

Thursby, Kim

From: kav55@aol.com
Sent: Monday, January 08, 2007 1:42 PM
To: Epost HWRS
Subject: Re: Fuels Unlimited, Inc.; FLR 000 050 369; 266845-HO-001 Intent

This message has been received. Thank you.

-----Original Message-----

From: EpostHWRS@dep.state.fl.us
To: Kav55@aol.com
Sent: Mon, 8 Jan 2007 1:31 PM
Subject: Fuels Unlimited, Inc.; FLR 000 050 369; 266845-HO-001 Intent

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation 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. 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. Contact www.adobe.com/products/acrobat/readstep2.html to download a free copy.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

[Check out the new AOL.](#) Most comprehensive set of free safety and security tools, free access to millions of high-quality videos from across the web, free AOL Mail and more.



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary - Designee

January 5, 2007

SENT VIA EMAIL

Kau55@aol.com

Mr. Ronald C. Patterson
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

SUBJECT: Fuels Unlimited, Inc.
Facility Permit
EPA I.D. Number: FLR 000 050 369
Used Oil Permit Number: 266845-HO-001
Seminole County

Dear Mr. Patterson:

Enclosed you will find a Department Intent to Issue, along with the draft Permit and language for the required Public Notice of Agency Action. Please ensure publication within the time allotted.

As applicant, you are a person whose substantial interests will be determined by the permit, and the rights explained in the Intent to Issue apply to you. You have a period of 14 days from the date you receive this Intent to Issue in which to exercise your rights.

Proof of publication must be provided to the Department within seven (7) days of publication of the notice.

Please contact John E. Griffin at (850) 245-8785 if you have any questions.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/jeg
Enclosure

Mr. Ronald C. Patterson

January 5, 2007

Page Two

cc: Jim Bradner, DEP/Orlando
Mayor, City of Orlando
Chair, Orange County Board of Commissioners
John Mileo, U.S. Fish and Wildlife Services, John_Milio@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
Maryann.Poole@myfwc.com
Raoul Clarke, DEP/Tallahassee, Raoul.Clark@dep.state.fl.us
Fred Wick, DEP/Tallahassee, Fred.Wick@dep.state.fl.us
Richard Tedder, DEP/Tallahassee, Richard.Tedder@dep.state.fl.us

FACT SHEET

Facility Name: Fuels Unlimited, Inc.
EPA I.D. Number: FLR 000 050 369
Permit Number: 266845-HO-001
Project: Used Oil Processing Facility Permit

1. Fuels Unlimited, Inc. is a broker of used oil received from various vendors. The used oil is then sold to asphalt plants which utilize the used oil for fuel. Used oil is either picked up by a tanker truck owned and operated by Fuels Unlimited, Inc., or used oil is brought to the facility by another used oil transporter. Fuels Unlimited, Inc. operates a used oil processor facility for storage only and does not conduct any additional used oil processing on-site.
2. The Fuels Unlimited, Inc. facility consists of a main office building, a spill control shed, an equipment storage shed, a used oil transfer area, an in-active fuel loading rack, and eleven (11) aboveground storage tanks. Attachment B in the permit is a summary of the aboveground tank status with Tanks 1 through 6 in an operational status.
3. Operation of the facility will be in accordance with the permit application and additional information submitted by the facility.
4. The facility is located at 509 South French Avenue, Sanford, Seminole County, Florida.
5. There are no issues with this used oil processor permit.

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of an
Application for a Permit by:

*Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771*

*DEP File No.: 266845-HO-001
EPA I.D. FLR 000 050 369
Seminole County*

INTENT TO ISSUE

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

On May 31, 2006, the applicant, Fuels Unlimited, Inc., submitted an application and subsequent submittal dated August 10, 2006 to the Department for an application for a permit (266845-HO-001) to operate a Used Oil Processing and Waste Handling facility located at 509 South French Avenue in Sanford, Florida. The Department has permitting jurisdiction under Section 403.704(16) and 403.769, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-701 and 62-710. The project is not exempt from permitting procedures. The Department has determined that an operating permit is required for the proposed work. The Department intends to issue the permit with the conditions included in the enclosed draft operating permit.

Pursuant to Sections 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice. The notice shall be published one time only within fourteen (14) days of receipt of the Intent in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within seven (7) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit renewal.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision 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) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of their receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of such notice, regardless of the date of publication. 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 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.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are or will be 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 the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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.

Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

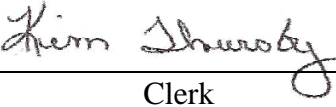
A handwritten signature in black ink, reading "Charles F. Goddard". The signature is written in a cursive, flowing style.

Charles F. Goddard, Chief
Bureau of Solid & Hazardous Waste
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on
January 5, 2007

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



Clerk

January 5, 2007
Date

cc: Jim Bradner, DEP/Orlando
Mayor, City of Orlando
Chair, Orange County Board of Commissioners
John Mileo, U.S. Fish and Wildlife Services
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission
Raoul Clark, DEP/Tallahassee
Fred Wick, DEP/Tallahassee
Richard Tedder, DEP/Tallahassee

Newspaper Notice:

**STATE OF FLORIDA
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF PROPOSED AGENCY ACTION
NOTICE OF INTENT TO ISSUE**

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT FUELS UNLIMITED, INC. TO OPERATE A USED OIL PROCESSING AND WASTE HANDLING FACILITY AT 509 SOUTH FRENCH AVENUE, SANFORD, FLORIDA 32771, HAVING ASSIGNED A FACILITY I.D. NUMBER FLR 000 050 369.

The draft permit, prepared in accordance with the provisions of Chapters 62-4, 62-701, 62-710 and 62-740 of the Florida Administrative Code (F.A.C.), contains the conditions for permit number 266845-HO-001. The permit is intended to be issued to allow Fuels Unlimited, Inc. to operate a Used Oil Processing and Waste Handling Facility at the Fuels Unlimited, Inc. site in Sanford, Florida.

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 Florida Department of Environmental Protection, Central District Office, 3319 Maguire Blvd Suite 232, Orlando, Florida 32803-3767, (407) 894-7555 and at Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road MS #4560, Tallahassee, Florida 32399-2400, (850) 245-8781.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice of intent or receipt of the written notice, 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 (or a request for mediation, as discussed below) within this 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.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

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

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

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

Mediation is not available in this proceeding.

PERMITTEE:

Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

Attn.: Mr. Ronald C. Patterson,

I.D. Number: FLR 000 050 369

Permit/Cert Number: 266845-HO-001

Date of Issue: Draft

Expiration Date:

County: Seminole

Lat/Long: 28° 80' 76" N/81° 27' 28" W

Project: Operation of a Used Oil Processing Facility

This permit renewal is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code (F.A.C.) Rule(s) 62-4, 62-701, 62-710, 62-730, 62-740 and 40 Code of Federal Regulations (CFR) Part 279 . The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To operate a Used Oil Processing Facility consisting of tanks storage, hereinafter referred to as "Facility" (Attachment A).

Fuels Unlimited Inc. is a broker of used oil, which is received from various vendors. The used oil is then sold to asphalt plants who utilize the used oil for fuel. Used oil is either picked up by a tanker truck owned and operated by Fuels Unlimited Inc., or used oil is brought to the facility by another used oil transporter. Fuels Unlimited, Inc. operates a used oil processor facility for storage only and does not conduct any additional used oil processing on-site. The Fuels Unlimited Inc. facility consists of a main office building, a spill control shed, an equipment storage shed, a used oil transfer area, an in-active fuel loading rack, and eleven (11) aboveground storage tanks. Attachment B summarizes aboveground tanks status.

The facility is located at 509 South French Avenue, Sanford, Seminole County, Florida. Operation of the facility will be in accordance with the permit application and the additional information submitted by the facility.

The following document was used in preparation of this permit:

1. Permit Application dated May 31, 2006 and additional information dated August 10, 2006.

"More Protection, Less Process"

DRAFT

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

TABLE OF CONTENTS

GENERAL CONDITIONS 3

SPECIFIC CONDITIONS 6

PART I – STANDARD REQUIREMENTS 6

PART II – USED OIL PROCESSING REQUIREMENTS 13

PART III – CLOSURE REQUIREMENTS 14

ATTACHMENT A – SITE LAYOUT 17

ATTACHMENT B – TANK TABLE 19

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The Permittee is hereby 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 does not constitute 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 the 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, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the facility and systems of processing and control (and related appurtenances) that are installed or 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - (a). Having access to and copying any records that must be kept under the conditions of the permit;
 - (b). Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (c). Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- 8. 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 notify and provide the Department with the following information:

- (a). A description of and cause of non-compliance; and
- (b). The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance 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 that may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

- 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 proscribed by Sections 403.73 and 403.111, 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.
- 11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-710.800, F.A.C., as applicable. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.
- 12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction, operation, or closure.
- 13. This permit also constitutes:
 - (a). Determination of Best Available Control Technology (BACT);
 - (b). Determination of Prevention of Significant Deterioration (PSD);
 - (c). Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500); and
 - (d). Compliance with New Source Performance Standards.
- 14. The Permittee shall comply with the following monitoring and record keeping requirements:

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (a). Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action;
 - (b). The Permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three (3) years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and
 - (c). Records of monitoring information shall include:
 - (1). The date, exact place, and time of sampling or measurements;
 - (2). The person responsible for performing the sampling or measurements;
 - (3). The date(s) 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.
15. When requested by the Department, the Permittee shall, within a reasonable period of time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.
16. In the case of a hazardous waste facility Permit, the following permit conditions shall also apply.
- (a). The Permittee will submit the following reports to the Department:
 - (1). Manifest discrepancy report: If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved within fifteen (15) days after receiving the waste, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department;
 - (2). Unmanifested waste report: Permittee shall submit an unmanifested waste report to the Department within fifteen (15) days of receipt of unmanifested waste; and
 - (3). Biennial report: A biennial report covering facility activities during the previous calendar year must be submitted to the Department by March 1 of each even numbered year in accordance with Rule 62-730, F.A.C.

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (b). Notification of any non-compliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies, or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be verbally submitted to the Department within 24 hours and a written submission provided within five (5) days. The verbal submission within 24 hours shall contain the name, address, I.D. number and telephone number of the facility and owner or operator, the name and quantity of materials involved, the extent of injuries (if any), an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain the following:
 - (1). A description of and cause of non-compliance; and
 - (2). 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.
- (c). Reports of compliance or non-compliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date; and
- (d). All reports or information required to be submitted to the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS

PART I - STANDARD REQUIREMENTS

- 1. Submittals in response to these conditions shall be submitted as follows:

- (a). Two (2) copies shall be submitted to:

Environmental Administrator
Hazardous Waste Management Section
Bureau of Solid and Hazardous Waste
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 4560
Tallahassee, Florida 32399-2400

- (b). One (1) copy shall be submitted to:

Department of Environmental Protection
Central District Office
Hazardous Waste Section
Attn: Hazardous Waste Program Manager
3319 Maguire Boulevard
Orlando, Florida 32803-3767

- (c). The Permittee shall submit one (1) copy of the renewal permit and/or modifications cover

PERMITTEE:

Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369**Permit/Cert Number:** 266845-HO-001**Expiration Date:**

letter and the appropriate fee to:

Florida Department of Environmental Protection
Post Office Box 3070
Tallahassee, Florida 32315-3070

The Permittee shall submit the other copies of the renewal to the addresses in Specific Condition 1 of this Part.

(d). Financial Assurance Mechanism:

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

Florida Department of Environmental Protection
Financial Coordinator - Solid Waste Section
Twin Towers Office Building
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

(e). Annual Closing Cost Estimate Adjustment:

The Permittee shall annually adjust the closing cost estimate for inflation using DEP Form 62-710.901(7), F.A.C. Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. An owner or operator shall submit the adjusted cost estimate between January 1 and March 1. All submittals in response to this specific condition shall be sent to the addresses on the cost estimate form.

2. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.900(1) in accordance with Rule 62-710.500, F.A.C.
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 submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-701.900(3) by March 1 of each year in accordance with Rule 62-710.520(1), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510, F.A.C.
5. 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 summarize the records kept, pursuant to 62-740.300(5), F.A.C.
6. Before transferring ownership or operation of this facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 279 and Rule 62-710,

PERMITTEE:

Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369**Permit/Cert Number:** 266845-HO-001**Expiration Date:**

F.A.C. The Permittee shall also submit an application for transfer of the permit on DEP Form 62-1.201(1) accompanied with an appropriate application fee.

7. 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 Rules 62-4.080 and 62-710.800(6), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida.
8. The Department may modify, revoke, reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-710.800, F.A.C. The filing of a request for a permit modification, revocation and 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. The Permittee may submit any subsequent revisions to the Department for approval. These revisions shall meet the requirements of Rules 62-4.050 and 62-710.800(6), F.A.C., and must be accompanied with an appropriate application fee.
9. Prior to sixty (60) days before the expiration of this permit, the Permittee shall submit a complete application for renewal of the permit on DEP Form 62-710.901 and in a manner prescribed by the Department, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-710.800(1), F.A.C.
10. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludges, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52 and Rule 62-710.800(1), F.A.C.
11. The Permittee shall not accept or store any hazardous wastes in the permitted tanks without receiving written approval from the Department.
12. The Permittee is allowed to store used oil only in the aboveground tanks or in containers within the secondary containment, as shown in Attachment A of the permit. The permitted units are Tanks AST #1, AST #2, AST #3, AST #4, AST #5, and AST #6.
13. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in Attachment B.
14. To prevent overflow, the Permittee shall notify the Department when the volume of the used oil stored in any of the tanks exceeds ninety-five (95) percent of the maximum storage capacity of the tank as specified in Attachment B.
15. Storage Tanks shall comply with the performance standards of Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C. [Rule 62-710.800(3), F.A.C.].
16. 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 shall be maintained in the Permittee's operating record [Rule 62-710.800(5), F.A.C.].

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

17. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the Unit Management Plan and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a). All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
 - (b). Pursuant to 40 CFR 279.54, the secondary containment system shall be:
 - (1). Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;
 - (2). Capable of detecting and collecting releases and run-on until the collected material is removed;
 - (3). 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;
 - (4). Placed on a foundation or base capable of providing support to the secondary containment system;
 - (5). 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 (Daily inspection of the secondary containment);
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - (c). Ancillary equipment shall be provided with secondary containment.
18. Prior to beginning operation, 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 operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].
19. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 CFR 279.54(f)].
20. 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" or "PCW" [Rule 62-740.100, F.A.C.].

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

21. The Permittee shall store used oil, PCW, 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.
22. If a container or tank holding used oil, PCW, 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 279.22].
23. As part of the general operating requirements, the Permittee shall:
 - (a). Not place used oil, 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 application; and
 - (d). Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
24. The Permittee shall manage petroleum contact water (PCW) in accordance with the management practices and requirements of Rule 62-740.300, F.A.C. for PCW recovery facilities.

These requirements include:

- (a). The Permittee shall store or treat PCW in tanks registered under the specifications of 62-761 or 762-762, 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.].
- (b). The Permittee shall maintain records for a minimum of three (3) years for each shipment of PCW received, maintain the records on site, and make the records available to the Department on request [Rule 62-740.300(2)(c), F.A.C.].

The records shall include:

- (1). Name and address of PCW producer;
 - (2). Name and address of PCW transporter;
 - (3). Date of receipt of PCW shipment;
 - (4). Volume of PCW received; and
 - (5). A copy of the shipping paper used for the shipment of the PCW.
- (c). The Permittee shall document weekly PCW container or tank inspections as required in Rule 62-740.100(2)(e), F.A.C. [Rule 62-740.300(2)(c), F.A.C.].

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (d). The Permittee shall be able to demonstrate to the Department by operating procedures or records kept on site that, under normal operating practices, the facility recovers product from PCW [Rule 62-740.300(3), F.A.C.].
 - (e). The Permittee shall obtain written assurances from the producer that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW. These written assurances shall be maintained by the facility for three (3) years [Rule 62-740.300(4), F.A.C.].
 - (f). The Permittee shall maintain records documenting quantities of product recovered from PCW and submit a report to the Department by March 1 of each year. The report shall include the total quantity of product recovered from the PCW during the previous calendar year [Rule 62-740.300(5), F.A.C.].
 - (g). The Permittee shall test and manage all waste residuals after the recovery of product from PCW as appropriate, in accordance with Chapter 62-730, FAC, or other applicable rules of the Department [Rule 62-740.300(6), F.A.C.].
25. The Permittee shall inspect the tank system in accordance with Attachment 7 of the permit application. These requirements include:
- (a). Developing and following a schedule and procedure for inspecting overfilling controls;
 - (b). 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
 - (c). The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
26. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment areas within 24 hours of detection and managed in accordance with Attachment 6 of the permit application.
27. Pursuant to the requirements of 40 CFR 279.52(a), concerning preparedness and prevention, the Permittee shall:
- (a). Maintain a copy of the preparedness and prevention plan, Attachment 6 of the permit application, at the facility;
 - (b). Equip the facility with the required emergency equipment described in Attachment 6 of the permit application [40 CFR 279.52(a)(2)];
 - (c). Test and maintain the required emergency equipment according to the schedule proposed in Attachment 6 of the permit application [40 CFR 279.52(a)(3)];

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (d). Provide all facility personnel involved in used oil processing operations with immediate access to an internal alarm or emergency communication device, as described in Attachment 6 of the permit application [40 CFR 279.52(a)(4)]; and
 - (e). Make arrangements with the local authorities as described in Attachment 6 of the permit application [40 CFR 279.52(a)(6)].
28. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall:
- (a). Immediately carry out the provisions of the contingency plan, Attachment 6 of 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 that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);
 - (b). Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);
 - (c). Amend the plan and submit the amended plan for Department approval within seven days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven days of the change in the plan. All amended plans must be distributed to the appropriate agencies;
 - (d). Comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator; and
 - (e). Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Central District Office may be contacted at (407) 894-7555.
29. The Permittee shall maintain reports of all releases that are greater than one (1) gallon, as part of its on-site operating records. The reports shall include amount and time of release and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service.
30. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment 7 (Unit Management Plan) of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 CFR 279.52. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedules must be maintained as part of the operating record of the facility [40 CFR 279.54].

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

PART II – USED OIL PROCESSING REQUIREMENTS

1. Pursuant to 40 CFR 279.55, concerning the written analysis plan, the Permittee shall:
 - (a). Sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment 3 of the permit application;
 - (b). Test all containers of the same waste stream for the parameters listed in Attachment 3, of the permit application, if any of the samples fail the analysis required by Specific Condition 1.a of this Part. 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 the Specific Condition 1.a of this Part. 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 Attachment 3, of the permit application to determine whether the used oil is on-specification or off-specification. However, the testing is not required if it is sent to another Used Oil processor for further processing.

The Permittee must keep the written analysis plan at the facility.

2. The Permittee shall comply with the tracking requirements for all incoming and outgoing shipments of used oil as described in Attachment 5 of the permit application [40 CFR 279.56 and Rule 62-710.510(1), F.A.C.].
3. The Permittee shall maintain a written operating record at the facility which includes:
 - (a). The description and quantity of each used oil shipment received;
 - (b). The location of each used oil tank and container within the facility, and the quantity at each location;
 - (c). The results of the used oil analyses;
 - (d). A summary report and details of incidents that require implementation of the contingency plan;
 - (e). A summary report of spill records and corrective actions;
 - (f). Shipping records for all incoming and outgoing shipments of used oil;
 - (g). The results of inspections (for three (3) years);

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (h). A validated annual used oil registration form;
- (i). The closure plan;
- (j). Annual used oil activity reports; and
- (k). Annual PCW reports.

These records must be recorded as they become available, and maintained at the facility until completion and certification of closure [Rule 62-710.510, F.A.C. and 40 CFR 279.57].

- 4. The Permittee shall ship or accept used oil only by using a used oil transporter who has obtained an EPA Identification number and has registered with the State of Florida [40 CFR 279.58].
- 5. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter, or a transporter who has received a DEP/EPA Identification number by notifying the Department of its intent to transport PCW [Rule 62-740.100(9), F.A.C.].
- 6. The Permittee shall manage residues generated from the storage and processing of used oil in accordance with Attachment 4 of the permit application and 40 CFR 279.10(e).
- 7. The Permittee shall ensure that facility personnel successfully complete the approved training program indicated in Attachment 9 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 on-site. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel at least annually.

PART III – CLOSURE REQUIREMENTS

- 1. Pursuant to the requirements of both 40 CFR 279.54(h) and Rule 62-710.800(9), F.A.C. concerning facility closure, the Permittee shall:
 - (a). Close the facility as required by 40 CFR 279.54(h) and Rule 62-710.800(9), F.A.C. and in accordance with the closure plan, Attachment 8 of the permit application;
 - (b). Amend the closure plan in accordance with Rule 62-710.800(9)(b), F.A.C. whenever necessary;
 - (c). Maintain a copy of the closure plan at the site [Rule 62-710.800(9)(b), F.A.C.];
 - (d). Notify the Department at least sixty (60) days prior to the date it expects to begin closure and submit a complete revised closure plan and a request for permit modification with appropriate permit modification fee [Rule 62-710.800(6)&(9), F.A.C.];
 - (e). Decontaminate and/or dispose of all facility equipment as described in the closure plan, Attachment 8 of the permit application; and

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

- (f). Certify that the facility has been closed in accordance with the specifications in the closure plan, Attachment 8 of the permit application, within thirty (30) days after completion of closure [Rule 62-710.800(9), F.A.C.].
- 2. Within ninety (90) days of notice from the Department of a determination that soils have been contaminated during the period of operations of Fuels Unlimited, Inc., and such soils can not be practically removed or decontaminated, the Permittee shall submit a permit application to close the tank system(s) and perform postclosure care in accordance with the closure and post-closure care requirements of 40 CFR 264.310 that apply to hazardous waste landfills [40 CFR 279.54(h)(1)(ii)].
- 3. Containers: Permittees who store used oil in containers must, pursuant to closure requirements of 40 CFR 279.54(h), comply with the following requirements:
 - (a). At closure, containers holding used oils or residues of used oil must be removed from the site; and
 - (b). The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.

Issued_____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Charles F. Goddard, Chief
Bureau of Solid and Hazardous Waste

PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

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

This is to certify that this Notice of Permit was mailed before the close of business on

cc: Tom Lubozynski, DEP/Orlando
Mayor, City of Sanford
Chair, Seminole County Board of Commissioners
John Mileo, U. S. Fish and Wildlife Services
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission
Raoul Clarke, DEP/Tallahassee
Fred Wick, DEP/Tallahassee

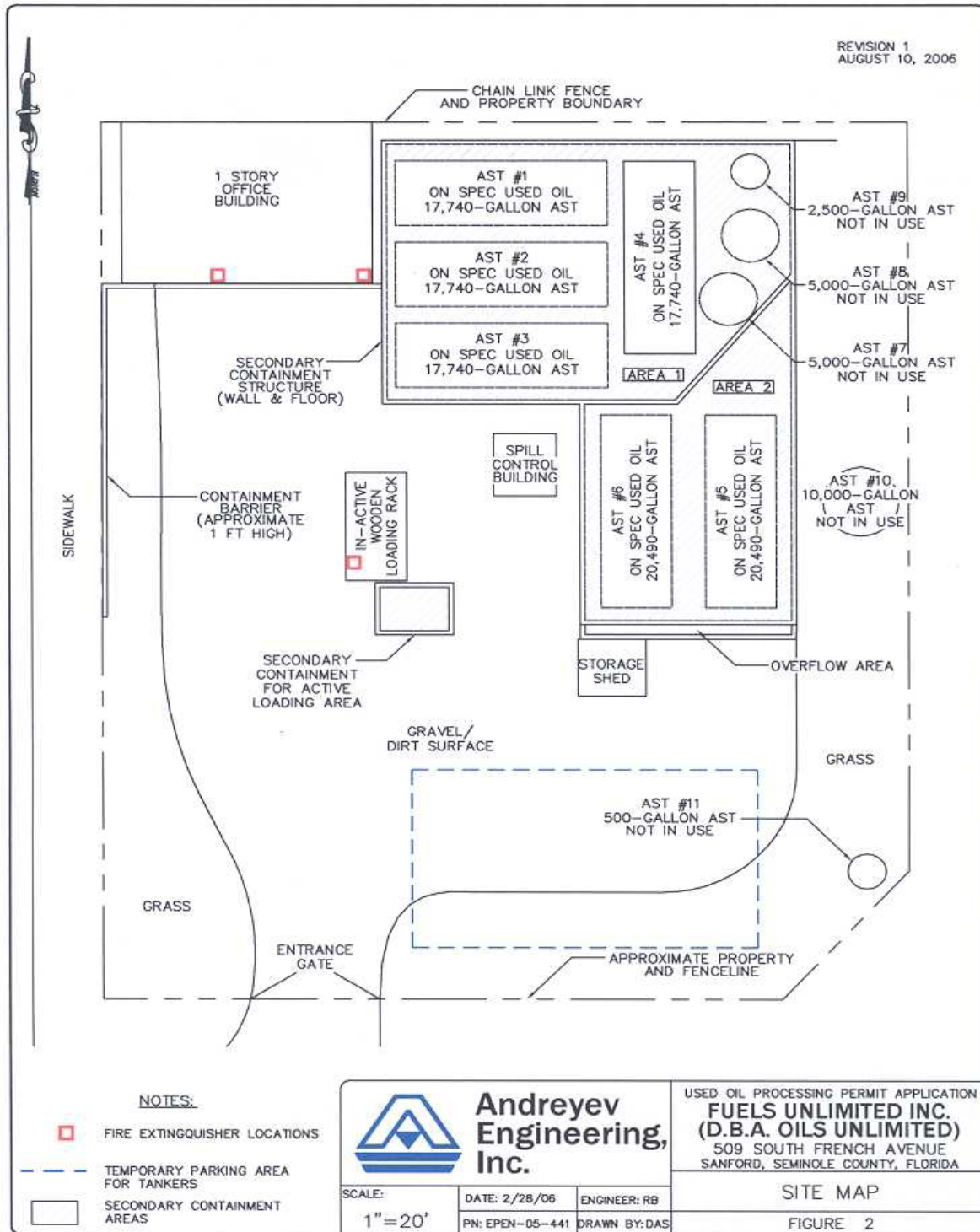
PERMITTEE:

Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369**Permit/Cert Number:** 266845-HO-001**Expiration Date:****ATTACHMENT A
SITE LAYOUT**

PERMITTEE:
 Fuels Unlimited, Inc.
 509 South French Avenue
 Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:



PERMITTEE:
Fuels Unlimited, Inc.
509 South French Avenue
Sanford, Florida 32771

I.D. Number: FLR 000 050 369
Permit/Cert Number: 266845-HO-001
Expiration Date:

ATTACHMENT B
TANK TABLE

Tanks	Size (gallons)
AST #1	17740
AST #2	17740
AST #3	17740
AST #4	17740
AST #5	20490
AST #6	20490
AST #7	Not In Use
AST #8	Not In Use
AST #9	Not In Use
AST #10	Not In Use
AST #11	Not In Use