

## Thursby, Kim

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**From:** Epost HWRS  
**Sent:** Tuesday, July 10, 2007 1:05 PM  
**To:** thagan@howcousa.com  
**Cc:** Dregne, James; mayor@stpete.org; countycommissioners@co.pinellas.fl.us; heath\_rauschenberger@fws.gov; maryann.poole@myfwc.com; raoul.clark@dep.state.fl.us; Wick, Fred; johnmjonespe@sbcglobal.net; Martin, Lee; Bahr, Tim; Kothur, Bheem; Baker, Bryan; Tripp, Anthony  
**Subject:** HOWCO Environmental Services;FLD 152 764 767;Permit Number: 33721-HO-001  
**Attachments:** 7-10-07 HOWCO Permit.pdf

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](mailto: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. You may download a free copy of this software at [www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html).

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. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr  
Environmental Administrator  
Hazardous Waste Regulation  
Department of Environmental Protection  
E-Mail Address: [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us)



# 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

July 10, 2007

**SENT VIA EMAIL**

[thagan@howcousa.com](mailto:thagan@howcousa.com)

Mr. Timothy Hagan, President  
Hagan Holding Company  
d/b/a HOWCO Environmental Services  
3701 Central Avenue North  
St. Petersburg, Florida 33713

SUBJECT: HOWCO Environmental Services  
Facility Permit Renewal  
EPA I.D. Number: FLD 152 764 767  
Permit Number: 33721-HO-001  
Pinellas County

Dear Mr. Hagan:

Enclosed is Permit Number 33721-HO-001 issued to HOWCO Environmental Services pursuant to Section 403.815, Florida Statutes (F.S.), and Chapter 62-4, and Chapter 62-710, Florida Administrative Code (F.A.C.).

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

The notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you have any questions, please contact Bheem Kothur at (850) 245-8781 or via e-mail: [bheem.kothur@dep.state.fl.us](mailto:bheem.kothur@dep.state.fl.us).

Sincerely,

Tim J. Bahr, Administrator  
Hazardous Waste Regulation

TJB/bk  
Enclosure

Mr. Timothy Hagan, President  
July 9, 2007  
Page Two

cc: Jim Dregne, DEP/Tampa, [james.dregne@dep.state.fl.us](mailto:james.dregne@dep.state.fl.us)  
Mayor, City of St. Petersburg, [mayor@stpete.org](mailto:mayor@stpete.org)  
Chair, Pinellas County Board of Commissioners, [countycommissioners@co.pinellas.fl.us](mailto:countycommissioners@co.pinellas.fl.us)  
Heath Rauschenberger, U. S. Fish and Wildlife Services, [heath\\_rauschenberger@fws.gov](mailto:heath_rauschenberger@fws.gov)  
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,  
[maryann.poole@myfwc.com](mailto:maryann.poole@myfwc.com)  
Raoul Clarke, DEP/Tallahassee [raoul.clark@dep.state.fl.us](mailto:raoul.clark@dep.state.fl.us)  
Fred Wick, DEP/Tallahassee [fred.wick@dep.state.fl.us](mailto:fred.wick@dep.state.fl.us)  
John Jones, Miramar, [johnmjonespe@sbcglobal.net](mailto:johnmjonespe@sbcglobal.net)  
Lee Martin, DEP/Tallahassee, [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us)

FACT SHEET

July 9, 2007

HOWCO Environmental Services

St. Petersburg, Florida

EPA I.D. No: FLD 152 764 767

Permit No: 33721-HO-001

Used Oil Processing and Waste Handling Facility Permit Renewal Final

1. This facility has a permit to operate a Used Oil Processing Facility consisting of drum storage area, storage area and processing area. The facility has 21 above ground storage tanks with sufficient capacity to store and process approximately 360,000 gallons of used oil.
2. The Permittee has complied with the closure cost estimate and financial assurance requirements of the new Rule dated June 9, 2005. Financial Assurance Mechanism and annual closure cost estimate adjustment conditions are added to this permit renewal.
3. The final permit contains minor edits and clarifications.
4. There are no issues with this permit.



# 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

## **PERMITTEE:**

Hagan Holding Company  
d/b/a Howco Environmental Services  
3701 Central Avenue North  
St. Petersburg, Florida 33713

I.D. Number: FLD 152 764 767

Permit Number: 33721-HO-001

Date of Issue: July 10, 2007

Date of Expiration: August 3, 2010

County: Pinellas County

Lat./Long: 27°45'47"N / 82°41'32"W

Project: Operation of a Used Oil and Waste Material  
Processing Facility

## **Attention:**

Mr. Arthur Timothy Hagan, President

This permit renewal is issued under the provisions of Sections 403.707 and 403.769, Florida Statutes (F.S.), and Florida Administrative Code Chapters (F.A.C.) 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 dated July 11, 2005 and as revised on January 9, 2006; and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. The Used Oil and Waste Material Processing Facility ("Facility") is located on an approximately five acre parcel of land owned by Timco Real Estate, Inc., in Pinellas County at 843 43<sup>rd</sup> Street South, St. Petersburg, Florida. A diagram of the site layout is included as **Attachment A** of this permit. The Permittee is authorized to process and market used oil, oily wastewater, and petroleum contact water in the tanks and other ancillary equipment listed in **Attachment B** of this permit.

The Facility consists of 47 Aboveground Storage Tanks ("ASTs") inside secondary containment. This may be used to store or process used oil, petroleum contact water, oily wastewater and other non-hazardous wastewater. Presently, nine tanks are dedicated to used oil, one tank is dedicated to water/antifreeze, and one tank is dedicated to burner fuel; however, the contents of each tank may change from time-to-time based on market conditions, provided appropriate marking/placarding is provided in accordance with applicable law. The use and capacities of the ASTs and related appurtenances currently not in use at the Facility are listed in **Attachment B** of this permit.

## **OTHER ACTIVITIES**

This permit authorizes the Permittee to operate a waste processing Facility for other petroleum non-hazardous solid wastes not constituting "used oil", subject to the conditions set forth in Part III. The Facility also manages petroleum contact water ("PCW") set forth in Part IV.

The following documents were used in preparation of this permit:

Hagan Holding Company  
Howco Environmental Services  
3701 Central Avenue North  
St. Petersburg, Florida 33713

I.D. Number: FLD 152 764 767  
Permit Number: 33721-HO-001  
Date of Expiration: August 3, 2010

1. Permit Renewal Application dated July 11, 2005 and additional information submitted dated January 9, 2006 and December 1, 2006.
2. HOWCO Solid Waste Processing estimate document drafted in September 2006.
3. Used Oil Processing Facility Permit 92465-HO06-001, issued August 3, 2000.

This Renewal Permit replaces Permit #92465-HO06-001.

Hagan Holding Company  
Howco Environmental Services  
3701 Central Avenue North  
St. Petersburg, Florida 33713

I.D. Number: FLD 152 764 767  
Permit Number: 33721-HO-001  
Date of Expiration: August 3, 2010

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**GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):**

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 403.759, 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 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 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 interest has 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 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 to:
  - (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 location reasonably necessary to assure compliance with this permit or with 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 provide the Department with the following information:
  - (a). A description of and cause of non-compliance; and
  - (b). The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
9. 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 revocation of this permit.
10. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of 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 403.111 and 403.73, F.S.. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
11. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. 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.
12. This permit is transferable only upon Department approval in accordance with 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.
13. This permit or a copy thereof shall be kept at the work site of the permitted activity.
14. 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.
15. The Permittee shall comply with the following:

- (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 at the Facility, or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and
  - (c). Records of monitoring information shall include:
    - 1. The date, exact places, 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.
16. When requested by the Department, the Permittee shall within a reasonable 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 corrected promptly.

## **SPECIFIC CONDITIONS**

### **PART I – STANDARD REQUIREMENTS**

1. 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 EPA I.D. number of the Facility; the number(s) of the Specific Condition(s) affected; the permit number and project name of the permit involved. Submittals in response to these conditions shall be submitted as follows:

Copies of all documents must be submitted to FDEP in accordance with Rule 62-730.225(2)

- (a). One hard and one electronic copy shall be sent to:

Environmental Administrator  
Hazardous Waste Management Section  
MS 4560  
Bureau of Solid and Hazardous Waste

Hagan Holding Company  
Howco Environmental Services  
3701 Central Avenue North  
St. Petersburg, Florida 33713

I.D. Number: FLD 152 764 767  
Permit Number: 33721-HO-001  
Date of Expiration: August 3, 2010

Florida Department of Environmental Protection  
2600 Blair Stone Road,  
Tallahassee, Florida 32399-2400

(b). One hard and one electronic copy shall be sent to:

Department of Environmental Protection  
Hazardous Waste Section Manager  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637

(c). The Permittee shall submit one copy of the cover letter for any application to renew and or/modify this permit along with the appropriate fee to:

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

The Permittee shall submit the full renewal/modification application as instructed in this Specific Condition

2. Before transferring ownership or operation of the 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, F.A.C. The Permittee shall also submit an application for transfer of this permit on DEP Form 62-1.201(1) accompanied with an appropriate application fee. This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C. The Permittee shall be liable for any noncompliance with the permitted activity until the transfer is approved by the Department.
3. The Department may modify, revoke, reissue, or terminate for cause, this permit in accordance with the provisions of Section 403.087(7), F.S., and Rules 62-4.080, 62-4.100, or 62-710.800, F.A.C. The filing of a request for a permit modification, revocation and re-issuance, 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 F.A.C., Rules 62-4.050 and 62-710.800(6), and must be accompanied with an appropriate application fee.
4. Prior to 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(6) in accordance with Rules 62-710.800(4) and 62-4.090, F.A.C., and in a manner prescribed by the Department, unless the Facility is to be closed prior to the expiration date of this permit in accordance with the requirements of Rule 62-710.800(5), F.A.C.
5. The Permittee shall comply with all requirements of 40 CFR Part 279 and Chapters 62-4, 62-701, 62-710 and 62-740, F.A.C., and all other applicable requirements of Department Rules.

6. By acceptance of this permit, the Permittee certifies that he has read and understands the obligations imposed by the Specific and General Conditions contained herein, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.
7. The Permittee shall operate, modify, or close the Facility only pursuant to a permit issued by the Department in accordance with Chapter 62-710 F.A.C. The Permittee shall submit any substantial revisions in the permitted operation or design of the Facility to the Department for approval prior to implementation.
8. Before closing or making any substantial modifications to the Facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-710.800(3) and 62-4.050(6) and (7), F.A.C.
  - (a). Pursuant to Rules 62-710.800(3) and 62-4.050(6) and (7), F.A.C., a substantial modification means a modification that is reasonably expected to lead to substantially different environmental impacts that requires a detailed review. For purposes of this subsection, an increase in storage capacity of the Facility by 25% or 25,000 gallons, whichever is less, is considered a substantial modification. Permit application fee for a substantial permit modification is listed in 62-710.800(4), F.A.C.
  - (b). Pursuant to Rules 62-4.050(4) and 62-710.800(3), F.A.C., a minor modification means a modification that does not require substantial technical evaluation by the Department, may not require a new site inspection by the Department, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit. For purposes of this subsection, replacement of existing tanks with new tanks is considered a minor modification.
  - (c). Pursuant to Rule 62-710.800(3), F.A.C., changes at the Facility which involve routine maintenance, such as repair of equipment, replacement of equipment with similar equipment, aesthetic changes, or minor operational changes are not considered modifications, do not have to be reported to the Department, and require no permit fee. The Permittee should contact the Department if there are questions as to whether a change would be considered routine maintenance.
9. All requests for permit modifications shall be certified by the owner and operator and signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. 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.
10. The Permittee shall submit a revised "Part I" of the Application Form for a Used Oil Processing Facility Permit to the Department within 30 days of any changes in the information stated in Part I.

11. All Facility operations personnel involved in used oil or PCW activities must successfully complete the training program identified in the Training Plan (Attachment 9) of the permit application dated July 11, 2005 as revised on January 9, 2006, once every 12 months. The training plan must be reviewed and updated by Facility personnel at least annually. Verification of this training must be kept with the personnel training records and maintained on-site or at the Permittee's corporate headquarters in St. Petersburg.
12. Except as permitted under Rule 62-701.320(15), personnel involved in solid waste activities shall not work unsupervised until training has been completed.
13. The Permittee shall maintain an updated list of personnel handling used oil and their respective job titles at the site or at the Permittee's corporate headquarters in St. Petersburg.
14. The Permittee must comply with General Facility Standards pursuant to 40 CFR 279.52 and Rule 62-710.300(1)(e), F.A.C., as follows:
  - (a). Maintenance and operation of the Facility: The Facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of oily waste, oily wastewater, PCW, used oil, sludges, residues, or constituents to air, soil, or surface water which could threaten human health or the environment. [40 CFR 279.52(a)(1)]
  - (b). Required equipment [40 CFR 279.52(a)(2)]: The Permittee shall equip and maintain the Facility with the following:
    1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to Facility personnel as described in Attachment 6 of the permit application dated July 11, 2005 as revised on January 9, 2006;
    2. A device, such as a telephone (at the on-site Facility operations office) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams as described in Attachment 6 of the permit application dated July 11, 2005 as revised on January 9, 2006;
    3. Portable fire extinguishers and associated equipment as described and depicted in Attachment 6 and Appendix 1 (drawing D-4-1) of the permit application dated, July 11, 2005, and as revised on January 9, 2006; and
    4. Water at volume and pressure as supplied by Pinellas County Utilities.
  - (c). Testing and maintenance of equipment: All Facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment must be tested and maintained as necessary to assure its proper operation in time of emergency. [40 CFR 279.52(a)(3)]
  - (d). Access to communications or alarm systems: Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. If there is ever just one employee on the

premises while the Facility is operating, the employee must have immediate access to a device capable of summoning external emergency assistance. [40 CFR 279.52(a)(4)]

- (e). Required aisle space: The Permittee must maintain aisle space sufficient to inspect drums and read labels.
  - (f). Arrangements with local authorities: The Permittee shall maintain arrangements with local authorities, listed in Attachment 6 of the permit application dated July 11, 2005 as revised on January 9, 2006 to familiarize police, fire departments, local hospitals, and emergency response teams with the layout of the Facility, properties of used oil handled at the Facility and associated hazards, places where Facility personnel would normally be working, entrances to roads inside the Facility and possible evacuation routes. [40 CFR 279.52(a)(6)]
15. The Permittee shall comply with the "Specific Spill Containment Procedures" of Attachment 6 of the permit application dated July 11, 2005 as revised on January 9, 2006. In the event of a spill or other emergency:
- (a). The Permittee shall immediately carry out the provisions of the "Contingency Plan", Attachment 6, of the permit application dated July 11, 2005 as revised on January 9, 2006 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, oily wastewater, PCW, residues, sludges or constituents which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises, and within 15 days must submit to the Department a written report which includes all the information required in 40 CFR 279.52 (b) (6);
  - (b). Within seven days of meeting any criteria listed in 40 CFR 279.52 (b) (4), the Permittee shall notify the Department of its intent to revise the plan and provide an estimated schedule. 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;
  - (c). When the contingency plan is implemented, the Permittee shall call the Department of Environmental Protection's 24 hour emergency telephone number which is (850) 413-9911 or (800) 320-0519 or, during normal business hours, the DEP Southwest District Office may be contacted at (813) 632-7600; and
  - (d). A copy of the contingency plan and all revisions to the plan must be maintained at the Facility. [40 CFR 279.52(b)(3)]
16. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Section 403.111 and 403.73, F.S.
17. The conditions in this permit shall take precedence over the permit application documents where there are differences between these documents and the permit conditions.
18. This permit does not authorize the Permittee to accept or store any hazardous waste at this Facility. In the event that Permittee receives a shipment that is refused due to failure to meet pre-screening requirements, the Permittee must completely comply in a timely manner with the

provision of Attachment 3 of the permit application dated July 11, 2005, in order not be subject to permitting or regulation as a hazardous waste storage, treatment or disposal facility.

## **PART II – USED OIL PROCESSING REQUIREMENTS**

1. The Permittee, pursuant to 40 CFR 279.55, shall follow the procedures described in Attachment 2 of the permit application dated July 11, 2005 as revised on January 9, 2006 and the following:

- (a). The Permittee shall sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application dated July 11, 2005 as revised on January 9, 2006;  
and
- (b). Any incoming containers of used oil which fail the analysis required by this condition shall be rejected by the Facility (unless exempt under applicable law). The Permittee shall maintain documentation in the Facility operating record of any shipment of used oil not exempt under applicable law and suspected to be mixed with hazardous waste and shall manage such waste in accordance with the provisions of Paragraph 18 of Part I, above.

Prior to shipment off-site, the Permittee shall sample and analyze one tank (i.e. batch) of processed used oil once every two weeks for the constituents/properties of concern. The analysis shall be for the parameters listed in Attachment 3 of the permit application dated July 11, 2005 as revised on January 9, 2006 to determine whether the used oil is on-specification or off-specification. This condition is not required if the outgoing shipment is sold to another used oil processor who will make the on or off specification determination.

2. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements.

- (a). Acceptance: The Permittee shall keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents or electronic media. Records for each shipment must include the following information:

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

- (b). Delivery: The Permittee shall keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents or electronic media. Records for each shipment must include the following information:

- (1). The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
  - (2). The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
  - (3). The quantities of used oil shipped and date of shipment; and
  - (4). The laboratory analytical number.
- (c). Rejected shipments: The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements set forth in Attachment 3 of the permit application dated July 11, 2005.
3. The Permittee, pursuant to 40 CFR 279.57, must keep a written or electronic operating record for the current year at the Facility. Previous years' records can be kept either at the Facility or at the Permittee's corporate headquarters in St. Petersburg, and maintained for three years or until closure of the Facility (whichever comes first). The records shall include the following information:
  - (a). Records and results of used oil analyses performed as described in the analysis plan in Attachment 3 of the permit application dated July 11, 2005 as revised on January 9, 2006 and as required under 40 CFR 279.55;
  - (b). Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b); and
  - (c). All records required by Condition 2 of this Part.
4. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-761.710, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports' of releases greater than 25 gallons to pervious surfaces (i.e. outside containment) shall include the amount, time of the release, time of the response and a description of the response. The Permittee shall inform the Department of any release in accordance with applicable law.
5. Pursuant to Rule 62-710.300(3), F.A.C., used oil storage and process tanks must meet the requirements of 40 C.F.R. Part 279.54 and Chapter 62-762, F.A.C., Above Ground Storage Tank Systems, as applicable.
6. The Permittee shall manage residues generated from the storage and processing of used oil in accordance with 40 CFR 279.10 (e) and Attachment 4 of the permit application dated July 11, 2005 as revised on January 9, 2006. The Permittee shall analyze outgoing sludge/residues annually.
7. 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



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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

The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7). Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. The Permittee 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.

8. The Permittee shall annually register its used oil handling activities with the Department on DEP Form 62-710.901(1) by March 1 of each year and 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.].
9. No later than March 1 of each year, the Permittee shall submit an annual report covering used oil processing Facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3) in accordance with Rule 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510, F.A.C. The records described in this paragraph shall include:
  - (a). The EPA identification number, name, and address of the processor or re-refiner;
  - (b). The calendar year covered by the report; and
  - (c). The quantities of used oil accepted for processing/re-refining and the manner in which the used oil is processed/re-refined, including the specific processes employed.

### **PART III – WASTE PROCESSING ACTIVITIES**

1. The Permittee may accept petroleum contaminated non-hazardous solid wastes including without limitation those generated from petroleum contaminated soils, sludges, debris, Personal Protection Equipment (PPE) or other petroleum non-hazardous waste streams. Such wastes not containing removable used oil can be sent to the Facility for bulking and/or sent directly to a permitted Solid Waste Disposal facility. Permittee shall bulk and/or process such waste for acceptance at permitted solid waste disposal or processing facilities.
  - (a). Permittee shall receive all wastes delivered to the Facility for solidification and processing in drums, roll-offs, and/or vacuum trucks. All drums and roll-offs will be temporarily stored on the solid waste pad. Vacuum truck waste will be off-loaded into treatment tank #111 or cone bottom tank #110. Further processing shall be in accordance with Attachment 4.

- (b). Permittee shall analyze all waste in accordance with the Analysis Plan in Attachment 3 of the permit application dated July 11, 2005 as revised on January 9, 2006. Only non-hazardous waste may be processed. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste, in accordance with the provisions of Paragraph 18 of Part I.
- (c). The amount of waste at the Facility shall not exceed 120 tons of solids in drums and roll off containers, plus 22,000 gallons of liquids in drums (not including used oil filters in drums and containers).
- (d). Permittee shall perform Solid Waste Processing as follows:
  - (1). A maximum of 20% (40,000 gallons) of the solid waste accepted at the facility annually can be disposed of with little or no processing to a permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.
  - (2). A maximum of 80% (200,000 gallons) of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.
  - (3). Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

#### **PART IV – PETROLEUM CONTACT WATER PROCESSING REQUIREMENTS**

- 1. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter in compliance with Rule 62-730.170, F.A.C., or who has received a DEP/EPA ID number by notifying the Department on EPA Form 8700-12 of its intent to transport PCW. [62-740.200(2), F.A.C.]
- 2. The Permittee shall store PCW only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored. PCW received into the Facility may be commingled and stored in Facility tanks with other petroleum- or used oil-contaminated water for processing and recovery in accordance with Attachment 2 of the permit application.
- 3. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
- 4. The Permittee shall store PCW in tanks registered under the requirements of Rule 62-761, 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. [62-740.300(2)(a) and (b), F.A.C.]
- 5. The Permittee shall test and manage all waste residuals in accordance with the requirements of specific condition 6 of Part II.

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6. The Permittee shall maintain the following records for a minimum of three years. [62-740.300(2)(c), F.A.C.]
  - (a). For each shipment of PCW received:
    1. Name and address of the PCW producer;
    2. Name and address of the PCW transporter;
    3. Date of receipt of the PCW shipment;
    4. Volume of PCW received;
    5. A copy of the shipping paper used for shipment of the PCW; and
    6. Have on file written assurances from the producer that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW. [62-740.300(4), F.A.C.]
  - (b). Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW as described in Attachment 2 of the permit application dated July 11, 2005 and as revised on January 9, 2006. [62-740.300(3), F.A.C.]
7. The Permittee shall submit an annual report covering petroleum contact water (PCW) activities for the previous year by March 1 of each year. The report shall include:
  - (a). The total quantity of PCW received during the previous calendar year; and
  - (b). An estimate of the total quantity of product recovered from the PCW as described in Attachment 2 to the permit application dated July 11, 2005 and as revised on January 9, 2006 and pursuant to 62-740.300(5), F.A.C.

## **PART V – TANKS AND CONTAINERS**

“Tank system”, for the purpose of Part V of this permit, is defined as the storage tank(s), appurtenant equipment and secondary containment structures comprising the Permittee’s Facility.

1. The Permittee shall prevent the release of PCW, used oil, oily waste or oily wastewater, residues, sludges and constituents to the environment. The secondary containment system shall be maintained in accordance with the permit application 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 40 CFR 279.54 and Rule 62-761, F.A.C. prior to being put into service; and
  - (b). The secondary containment system shall meet the requirements of 40 CFR 279.54 and Rule 62-761, F.A.C.

2. The Permittee shall, in the event of a release:
  - (a). Stop the release;
  - (b). Contain the release;
  - (c). Clean up and manage properly the released waste and other materials; and
  - (d). If necessary, repair or replace any leaking storage containers or tanks prior to returning them to service. [40 CFR 279.54(g)]
3. The Permittee shall, as part of the general operating requirements:
  - (a). Not place PCW, 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 Attachment 2 of the permit application dated July 11, 2005 as revised on January 9, 2006; and
  - (d). Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
4. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words "Used Oil". [40 CFR 279.54(f)]
5. The Permittee shall store used oil only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.
6. If a container holding used oil is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either over-pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment 7 of the permit application dated July 11, 2005 as revised on January 9, 2006.
8. Spilled or leaked waste must be removed from the secondary containment areas within three days of discovery [Rule 62-761.820(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-761.700(3)(a), F.A.C.]. Removed materials shall be managed in accordance with Attachment 2 of the permit application dated July 11, 2005 as revised on January 9, 2006.
9. The Permittee shall keep containers closed except when adding or removing waste.

## **PART VI – CLOSURE REQUIREMENTS**

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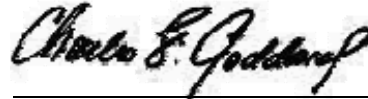
1. The Permittee shall close the Facility in compliance with 40 CFR 279.54(h), 62-710.800(5), F.A.C. and the closure plan found in Attachment 8 of the application dated July 11, 2005 as revised on January 9, 2006.
2. The Permittee shall maintain an approved written closure plan and it must demonstrate how the Facility will be closed in accordance with Attachment 8 of the permit application dated July 11, 2005 as revised on January 9, 2006.
  - (a). The closure plan, as described in Attachment 8, "Closure Plan" of the application dated July 11, 2005 as revised on January 9, 2006, and associated cost estimates shall be updated whenever significant operational changes occur or design changes are made.
  - (b). The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
  - (c). The Permittee shall submit an updated and detailed closure plan to the Department at least 60 days prior to the scheduled date of closing the Facility.
  - (d). Within 30 days after closing the Facility, the Permittee shall submit a certification of closure completion to the Department that demonstrates that the Facility was closed in substantial compliance with the approved closure plan.
3. Within 90 days of determining that the Facility cannot be clean closed under this permit, the Permittee shall submit a permit application to close the tank system(s) and perform postclosure care in accordance with Chapter 62-770, F.A.C.
4. 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.
5. Solid Waste: All solid waste will be removed from the site and recycled or disposed in accordance with the requirements of Chapter 62-701.710(6).
6. At closure, containers, drums, and disposal quantities are as identified in HOWCO's letter dated December 1, 2006 and DEP approval letter dated December 22, 2006.

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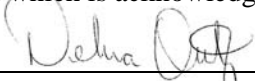
Issued July 10, 2007

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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

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



DEPUTY CLERK

July 9, 2007

DATE

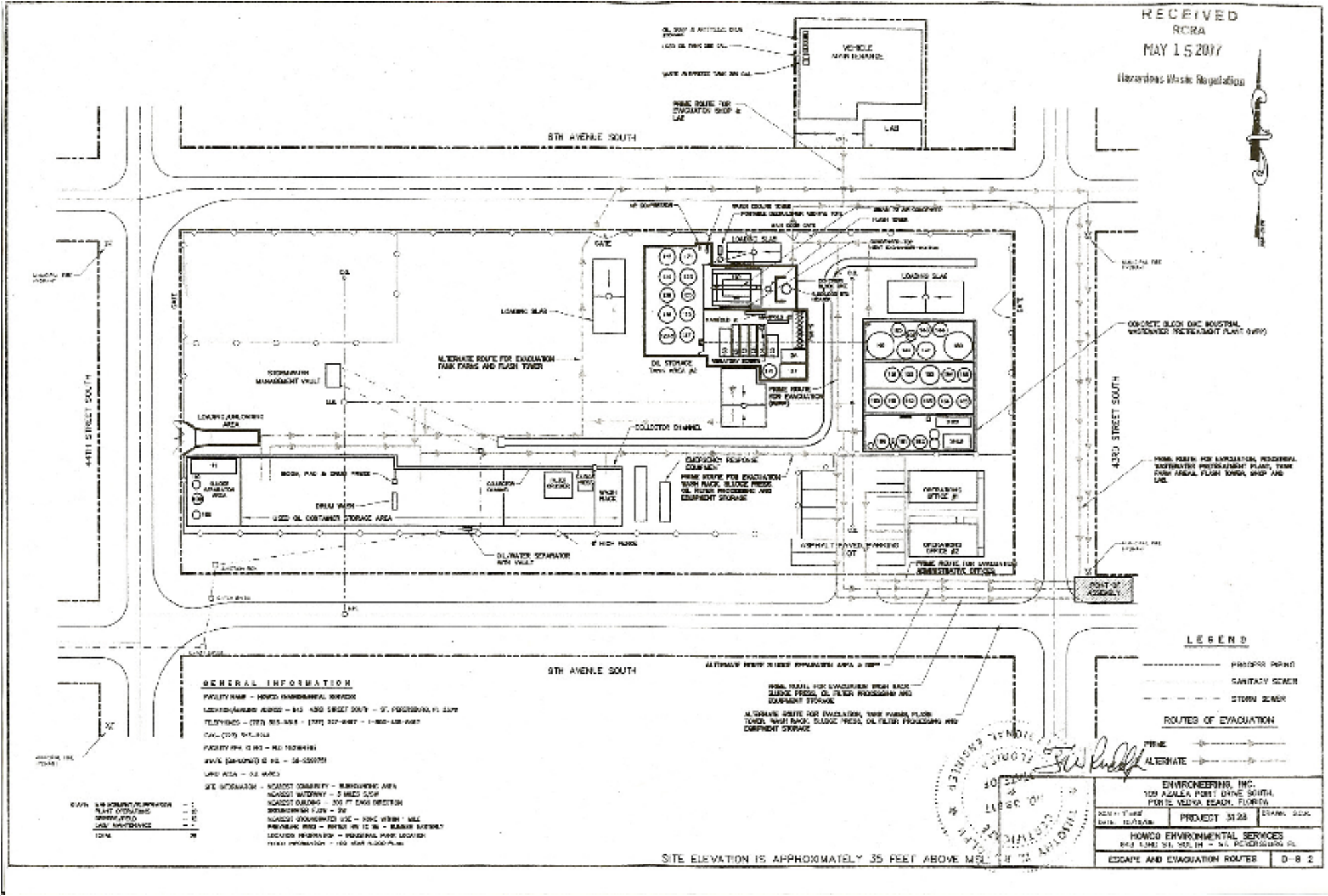
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## **ATTACHMENT A – SITE LAYOUTS**

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## **ATTACHMENT B – TANK TABLES**

HOWCO  
Used Oil Permit Application

Revision 2  
January 9, 2006

**Table 1**  
**Processing Tanks - Containment #1**

Tank Number	Capacity (gallons)	Product
100	30300	Used oil treatment
101	28800	Used oil treatment
130	7950	Oil receiving
131	3950	Oil receiving
132	3950	Oil receiving
133	3950	Oil receiving
134	3950	Screened oil
135	6000	Light ends, condensate
136	10000	Light ends
137	10570	Burner fuel oil
170	11150	Used oil, water soluble oil, antifreeze or wastewater
120	19550	Unprocessed oil
121	28900	Processed oil
122	29730	Processed oil
123	29730	Processed oil
124	29730	Processed oil
125	19210	Processed oil
126	20820	Processed oil
127	19470	Processed oil
128R1	19470	Receiving oil
129	23460	Processed oil

Products stored in various tanks may change from time to time depending on market conditions.

Containment area 4 has no tanks, and is used for the storage of Solid Waste

Containment area 2 and 3 are used for water treatment only

**Table 2**  
**Sludge Separation Area -- Containment #5**

Tank Number	Capacity (gallons)	Product
108	9980	TWFP Sludge
109	3225	Oil filter crusher
110	6415	Conc bottom
111	19380	Oily solids batch treatment