

Thursby, Kim

From: Fulton, Scott <scott.fulton2@veolia.com>
Sent: Monday, June 7, 2021 8:44 AM
To: Thursby, Kim
Cc: kevin.shaver@veolia.com; Wayne Bulsiewicz, Veolia of Tallahassee;; Kothur, Bheem
Subject: Re: Notice of Intent to Issue a Permit Renewal Veolia ES Technical Solutions, L.L.C. EPA ID Number: FL0000207449 Draft Operating Permit: 0071455-014-HO

Received Thank You

On Wed, 2 Jun 2021 at 14:30, Starling, Tamela <Tamela.Starling@floridadep.gov> wrote:

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



--

Scott Fulton
Operations Manager
Industrial Business
VEOLIA NORTH AMERICA

tel

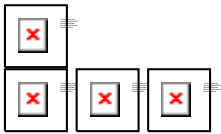
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+1 850 877 8299 ext 17
342 Marpan Lane / Tallahassee, FL 32305
scott.fulton2@veolia.com
www.veolianorthamerica.com

For prepaid recycling of fluorescent lamps, ballast, batteries and more, visit www.prepaidrecycling.com

For packaging instructions and guidance, click to [Download Packaging Guidance](#)

Receive Veolia's Environmental Buzz E-Newsletter, click to [Subscribe](#)



Veolia will continue focusing on employee, operational, business and customer continuity during this epidemic and will continue to service needs as we provide essential services to the community. We remain operational and will continue to follow the strategies and measures recommended by the CDC and state public health departments.



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

June 2, 2021

Mr. Kevin D. Shaver, General Manager
Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305
kevin.shaver@veolia.com

Re: **Notice of Intent to Issue a Permit Renewal**
Veolia ES Technical Solutions, L.L.C.
EPA ID Number: FL0000207449
Draft Operating Permit: 0071455-014-HO
Leon County, Tallahassee, Florida

Dear Mr. Shaver:

The purpose of this letter is to provide Notice of Intent to Issue a Permit for your facility located at 342 Marpan Lane, in Tallahassee, Leon County, Florida. The permit is for operation of a mercury-containing lamp and device storage and a mercury recovery and reclamation facility. Please review the attached documents and ensure the publication and broadcast within the time allotted.

If you have any questions, please contact Bheem Kothur, P.E., by telephone at (850) 245-8781 or by e-mail at bheem.kothur@floridadep.gov

Sincerely,

A handwritten signature in blue ink that reads "Michell Mason Smith".

Michell Mason Smith, Environmental Administrator
Hazardous Waste Program & Permitting

Enclosures

cc (with Enclosures):

Brian Bastek, EPA Region 4, bastek.brian@epa.gov
Carlos Merizalde, EPA Region 4, merizalde.carlos@epa.gov

Mr. Kevin Shaver, General Manager

June 2, 2021

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Edgar Echevarria, DEP Headquarters, Edgar.Echevarria@floridadep.gov

Brandy Smith, DEP Northwest District, brandy.smith@floridadep.gov

Monica Hardin, DEP Northwest District, monica.hardin@floridadep.gov

Scott Fulton, Veolia of Tallahassee, scott.fulton2@veolia.com

Wayne Bulsiewicz, Veolia of Tallahassee, wayne.bulsiewicz@veolia.com

Annie Dziergowski, U.S. Fish & Wildlife Service, annie_dziergowski@fws.gov

Florida Fish & Wildlife Conservation Planning Services

FWCConservationPlanningServices@myfwc.com

John E. Dailey, Mayor, City of Tallahassee, mayor@talgov.com

Bill Proctor, Leon County Commissioner, proctorb@leoncountyfl.gov

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

*Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida, 32305*

*DEP File No.: 0071455-014-HO
Leon County*

INTENT TO ISSUE

The Florida Department of Environmental Protection (the “Department”) gives notice of its intent to issue a Mercury-Containing Lamp and Device Mercury Recovery and Mercury Reclamation Facility Permit Renewal (draft copy enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below.

On April 8, 2021, the applicant, Veolia ES Technical Solutions, L.L.C, applied to the Department and provided supplemental information dated May 20, 2021, for a Permit Renewal for the operation of a mercury-containing lamp and device mercury recovery and mercury reclamation facility located at 342 Marpan Lane, Tallahassee, Florida 32305, Florida.

The Department has permitting jurisdiction under Section 403.704(10), Florida Statutes (F.S.) and Chapters 62-4 and 62-730, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that an operating renewal permit is required for the proposed work. The Department intends to issue the Renewal Permit with the conditions included in the enclosed draft.

Pursuant to Sections 403.722 and 403.815, F.S. and Rule 62-730.292, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice, and to broadcast over a local radio station the enclosed Radio Announcement.

The Newspaper Notice shall be published one time only within 30 days of receipt of the Intent in the legal ad section of a daily, major newspaper of general circulation in the area affected. The newspaper must contain at least 25 percent of its words in the English language, be for sale to the public generally, be available to the public generally for the publication of official or other notices and customarily contain information of a public character or of interest or of value to the public. The newspaper must have been in existence for one year, unless no such newspaper exists in the affected area (see Sections 50.011 and 50.031, F.S.). Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department’s Office of General Counsel at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida

32399-2400; Attention: Administrator, Permitting and Compliance Assistance Program, within 14 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the Renewal Permit.

The Radio Announcement shall be broadcast one time only within 30 days over a local radio station of sufficient power to be clearly received in the area that may be affected by the permit.

Broadcast of the notice shall occur between 8:00 a.m. and 10:00 p.m. The applicant shall provide proof of broadcast to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within 14 days of the broadcast. Failure to broadcast the announcement and provide proof of the broadcast within the allotted time may result in the denial of the Operating Permit.

NOTICE OF RIGHTS

The Department will issue the Permit with the attached conditions unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Your 45-day period for requesting an administrative hearing begins on the date you receive this Intent. The procedures for petitioning for a hearing are set forth below and apply to you, as applicant and Permittee.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 45 days of receipt of this written notice. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

If you have any questions, please contact Bheem Kothur by telephone at (850) 245-8781 or by e-mail at bheem.kothur@floridadep.gov

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EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker  Digitally signed by Kimberly A. Walker
Date: 2021.06.02 13:49:34 -04'00'

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

FILING AND ACKNOWLEDGMENT

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

Tamela Starling
Clerk

6/2/2021
Date

Newspaper Notice:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT RENEWAL UNDER SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO Veolia ES Technical Solutions, L.L.C. This permit relates to the facility located at 342 Marpan Lane, Tallahassee, Leon County, Florida, having assigned facility ID number FL0 000 207 449, and is issued as part of FDEP's hazardous waste management program, authorized pursuant to the Resource Conservation and Recovery Act and the Hazardous and Solid Waste Amendments (RCRA/HSWA).

The draft Renewal Permit contains the conditions for Permit 0071455-014-HO. An Operating Permit is intended be issued to allow Veolia ES Technical Solutions, L.L.C. to operate a mercury containing lamp and device storage, recovery and reclamation facility at Veolia ES Technical Solutions, L.L.C. located at 342 Marpan Lane, Tallahassee, Florida, 32305.

Copies of the application and the draft Permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at FDEP Northwest District Office, 160 Government St, Suite 308, Pensacola, Florida 32502, (850) 595-8300, and at Permitting & Compliance Assistance Program, Division of Waste Management, Bob Martinez Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8781. Electronic copies of the application and draft permit can be accessed in the Department's OCULUS data system located at <http://depedms.dep.state.fl.us/Oculus/servlet/login>

A person whose substantial interests are or will be affected by the Intent to Issue may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must be filed (received) in FDEP's Office of General Counsel, Agency Clerk, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 or agency_clerk@dep.state.fl.us. Petitions filed by the permit applicant and any parties entitled to written notice under Section 120.60(3), F.S. must be filed within 45 days of receipt of the Intent. Petitions filed by any other persons must be filed within 45 days of publication of this notice or receipt of the Intent, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person's right to request a hearing under Sections 120.569 and 120.57, F.S. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition for an administrative hearing must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b)

A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

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

Mediation is not available in this proceeding.

Radio Announcement:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

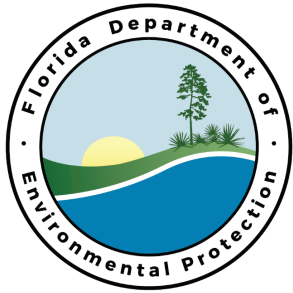
NOTICE OF INTENT TO ISSUE

The Florida Department of Environmental Protection gives notice that it has determined to issue an intent to Operating Permit to Veolia ES Technical Solutions, L.L.C. The permit authorizes to Veolia ES Technical Solutions, L.L.C., to operate a mercury containing lamp and device storage, recovery and reclamation facility, located at 342 Marpan Lane, Tallahassee, Florida 32305.

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

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

Mediation is not available in this proceeding.



Florida Department of Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nunez
Lt. Governor

Noah Valenstein
Secretary

PERMITTEE:
Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, Florida 32305

I.D. Number: FL0 000 207449
Permit Number: 71455-014-HO
Date of Issue: DRAFT
Expiration Date: September 26, 2026

ATTENTION:
Mr. Kevin D. Shaver, General Manager

County: Leon

Project: Operation of Mercury Containing
Lamps and Devices Storage Facility, Mercury
Recovery and Mercury Reclamation 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 the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-737, 62-777 and 62-780, Florida Administrative Code (F.A.C.). This permit replaces expired permit 71455-013-HO. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated March 29, 2021, received by FDEP on April 8, 2021, and revised additional information received on May 20, 2021 that are incorporated herein and collectively referred to as the "Permit Application." The permit application also includes any approved drawing(s), plans, and other documents that are attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To operate a mercury containing lamp and device storage, recovery and reclamation facility. The storage of mercury containing lamps and devices is limited to the following: 13,504 cubic feet of mixed lamps, or 844 55-gallon drum equivalents of mercury containing devices/unprocessed powder or combination thereof within a 106 pallet spaces may be stored. For further details, see Attachment D-3 of the Permit Application.

The Recovery Process involves operations or processes and equipment used to receive spent mercury containing lamps and devices for the purpose of crushing or dismantling and separating the lamps or devices in a manner as to produce separated individual recyclable components such as glass, scrap metal and mercury containing powder.

The Reclamation process uses processes described in the application to receive and recapture mercury from spent mercury containing lamps, mercury containing

devices, mercury containing materials or residuals, or pourable commodity grade mercury materials to produce a commercial grade of mercury for recycling.

The facility also operates a 10 Day Hazardous Waste Transfer Storage Facility and Universal Waste Handler activities at the facility.

Operation of the facility will be in accordance with the Permit Application.

HSWA Corrective Action: Five solid waste management units (SWMUs), seven sub-units, and three areas of concern (AOC) have been identified at the facility in the RCRA Facility Assessment dated November 12, 1997 and revised in September 2006. No remedial corrective action is required at the facility at this time.

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. Solid waste management units (SWMUs) and areas of concern (AOCs) identified to date are listed in Appendix A. Pursuant to 40 Code of Federal Regulations (CFR) 260.10 [as adopted by reference in Rule 62-730.020(1), F.A.C.], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment A, a map which demarks the property boundaries of land under the Permittee's control) and to all contamination that originated from discharges at the contiguous 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 Section 403.727(3)(a) F.S. and Rule 62-730.290, F.A.C., and potential enforcement action.

The facility is located at 342 Marpan Lane, Tallahassee, Leon County, Florida, 32305.

During operating hours, visitors, vendors, contractors, and other persons must receive prior authorization from Veolia ES Technical Solutions, L.L.C. before gaining access to the facility. The facility shall be locked and secured during non-operating hours.

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

1. Permit Application dated June 8, 1995.
2. Additional Information received on October 16, November 2, November 16, and December 22, 1995.
3. Minor modifications approved since permit issuance dated November 7, 1996, February 25, 1997, June 15, 2000, and December 28, 2000.
4. RCRA Facility Assessment Report dated November 12, 1997.

5. Permit Renewal Application dated February 9, 2001.
6. Retort Efficiency letter dated November 30, 2004 and submitted letter dated April 7, 2005.
7. Facility Name Change and Financial Assurance Materials dated December 19, 2004.
8. Permit Transfer Application dated March 28, 2005.
9. Permit Modification Application dated June 22, 2005.
10. Revised Sampling Plan, Contingency Plan, and Inspection Form dated June 22, 2005.
11. Permit Renewal Application dated May 25, 2006.
12. Facility Name Change notification dated June 23, 2006.
13. Permit Renewal Application NOD Response dated September 8, 2006.
14. Additional Information received on November 14, 2006 and January 17, 2007.
15. Mercury Criteria for Buildings by Dr. Stephen M. Roberts, PhD, University of Florida dated May 25, 2006 and February 5, 2007.
16. Permit Modification Application dated May 15, 2008 and additional information dated July 21, 2008, and August 5, 2008.
17. Permit Renewal Application April 15, 2011.
18. Permit Renewal Application NOD Response dated July 13, 2011 and August 22, 2011.
19. Permit Renewal Application dated March 28, 2016 and additional information dated June 27, 2016.
20. Permit Renewal Application dated March 29, 2021, FDEP received on April 8, 2021 and additional information dated May 20, 2021.

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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, Florida Statutes (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 subsections 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. 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; and
 - c. Sample or monitor any substances or parameters at any time or location reasonably necessary to assure compliance with this permit or Department rules.
8. 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; and
 - (2) The period of non-compliance, 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 non-compliance. The Permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
 - b. The Permittee will report any event requiring emergency response or noncompliance that may endanger human health or the environment from fires and explosions or releases of hazardous waste that may endanger public drinking water supplies. The Permittee will report to the Department verbally within 24 hours and provide a written report of the incident to the Hazardous Waste Regulation Section at the address in Part 1.15 or by alternate means (e.g., e-mail) as approved by the Department, within five (5) calendar days. It is the responsibility of the Permittee to ensure receipt of the written receipt. The Department of Environmental Protection's 24-hour emergency telephone number in Tallahassee is (850) 245-2010, or the State Watch Office can be reached at (800) 320-0519. During normal business hours, the DEP Northwest District Office (Pensacola) may be contacted at (850) 595-8300.
 - (1) A description and cause of the noncompliance.
 - (2) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
 - c. Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C., and 62-730.225, F.A.C.

- d. The Permittee shall give written notice to the Department within 15 days of any planned physical alterations or additions, including Permittee-initiated emergency response or interim source removal, that could affect activities covered by this permit. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination.
 - e. The Permittee shall revise "Part I - General" of the Application for a Hazardous Waste Facility Permit [DEP Form 62-730.900(2)(a)] and submit the revised form to the Department within 30 days of any changes in the Part I information. Changes in the Part I information may also require changes to the Department's 8700-12FL form.
 - f. Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.
 - g. Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
 - h. Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
9. 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 this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon written Department approval in accordance with Rule 62-4.120 and 62-730.290(6), F.A.C., as applicable. The Permittee shall be liable for any non-compliance 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 C.F.R. Part 264 and Chapter 62-730, F.A.C.

12. 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.
13. The Permittee shall comply with the following record keeping 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 strip chart recordings for continuous monitoring instrumentation); copies of all reports; records of all data used to complete the application for this permit; and all monitoring data required by 40 CFR Part 264 and Part IV and when applicable, Part VI of this permit when applicable. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. All materials, 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 analyses were performed;
 - (4) The person responsible for performing the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
 - e. If the Permittee generates hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced to comply with land disposal restrictions (40 C.F.R. Part 268 and Rule 62-730.183, F.A.C.) for at least three (3) years from the date that the waste which is the subject of such documentation was last sent to an on-property or off-property facility for treatment, storage, or disposal, or until remedial activity is completed, whichever date is later. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.
 - f. The Permittee shall keep a written operating record at the facility, which includes:
 - (1) The results of any waste analysis;

- (2) Copies of manifests for three years (40 C.F.R. 264.71, 264.72 and 264.76);
 - (3) The results of inspections;
 - (4) The closure plan;
 - (5) Inspections of emergency and safety equipment (Condition 26 of this Part);
 - (6) Biennial reports (Specific Condition 8(g) of this Part);
 - (7) Personnel training records (Specific Condition 2 of Part II);
 - (8) The Waste Minimization Program Plan (40 C.F.R. 262.27 as adopted by reference in subsection 62-730.160(1), F.A.C.);
 - (9) Biennial certification of waste minimization (40 C.F.R. Part 262.41 as adopted by reference in subsection 62-730.160(1), F.A.C.);
 - (10) The description and quantity of each hazardous waste received and generated;
 - (11) The location of each hazardous waste within the facility and the quantity at each location;
 - (12) Notices to generators as specified in 40 C.F.R. 264.12(b);
 - (13) A log of dates of operations and unusual events; and
 - (14) A summary report and details of incidents that require implementation of the contingency plan (Attachment 6 – Contingency Plan of Permit Application).
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 in 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 & Permitting, M.S. 4560
Department of Environmental Protection
2600 Blair Stone Road, Tallahassee, Florida 32399-2400

In addition to copies sent to the Hazardous Waste Program and Permitting Section in Tallahassee, one hard copy and one electronic copy of all submittals in response to permit conditions shall be sent sure or operating permit conditions shall also be sent to:

Hazardous Waste Supervisor
Department of Environmental Protection

160 West Government Street, Suite 308
Pensacola, Florida 32502-5740

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 Specific Condition(s) affected, and the permit number and project name of the permit involved.
17. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and subsection 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S. and subsection 62-730.220(10), F.A.C.
18. All reports or information required by the Department or provided by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.
19. The Department of Environmental Protection's 24-hour emergency telephone number is (850) 413-9911 or (800) 320-0519. During normal business hours, the DEP District Office may be contacted at (850) 595-8300.
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 a minimum of 180 calendar days before the expiration of the permit. The permit renewal application shall be submitted in accordance with the Rule 62-4, 62-730 and 62-737, F.A.C.
 - b. The Department may modify, revoke, reissue or terminate this permit for cause in accordance with Chapters 62-4 and 62-730, F.A.C.
 - c. The Permittee may submit any permit modification to the Department for approval. The filing of a request for a permit modification, revocation, reissuance, or termination or the 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 may submit any subsequent modifications to the Department for approval. These revisions shall meet the requirements of Rule 62-730.290, F.A.C., and the fee requirements of Chapter 62-730 and Rule 62-4.050, F.A.C. The Permittee shall submit the revisions and any required fees to the addresses in Condition 16, of this Part.
 - e. The modification fee may also be submitted electronically. However, if Permittee intends to submit the modification fee electronically, the Permittee shall obtain

- instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.
- f. If at any time the Department or the Permittee determines that modification to required time frames are necessary, the permit may be modified to reflect the change(s) with Department approval. If the Department determines that steps or dates in the permit may be changed, combined or streamlined without modification of the permit, it may do so with the concurrence of the Permittee following the guidance of the most recent RCRA reforms.
 - g. All requests for permit modifications shall include an evaluation of the applicability of, and Permittee's compliance with, the siting criteria of Section 403.7211, F.S. and the substantial modification criteria of Rule 62-730.186, F.A.C.
21. Prior to 180 calendar days before the expiration of this permit, the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless post-closure care and all corrective action have been completed and accepted by the Department. If the Permittee allows this permit to expire prior to Department acceptance of the certification of post-closure and termination of all corrective action, the Permittee must reapply for a post-closure permit in accordance with DEP Form 62-730.900(2), F.A.C. The Permittee shall submit the renewal and appropriate fee to the addresses in Specific Condition 16. of this Part. The renewal fee may also be submitted electronically. However, if Permittee intends to submit the renewal fee electronically, Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.
22. This facility is permitted for the storage of mercury containing hazardous wastes which may present a risk of exposure to anyone entering the facility. The Permittee must comply with the warning sign requirements of 40 C.F.R. Part 264.14(c). The Permittee is responsible for supplying, installing and maintaining the warning signs.
23. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 C.F.R. 264.15 and Attachment 12 of the Permit Application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 C.F.R. 264.15(c). A schedule for the inspection of the facility emergency and safety equipment must be maintained as the operating record of the facility. Changes, additions, or deletions to the schedule must be approved in writing by the Department.
24. The Permittee shall comply with the following conditions concerning preparedness and prevention:

- a. At a minimum, the Permittee shall have the equipment available at the facility which are described in the Contingency Plan, Attachment 6 of the Permit Application as required by 40 C.F.R. 264.32.
 - b. The Permittee shall test and maintain the equipment specified in Specific Conditions 26 and 27a. of this Part as necessary to assure its proper operation in time of emergency, as required by 40 C.F.R. 264.33.
 - c. The Permittee shall maintain access to the communications or alarm system, as required by 40 C.F.R. 264.34.
 - d. The Permittee shall maintain arrangements with State and local authorities as required by 40 C.F.R. 264.37. 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.
 - e. At a minimum, the Permittee shall maintain aisle space as required by 40 C.F.R. 264.35.
25. The conditions in this permit shall take precedence over the Permit Application documents where there are differences between these documents and the permit conditions.
26. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with Chapter 403.73, F.S. and in accordance with subsection 62-730.100(3), F.A.C.
27. All work plans, reports and schedules and other documents (“submittals”) required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as provided in the approved submittal. If the Department disapproves a submittal, the Department will do one of the following:
- a. The Department will notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case the Permittee shall submit a revised submittal within 60 days of receipt of the Department’s disapproval unless an alternative deadline is approved within the revised or conditionally approved work plan, or
 - b. The Department will revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.

28. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedures Act), Chapter 28-106, F.A.C. and the Department's existing rules and procedures.
29. The following conditions apply to land disposal (placement) of hazardous wastes:
- a. 40 C.F.R. Part 268 and Rule 62-730.183, F.A.C., identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The Permittee shall maintain compliance with the requirements of 40 C.F.R. Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 C.F.R. Part 268, the Permittee shall comply with all restrictions on land disposal under this Part pending final written approval of such application.
 - b. Waste identified in 40 C.F.R. Part 268 Subpart C may not be placed in a land disposal unit without further treatment unless the requirements of 40 C.F.R. Part 268 Subparts C and/or D are met.
 - c. The storage of hazardous wastes restricted from land disposal under 40 C.F.R. Part 268 is prohibited unless the requirements of 40 C.F.R. Part 268 Subpart E are met.
30. 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 any 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 damages, costs, or expenses, including expert and attorneys' fees, 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 1.22.d.
31. The Permittee shall maintain compliance with 40 C.F.R. Part 264, Subpart H - Financial Requirements and subsection 62-730.180(6), F.A.C. All submittals in response to this Specific Condition shall be submitted to:

Financial Assurance
Hazardous Waste Program and Permitting, M.S. 4548
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Financial assurance shall be based on estimates of the costs to close the facility and to implement post-closure care and/or corrective action (including the assessment phase and interim measures) (collectively referred to hereinafter as “remedial activities”) for a period of 30 years starting upon the issuance of this permit, unless this period is shortened or increased by the Department in a permit renewal or modification. Federal and State of Florida facilities are exempt from financial assurance requirements.

- a. The cost estimate must be based on the cost to the owner or operator of hiring a third party to conduct closure activities.
- b. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and approval by the Department.
- c. In the event the total cost estimate for all remedial activities increases beyond the amount provided by Permittee, the financial assurance instrument(s) must be updated accordingly. Pursuant to 40 C.F.R. Part 264 Subpart H and associated financial instruments, facilities using a trust fund, letter of credit, financial guarantee bond, performance bond, or closure insurance must increase the amount of financial assurance within 60 days of the estimate increase. Those facilities using a financial test must cover the estimate increase in the next scheduled submittal.
- d. If the estimate increase causes the inability of the facility to provide financial assurance through its currently selected mechanism, alternate financial assurance must be provided within 60 days.
- e. If contamination from the facility goes beyond the property boundary, the Permittee shall provide assurances of financial responsibility for completion of corrective action beyond the property boundary.

PART II - OPERATING CONDITIONS

Part II Subpart A – General Operating Conditions

1. The Permittee shall comply with those sections of 40 C.F.R. Part 124 specified in Subsection 62-730.200(3), F.A.C., 40 C.F.R. Parts 260 through 268, and 40 C.F.R. Part 270 as adopted in Chapter 62-730, F.A.C., until all hazardous waste permitting operations have ceased and the facility has been closed and released from post-closure care requirements and all facility-wide corrective action requirements.
2. The Permittee shall notify the Department in writing four (4) weeks prior to receipt of hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required [40 C.F.R. 264.12(a)].
3. Facility personnel must successfully complete the approved training program indicated in the Training Plan in Attachment 7 of the Permit Application within six (6) months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained at the facility. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility [40 C.F.R. 264.16].
4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
5. The Permittee shall comply with the security provisions of 40 C.F.R. 264.14 and the facility security provisions of the Permit Application.
7. The Contingency Plan must be reviewed periodically and immediately amended and distributed to the appropriate agencies if any criteria in 40 C.F.R. 264.54 are met. Amendments to the plan must be approved in writing by the Department.
8. The Permittee shall comply with the following conditions concerning the Contingency Plan (CP):
 - a. The Permittee shall immediately carry out the Plan provisions in Attachment 6 of the Contingency Plan of the Permit Application and follow the emergency procedures described in 40 C.F.R. 264.56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an

- emergency situation arises and, within fifteen calendar days, must submit to the Department a written report which includes all information required in 40 C.F.R. 264.56(j).
- b. The Permittee shall comply with the requirements of 40 C.F.R. 264.53.
 - c. Within seven calendar days of meeting any criterion listed in 40 C.F.R. 264.54(a), (b) and (c), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change. All amended plans must be distributed to the appropriate agencies.
 - d. The Permittee shall comply with the requirements of 40 C.F.R. 264.55, concerning the emergency coordinator.
 - e. The Permittee shall perform at a minimum, an annual review of the Contingency Plan to ensure that it is up to date and contains current information. The date of review should be noted in the written operating record at the facility.
9. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with Attachment 8 of the Permit Application and (40 C.F.R. 264.13).
 10. The Permittee shall comply with 40 C.F.R. 264.73(b)(9) and Section 3005(h) of RCRA, 42 U.S.C. 6925(h). The Permittee must certify, no less often than annually, that:
 - a. The Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable;
 - b. The proposed method of treatment, storage or disposal is the most practicable method available to the Permittee, which minimizes the present and future threat to human health and the environment; and
 - c. The Permittee shall maintain copies of certification in the facility operating record as required by 40 C.F.R. 264.73(b)(9).
 11. The Permittee shall comply with the storage requirements of subsection 62-737.800(9), F.A.C.
 12. The Permittee shall only introduce into the processing equipment or process, material that is specified in the Permit Application in Attachment D-2 through D-4, Attachment 5 and Appendix 5 of the Permit Application, in accordance with subsection 62-737.800(7)(b), F.A.C.
 13. The maximum quantity of processed and unprocessed material allowed at the facility at the time of daily inventory shall not exceed the limits identified in Attachment D-3 of the Permit Application.

14. The Permittee shall comply with the air pollution control equipment requirements specified in subsection 62-737.800(8), F.A.C.
15. The Permittee shall comply with the shipping paper requirements specified in subsection 62-737.800(11), F.A.C and 40 C.F.R. Part 262.
16. The facility shall only ship processed material off site in conformance with subsection 62-737.840(4), F.A.C., and shall manage hazardous wastes not identified in Chapter 62-737, F.A.C., in conformance with Chapter 62-730, F.A.C.
17. The Permittee shall comply with the air requirements specified in Rules 62-210.300 and 62-296.417, F.A.C.
18. The Permittee shall sample recovered materials (i.e., glass, metal) daily and analyze a composite sample weekly to determine the total mercury content. These analyses must show less than 1ppm mercury "average" during the 12-week time period and less than 3ppm for any "weekly" composite or request proposed alternate procedures to be approved by the Department in accord with 62-737.840(3)(d), F.A.C.
19. The results of the sampling shall be recorded and maintained on the Sample Logs for Lamp Glass, End Caps, HID Bases and Shatter shields. Sample Log forms are in Attachment 8 of the Permit Application.
20. The Permittee shall maintain a rolling 12-week average of the mercury contained in the recovered glass and metal end caps. The results shall be maintained on the form located in Attachment 8 of the Permit Application.
21. If the levels of mercury in Condition 18 of this Part are exceeded, the Permittee shall perform one or more of the following in order to comply with the levels specified in Condition 18 above:
 - a. Resample the subject material;
 - b. Reprocess the material in the crusher separator unit;
 - c. Process the material in a mercury reclamation unit; or
 - d. Deliver the material to another mercury recovery facility for processing.
22. The Permittee shall keep a written operating record at the facility, which is in accordance with the Permit Application includes:
 - a. The Waste Profile Sheet, in Attachment 8 of the Permit Application
 - b. Incoming Authorization Log, in Attachment 8 of the Permit Application
 - c. Mercury Reclamation Log, in Attachment 8 of the Permit Application

- d. A summary report and details of incidents that require implementation of the Contingency Plan
 - e. Manifests
 - f. The results of inspections in the approved Inspection Plan dated March 29, 2021 and May 20, 2021 and attached inspection log sheets.
23. The Permittee shall maintain quality control and testing records demonstrating an effective reclamation rate of 99% of the mercury introduced into the process. This demonstration shall utilize an EPA approved methodology (SW 846, latest edition) for analyzing total mercury content.
24. The Permittee shall determine the reclamation process effectiveness by collecting representative samples of material before and after processing by the distillation unit. The samples shall be analyzed for total mercury. The mercury reclamation log shall be maintained, as part of the operating record at the site. The frequency of sampling is as follows:
- a. Mercury containing powder from fluorescent tubes will be sampled and analyzed as outlined in Table 1, Testing Frequency for Mercury Recovery Operations, in the Permit Application.
 - b. Electrical devices, mercury column devices, scientific/medical-testing devices will be sampled and analyzed monthly if they are processed in that month.

Part II Subpart A- Specific Operating Conditions

1. At a minimum, the "State and local authorities in accordance with 40 CFR Part 264.553(b), condition II.A.11. shall include:
 - a. Tallahassee Fire Department;
 - b. Tallahassee Police Department;
 - c. Tallahassee Memorial Medical Center;
 - d. Your emergency response contractor.
2. Copies of the most current Department approved PPP/Contingency Plan and Emergency Procedures for Daily Business Operations shall be distributed to the local authorities listed above if the authority has the capability to accept and use the electronic copy.

PART II SUB-PART A – CLOSURE CONDITIONS

1. The Permittee shall have a written closure plan as required by paragraph 62-737.800(4)(g), F.A.C. The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified in accordance with 40 CFR 264.115, and accepted by the Department.

2. The Permittee shall annually update the closure cost estimates. The update shall not be based solely upon adjustments for inflation but shall include all changes to closure cost estimates. These estimates shall be based on costs incurred by independent third parties.
3. The Permittee shall close the facility as described in the Closure Plan in Attachment 9 of the Permit Application. All changes to the Closure Plan must be Department approved and included in the permit as modifications as described in Part I, General and Standard Condition 21 of this permit.
4. The Permittee shall manage solid and liquid decontamination residues and contaminated soils based upon a waste classification in accordance with 40 C.F.R. 262.11.
5. The Permittee shall verify clean closure by demonstrating that cleanup parameters meet or exceed the following standards:
 - a. Liquid decontamination residues, e.g., facility and equipment wash-down rinsate: Total mercury content not to exceed 2 µg/l (2 parts per billion).
 - b. During final closure, the Permittee must collect an adequate number of mercury air samples to demonstrate the following closure performance standards:

<u>Sample</u>	<u>Residential</u>	<u>Industrial</u>
Air sample	1.0 µg/m ³ *	3.0 µg/m ³

*µg/m³: microgram per meter cube

- The facility may not be closed using the Industrial closure performance standards unless the property owner executes a restrictive covenant restricting use of the property to industrial uses and prohibiting residential uses.
- c. Soil: Total mercury content in soil should not exceed the leachability cleanup target level of 2.1 mg/kg.
 - d. Groundwater: Mercury concentration in groundwater shall not exceed 2 µg/L.
6. The Permittee shall analyze all samples for total or leachable mercury content using a Department-approved appropriate method from EPA Test Methods for Evaluating Solid Waste (EPA SW-846), latest revision.
 7. If clean closure cannot be demonstrated, the Permittee shall submit a permit application addressing the postclosure requirements of 40 C.F.R. Part 264 Subpart G.

PART III – POST-CLOSURE CONDITIONS

Not applicable to this permit at this time.

PART IV – ENVIRONMENTAL MONITORING CONDITIONS

Not applicable to this permit at this time.

PART V - CORRECTIVE (REMEDIAL) ACTION CONDITIONS

Subpart A – General Corrective Action Conditions

1. The Conditions of this Part apply to the following:
 - a. The SWMUs and AOCs identified in Appendix A;
 - b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. As used in this Part, the terms “discover”, “discovery”, or “discovered” refer to the following:
 - (1) The date the Permittee visually observes evidence of a new SWMU or AOC.
 - (2) The date the Permittee visually observes evidence of a previously unidentified release of hazardous constituents to the environment; or
 - (3) The date the Permittee receives information from a credible source of the presence of a new release of contaminant(s) to the environment; and
 - c. Contamination that has migrated beyond the facility boundary, if applicable.
2. Within 15 calendar days of discovery, the Permittee shall notify the Department in writing of any newly discovered release(s) of hazardous waste or hazardous constituents; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as “site”), and all available information (e.g., location of site(s) on a topographic map of appropriate scale; general dimensions of site; media affected; hazardous constituents released; and magnitude of release). The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present. The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.
3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. Unless the notification letter specifically establishes a different time frame for work plan submittal, the Work Plan shall be submitted within 60 calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously existing data may be submitted with the work plan for the Department’s consideration. In accordance with the schedule in the

approved CS Work Plan, or no later than 60 calendar days after Department approval of a CS Work Plan if no schedule is included in the Work Plan, the Permittee shall submit a Confirmatory Sampling (CS) Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.

4. Upon notification by the Department, the Permittee shall commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs identified in the notification. Unless the notification letter specifically establishes a different time frame to commence or complete site assessment, the Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C.
5. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of 40 C.F.R. 264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from SWMUs and/or AOCs, the Permittee shall submit an amended work plan to the Department within 90 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION CONDITIONS

1. A remedy shall be selected from the remedial alternatives evaluated in accordance with Chapter 62-780, F.A.C.
2. Within 30 days of Department approval of the remedial alternative selected, the Permittee shall publish notice of a proposed permit modification in accordance with paragraph 62-730.292(3)(c), F.A.C. This modification will serve to incorporate a final remedy, including a Corrective Action Management Unit (CAMU) if necessary, into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.
3. When site rehabilitation is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C.
4. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased.

Appendix A - Summary of Solid Waste Management Units and Areas of Concern

A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				
A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI]) or a Risk Assessment:				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a Site or Risk Assessment.				
A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media
There are no units identified at this time requiring a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				
A.4. List of SWMUs/AOCs <u>implementing</u> a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Implementation Report [CMI]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media
There are no units identified at this time undergoing a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				
A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:				
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation	
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.				

A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:			
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.			
A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:			
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation
SWMU 1	Storage Building	RFA 1997, revised 2006	1995 to present
SWMU 2a	Mercury Recovery and Reclamation Building	RFA 1997, revised 2006	1994 to present
SWMU 2b	Mercury Recovery and Reclamation Deck	RFA 1997, revised 2006	1994 to present
SWMU 2c	Receiving Staging and Storage Area	RFA 1997, revised 2006	1994 to present
SWMU 2d	Crusher-Separator Room	RFA 1997, revised 2006	1994 to present
SWMU 2e	Distillation Room	RFA 1997, revised 2006	1994 to present
SWMU 2f	Recovered Material Storage Area	RFA 1997, revised 2006	1994 to present
SWMU 2g	Cardboard baler	RFA 1997, revised 2006	1994 to present
SWMU 3	Glass Storage Area	RFA 1997, revised 2006	1994 to present
SWMU 4	Septic Tank System	RFA 1997, revised 2006	1974 to present
SWMU 5	Domestic Trash Dumpster	RFA 1997, revised 2006	1994 to present
AOC 1	Stormwater Retention Basin	RFA 1997, revised 2006	1996 to present
AOC 2	Trailer Storage Yard	RFA 1997, revised 2006	2005 to present
AOC 3	Container Storage Building	RFA 1997, revised 2006	2003 to present

PERMITTEE: Veolia ES Technical Solutions, L.L.C
I.D. NUMBER: FL0 000 207 449

PERMIT NUMBER: 0071455-014-HO
EXPIRATION DATE: SEPTEMBER 26, 2026

Issued:

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Kimberly A. Walker, PROGRAM ADMINISTRATOR
PERMITTING AND COMPLIANCE ASSISTANCE PROGRAM

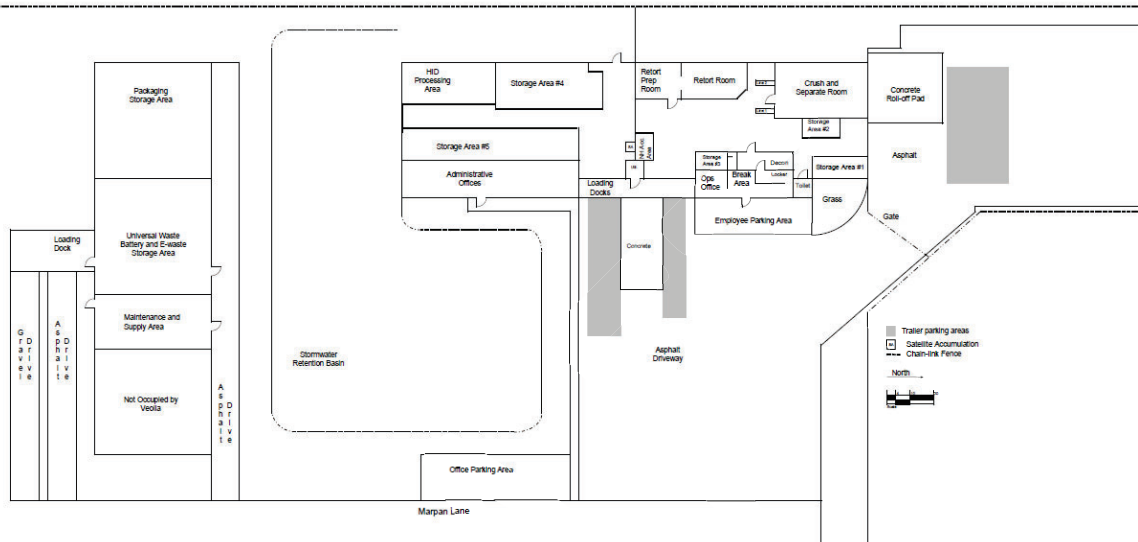
Filing and Acknowledgment

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

CLERK

DATE

Attachment A – Facility Plan



Site Plan
Figure 1
rev. 1

Veolia ES Technical Solutions, L.L.C.
342 Marpan Lane
Tallahassee, FL 32305

Revision Date: 5/14/2016