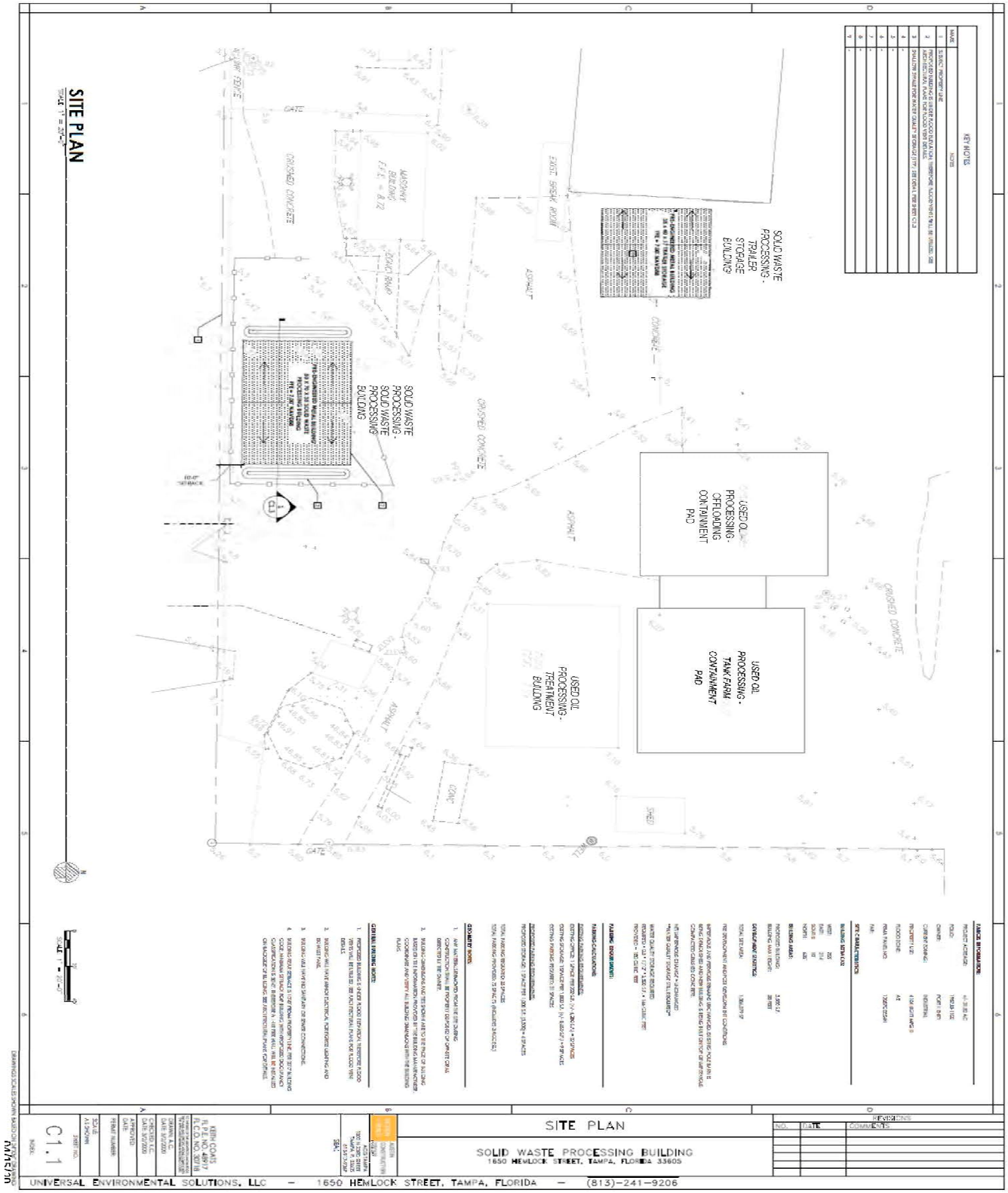
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ATTACHMENT A – FACILITY MAP (OIL PROCESSING)

ttachment A - Section 3 Process Flow Diagram



ATTACHMENT A 1– FACILITY MAP (OIL PROCESSING & SOLID WASTE)



ATTACHMENT B – TANK TABLE

Tank ID #	Tank Type	Pre-Update Process Use	Post-Update Process Use	Containment Area	Name/Primary Content/Purpose	Capacity (Barrels)	Capacity (Gals)
1	Steel	New	OWS/DAF	Offloading Pad	Open topped steel box for oily water offloading gross filtration.	12	500
2	Steel	New	OWS/DAF	Offloading Pad	Open topped steel box for oily water offloading gross filtration.	12	500
3	Steel	New	OWS/DAF	Offloading Pad	Frac Tank 1 / Oily water clarification and storage prior to OWS/DAF separation.	477	20,000
4	Steel	New	OWS/DAF	Offloading Pad	Frac Tank 2 / Oily water clarification and storage prior to OWS/DAF separation.	477	20,000
5	Steel	New	OWS/DAF	Offloading Pad	Frac Tank 3 / Oily water clarification and storage prior to OWS/DAF separation.	477	20,000
6	Steel	New	RO Thermal Treatment	Offloading Pad	Frac Tank 4 / Recycled oil storage final settling & clarification prior to shipment.	477	20,000
7	Steel	OWS/DAF	OWS/DAF	Tank Farm	Oily bilge water separator tank 1 / Oily bilge water gravity separation.	1,646	69,115
8	Steel	OWS/DAF	OWS/DAF	Tank Farm	Oily bilge water separator tank 2 / Oily bilge water open topped gravity separation tank.	1,646	69,115
9	Steel	OWS/DAF	RO Thermal Treatment	Tank Farm	Post processed oil storage and thermal treatment closed topped square tank.	1,646	69,115
10	Steel	OWS/DAF	Wastewater Clarification	Tank Farm	Wastewater polishing tank 1. Post processed wastewater storage and clarification.	1,646	60,318
11	Steel	PCW Storage	Clean PCW Separation	Tank Farm	Clean PCW storage tank 1 / Temporary storage of clean prior to recycling.	120	5,000
12	Steel	PCW Storage	Clean PCW Separation	Tank Farm	Clean PCW storage tank 2 / Temporary storage of clean prior to recycling.	120	5,000
13	Steel	PCW Storage	Clean PCW Separation	Tank Farm	Clean PCW storage tank 1 / Temporary storage of clean prior to recycling.	120	5,000
14	Poly	OWS/DAF	Wastewater Clarification.	Tank Farm	Final wastewater settling tank 1. / Hydroxide precipitation settling tank.	240	10,000
15	Poly	New	Wastewater Clarification	Tank Farm	Conical bottom tank 1. Ionic exchange supernate containment tank.	24	1,000
16	Poly	New	Wastewater Clarification	Tank Farm	Round tank with removable lid. Water softener mixing tank	2.5	100
17	Poly	New	Wastewater Clarification	Tank Farm	Wastewater precipitation Sodium Hydroxide storage tank.	24	1,000
18	Poly	New	Wastewater Clarification	Tank Farm	Wastewater precipitation Sulfuric Acid storage tank.	24	1,000
19	Steel	New	Oil Thermal Treatment	Containment Not Required	Conical bottom steam settling tank. Boiler steam condensate.	2	80
20	Poly	OWS/DAF	OWS/DAF	Inside Bldg.	DAF Sodium Hydroxide storage tank.	24	1,000
21	Poly	OWS/DAF	OWS/DAF	Inside Bldg.	DAF Flocculant storage tank.	24	1,000
22	Poly	OWS/DAF	OWS/DAF	Inside Bldg.	DAF Coagulant storage tank.	24	1,000
23	Poly	OWS/DAF	OWS/DAF	Inside Bldg.	DAF Separated wastewater tank.	48	1,200
24	Poly	OWS/DAF	OWS/DAF	Inside Bldg.	DAF separated oil collection tank.	48	1,200
25	Steel	OWS/DAF	OWS/DAF	Inside Bldg.	DAF Sludge collection and settling tank.	24	1,000
26	Steel	OWS/DAF	OWS/DAF	Inside Bldg.	Open topped square cone bottom tank for wastewater coarse sand filtration.	18	750
27	Steel	OWS/DAF	OWS/DAF	Inside Bldg.	Open topped square cone bottom tank for wastewater fine sand filtration.	18	750

Poly= Polyethylene tank not used for oily water or oil storage.

ATTACHMENT C – ALTERNATIVE PROCEDURE REQUEST AND APPROVAL ORDER

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

Sent via email only (ekinley@uestampa.com)

Mr. Ed Kinley, President
Universal Environmental Solutions, LLC
1650 Hemlock Street
Tampa, Florida 33605

Subject: Alternative Procedure Approval Order: AP-1180
Alternative Procedures & Requirements
Universal Environmental Solutions
1650 Hemlock Street, Tampa, Florida 33605
FDEP Facility Number: 29/ 9814309

Dear Mr. Kinley:

The District and Business Support Program (DBSP) has concluded its review of the alternate procedure AP-1180 (dated July 10, 2018, received July 27, 2018) and the supplemental information with the Professional Engineer's evaluations (received through October 15, 2018). AP-1180 and the supplemental information are enclosed in Exhibit A. The request is to allow storage of "processed used oil" in a portable 20,000-gallon tank (Tank #4) on the Universal Environmental Solutions' (UES) frac tank containment pad and to allow formal registration of this tank.

Per Exhibit A, UES is limited by space and financial resources to utilize any other tank storage method. The subject tank was constructed new in 2013. It was procured by UES as a cost saving measure from an equipment auction. The tank's integrity reports and engineering evaluations, certifying that the referenced tank's integrity and its placement in the secondary containment provide an equivalent degree of protection for the lands, surface waters, or groundwaters of the State of Florida. The DBSP concurs with the applicant's conclusions that the described arrangement provides an equivalent degree of protection for the lands, surface waters, or groundwaters of the State of Florida.

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. Persons who have filed such a petition may seek to mediate the dispute and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning a hearing and pursuing mediation are set forth below.

Persons affected by this Order have the following options:

A. If you choose to accept the Department's decision regarding the Order, you do not have to do anything. This Order is final and effective as of the clerked date on the page 6 of this Order.

B. If you choose to challenge the decision, you may do the following:

1. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order. This request should be made if you wish to meet with the Department in an attempt to resolve any disputes without first filing a petition for hearing or negotiate an agreement to mediate; or
2. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order.
3. In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation under Section 120.573, F.S., and must negotiate an agreement to mediate within 10 days after the deadline for filing a petition.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the applicant, shall mail a copy of the request to the applicant at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the applicant shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Subsection 120.569(2), F.S., and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information.

a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the DEP facility number, and the name and address of the facility;
b) A statement of when and how the petitioner received notice of the Department's action or proposed action;
c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
e) A concise statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action or proposed action; and
g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

How to Pursue Mediation

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for hearing). The agreement must contain all the information required by Rule 28-106.404, F.A.C. The agreement, signed by all parties, must be received by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000 within 10 days after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement.

Pursuant to Rule 28-106.404, F.A.C., an agreement to mediate must include the following:

(i) The name, address, and telephone number of the persons who may attend the mediation, (also the DEP facility number, the name and address of the facility if applicable);
(ii) The name, address, and telephone number of the mediator agreed to by the parties;
(iii) How the costs and fees associated with the mediation will be allocated (the Department will not pay any of the costs of mediation);
(iv) The agreement of the parties regarding the confidentiality of discussions and documents introduced during mediation to the extent authorized by law;
(v) The date, time, and place of the first mediation session;

(vi) The name of the party's representative who shall have authority to settle or recommend settlement; and
(vii) The signature of the parties.

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for holding an administrative hearing and issuing a final order. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons seeking to protect their substantial interests that would be affected by such a modified final decision must file their petitions within 21 days of receipt of this notice, or they shall be deemed to have waived their right to a proceeding under Sections 120.569 and 120.57, F.S. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., are resumed.

This Order is final and effective as of the date that it is clerked and filed (see page 5). Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or mediation settlement.

Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department (see page 5 below).

Questions

Any questions regarding the Department's review of your alternate procedure should be directed to Elena Compton at 850-245-8911. Questions regarding legal issues should be referred to Rebecca Robinette, Office of General Counsel, at 850-245-2278. Contact with any of the above does not constitute a petition for administrative hearing, a request for a time extension to file a petition for hearing or an agreement to mediate.

Sincerely,

Tim J. Bahr Digitally signed by Tim J. Bahr Date: 2018.11.09 08:23:25 -05'00'

Tim J. Bahr, P.G., Acting Director
Division of Waste Management

TJB/ec

Enclosed: Exhibit A Petition for Alternate Procedure Request

ec: J Laurel Culbreth - FDEP Southwest District - Laurel.Culbreth@floridadep.gov
Elena Compton, P.E. – FDEP DBSP – Elena.Compton@floridadep.gov

FILING AND ACKNOWLEDGMENT:
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Tamela Starling
Clerk

11/9/18
Date

Department of Environmental Protection

2600 Blair Stone Road ♦ Tallahassee, Florida 32399-2400

DEP Form: 62-762.901(4)
Form Title: Alternative Procedure Form
Effective Date: January 2017
Incorporated in Rule 62-762.851, F.A.C.

Alternative Procedure Form

Print or type, fill out completely and attach additional sheets for multiple facilities

Section 1

Facility ID #: FLR000199802 County: Hillsborough

Facility Name: Universal Environmental Solutions, LLC

Facility Location: 1650 Hemlock Street (Building #2) / Tampa, FL. 33605

Section 2

Applicant's Name: Ed Kinley

Address: Physical: 1650 Hemlock Street / Tampa, FL. 33605 Mail: P.O. Box # 76105 / Tampa, FL. 33675

Applicant's Telephone Number: (813) 241 - 9206 X 301

Section 3

Rule citation within Chapter 62-761 or 62-762, F.A.C., that an Alternative Procedure is being requested for:

Permanent storage of processed "used oil" in a portable 20,000 Gallon Frac Tank.

Difference between Chapter 62-761 or 62-762, F.A.C., requirement and Alternative Procedure Request:

Requesting to store processed "used oil" in a portable 20,000 gallon Frac Tank (Identified as Tank #4) on the UES Frac Tank Containment Pad. Requesting formal registration of this tank.

Please write a brief description of proposed Alternative Procedure. (If you need additional space, please attach a separate sheet):

UES is limited by space and financial resources to utilize any other tank storage method. The subject tank was constructed new in 2013. It was procured by UES as a cost saving measure from an equipment auction. We have attached a tank integrity test report. The tank is within concrete containment and the containment drawing "As - Built" will be provided soon from a Florida licensed Professional Engineer.

Section 4

Please provide a brief demonstration of how the proposed Alternative Procedure provides a substantially equivalent degree of protection for the lands, surface waters, or groundwaters of the State versus established requirements. (If you need additional space, please attach a separate sheet).

We have attached a tank integrity test report. The tank is within concrete containment and the containment drawing "As - Built" will be provided soon from a Florida licensed Professional Engineer. Containment requirements are acknowledged, as required, to be 110% = 22,000 gallons. A collection sump captures storm water or other residual oily waters and directs the liquid into the UES pre-treatment facility. Electric pump has a float switch in the sump.

Section 5

ED KINLEY	E. Kinley	07/10/18
Applicant's Name (Print or Type)	Applicant's Signature	Date

Document Information: Provide supporting documents including this form via email to Tanknotify@dep.state.fl.us, or documents can be sent to: Florida Department of Environmental Protection, Division of Waste Management, 2600 Blair Stone Road, MS 4560, Tallahassee, FL 32399

AP Number AP-1180
(For DEP Use Only)