

Thursby, Kim

From: Rogers, Robert [RRogers@cemexusa.com]
Sent: Tuesday, August 05, 2008 2:07 PM
To: Epost HWRS
Cc: fbergen@kooglerassociates.com
Subject: Rinker Materials of Florida, Inc. Intent to Issue

Received document. All contact information still valid.

Regards
Robert Rogers

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Thursby, Kim

From: Epost HWRS
Sent: Thursday, August 14, 2008 1:02 PM
To: 'rogers@cemexusa.com'
Cc: Kantor, Karen E.; Winston, Kathy; 'chair@miamidade.gov'; 'heath_rauschenberger@fws.gov'; 'maryann.poole@myfwc.com'; Wick, Fred; 'fbergen@kooglerassociates.com'; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Rinker Materials;FLD 981 758 485;56307-HO-003
Attachments: 8-14-08-Rinker Materials Final 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. 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.

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

Tracking:

Recipient	Delivery	Read
'rrogers@cemexusa.com'		
Kantor, Karen E.	Delivered: 8/14/2008 1:02 PM	Read: 8/18/2008 9:09 AM
Winston, Kathy	Delivered: 8/14/2008 1:02 PM	Read: 8/15/2008 9:21 AM
'chair@miamidade.gov'		
'heath_rauschenberger@fws.gov'		
'maryann.poole@myfwc.com'		
Wick, Fred	Delivered: 8/14/2008 1:02 PM	
'fbergen@kooglerassociates.com'		
Bahr, Tim	Delivered: 8/14/2008 1:02 PM	
Kothur, Bheem	Delivered: 8/14/2008 1:02 PM	
Tripp, Anthony	Delivered: 8/14/2008 1:02 PM	
Stein, Camille		Read: 8/14/2008 2:44 PM



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

August 14, 2008

SENT VIA E-MAIL

rogers@cemexusa.com

Mr. Robert Rogers, Plant Manager
Rinker Materials of Florida, Inc.
1200 NW 137th Avenue
Miami, Florida 33182

SUBJECT: Rinker Materials of Florida, Inc. Miami Facility
Facility Operating Renewal Permit
EPA I.D. Number: FLD 981 758 485
Permit Number: 56307-HO-003
Miami-Dade County

Dear Mr. Rogers:

Enclosed are Permit Number 56307-HO-003 issued to Rinker Materials of Florida, Inc. pursuant to Section 403.815, Florida Statutes (F.S.), and Chapters 62-4, 62-701, and 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.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/bk
Enclosure

Mr. Robert Rogers, Plant Manager

August 14, 2008

Page Two

cc: Karen Kantor, DEP/West Palm Beach, Karen.e.kantor@dep.state.fl.us
Kathy Winston, DEP/West Palm Beach, Kathy.winston@dep.state.fl.us
Bruno A. Barreiro, Chairperson, Miami-Dade County Board of County Commissioners,
chair@miamidade.gov
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Fawn Bergen, Koogler & Associates/Gainesville, fbergen@kooglerassociates.com



Florida Department of Environmental Protection

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

Charlie Crist
Governor

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Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Rinker Materials of Florida, Inc.
1200 NW 137th Avenue
Miami, Florida 33182

I.D. Number: FLD 981 758 485
Permit Number: 56307-HO-003
Date of Issue: August 14, 2008
Date of Expiration: February 12, 2013
County: Miami-Dade
Lat/Long: 25° 47' 17"N/80° 25' 26"W
Project: Used Oil Processing Facility

Attention:
Mr. Robert Rogers,
Plant Manager

This permit is issued under the provisions of Section 403.769 of Florida Statutes (F.S.), Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740 and 62-762 of Florida Administrative Code (F.A.C.), 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 December 11, 2007 and revised February 13, 2008 and May 12, 2008 herein referred to as "the permit application" and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereto and specifically described as follows:

TO OPERATE: To operate a Used Oil Processing Facility hereafter referred to as the "Facility". The Used Oil Processing Facility is located on an approximately 353.741-acre parcel of land owned by Rinker Materials of Florida, Inc. in Miami-Dade County at 1200 NW 137th Avenue, Miami, Florida 33182. A diagram of the site layout is included as Attachment A.

The facility is authorized to process used oil, oily wastewater and petroleum contact water under this permit.

The facility consists of two (2) 600,000 gallon tanks (used oil), one (1) 1,000 gallon tank (used oil), two (2) 20,000 gallon tanks (currently idle, formerly used for oily water), five (5) 25,000 gallon tanks (currently idle, formerly used for oily water), and one (1) 2,000 gallon tank (currently idle, formerly used for oily water). All tanks are above ground and located within secondary containment units. The use and capacities of aboveground storage tanks are listed in Attachment B.

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application dated June 17, 1997.
2. Used Oil Processing Facility Permit Renewal Application dated December 10, 2002.
3. Additional information dated March 6, 2003.
4. Used Oil Processing Facility Permit Renewal Application dated December 11, 2007.
5. Subsequent submittal dated February 13, 2008 in response to Notice of Deficiency.
6. Additional information dated March 11, 2008 and May 12, 2008.

Rinker Materials of Florida, Inc.
1200 NW 137th Avenue
Miami, Florida 33182

I.D. Number: FLD 981 758 485
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Part I - GENERAL AND STANDARD 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

- 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 Rules 62-4.120 and 62-710, 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:
 - 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 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. The Permittee shall comply with the following requirements during the life of this permit:
 - a. The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C.
 - b. This facility shall be constructed, operated and maintained in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, 62-730, 62-740, and 62-762, F.A.C., and all other applicable requirements of Department Rules.
 - c. By acceptance of this permit, the Permittee certifies that he has read and understands the obligations imposed by the General and Standard 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.

Rinker Materials of Florida, Inc.
1200 NW 137th Avenue
Miami, Florida 33182

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- d. Nothing contained in General and Standard Condition 10 of this permit shall be deemed to waive any right Permittee has under Florida Statutes or Department rules to oppose application of any such changes to the facility if Permittee is otherwise legally entitled to do so.

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

- a. One (1) hard copy and one (1) electronic copy shall be submitted to:

Environmental Administrator
Hazardous Waste Regulation 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) hard copy and one (1) electronic copy shall be submitted to:

Hazardous Waste Program Administrator
Department of Environmental Protection
Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401

- c. The Permittee shall submit one (1) copy of the renewal permit and/or modifications cover letter and 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 permit and/or modifications to the addresses in the General and Standard Condition 17 (a) and (b) of this permit.

- d. Financial Assurance Mechanism:

The Permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance. All supporting documentation, for proof of financial assurance and required annual 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
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 Form 62-710.901(7). 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.

18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.901(1) in accordance with Rule 62-710.500, F.A.C.
19. 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].
20. 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) by March 1 of each year 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.
21. 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, F.A.C. The Permittee shall also submit an application for transfer of the permit, at least thirty (30) days prior to transferring the facility, on DEP Form 62-1.201(1) accompanied with an appropriate application fee, required pursuant to Rule 62-4.050, F.A.C.
22. 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(3), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida.
23. 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(3), F.A.C. and must be accompanied with an appropriate application fee.
24. The Permittee shall submit a complete application for renewal of the permit, on DEP form 62-710.901(6) and in a manner prescribed by the Department, sixty (60) days before the expiration of this permit, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-710.800(5), F.A.C.
25. 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, sludge, 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.

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26. The Permittee shall not accept or store any hazardous wastes in the permitted tanks or in any other area at the facility without receiving written approval from the Department.
27. The Permittee is allowed to store used oil only in the aboveground tanks within the secondary containment, as shown in Attachment A of the permit.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in Table 1 of the permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008, and in Attachment B of the permit.
29. 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 Table 1 of the permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008 and Attachment B of the permit.
30. Category-A (tanks installed on or before March 12, 1991) and Category-B Storage Tanks (tanks installed after March 12, 1991, and before July 13, 1998) shall comply with the performance standards of Rule 62-762.511, F.A.C. Category-C Storage Tanks (tanks installed on or after July 13, 1998) shall comply with the performance standards of Rule 62-762.501, FAC. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C. [Rule 62-710.300(3), F.A.C.].
31. 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 operating record [Rule 62-710.510, F.A.C.].
32. 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 Attachment No. 6 of 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 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;
 - (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.
- 33. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps, prior to beginning operation. 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)].
 - 34. 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)].
 - 35. 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.].
 - 36. 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.
 - 37. 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].
 - 38. 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 Attachment 2 of the permit application; and
 - d. Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
 - 39. The Permittee shall inspect the tank system in accordance with Attachment 6 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.
40. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and managed in accordance with Attachment 6 of the permit application.
41. 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 4 & 5 of the permit application, at the facility;
 - b. Equip the facility with the required emergency equipment described in Attachment 5 of the permit application [40 CFR 279.52(a)(2)];
 - c. Test and maintain the required emergency equipment in accordance with the requirements of 40 CFR 279.52(a)(3);
 - 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 No. 5 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)].
42. 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 No. 5 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);

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- 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 Southeast District office may be contacted at (561) 681-6600.
43. 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.
44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment No. 5 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].
45. Pursuant to 40 CFR 279.55, concerning the written analysis plan, and 40 CFR 279.56, concerning Tracking and Rule 62-710.510(1), F.A.C., the Permittee shall:
- a. Sample and analyze each incoming shipment for the parameters listed in Attachment No. 4 of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment No. 4 of the permit application;
 - b. Test all containers of the same waste stream for the parameters listed in Attachment No. 4 of the permit application, if any of the samples fail the analysis required by General and Standard Condition 45.(a), 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 General and Standard Condition 45.(a). 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 No. 4 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.

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- e. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.

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

PART II -- USED OIL PROCESSING CONDITIONS

1. The Permittee, pursuant to 40 CFR 279.55, shall follow the procedures described in Attachment 4 of the renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008, and the following:
 - a. Prior to accepting used oil from off-site facilities, the Permittee shall sample and analyze each incoming shipment for the parameters listed in Attachment 4 of the permit application. The sampling frequency shall be in accordance with Attachment 4 of the permit application.
 - b. If any of the samples fail the analysis required by this condition, then all incoming containers of the same waste stream shall be tested for the parameters listed in Attachment 4 of the permit application. The Permittee shall collect a representative sample from the containers received from the same generator for this analysis.
 - c. Any incoming containers of used oil which fail the analysis required by this condition shall be rejected by the facility. The Permittee shall maintain in the facility operating record documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste.
 - d. Prior to shipment, all outgoing shipments of used oil shall be analyzed for the parameters in accordance with Attachment 4 of the permit application to determine whether the used oil is on-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. The Permittee shall maintain records on DEP Form 62-701.901 (2) or on substantially equivalent forms which contain at least the same information as the Department form. 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: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
 - (1) The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
 - (2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
 - (3) The quantities of each type of used oil accepted and date of acceptance; and
 - (4) Waste stream approval number and the off load tank number.
 - b. Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

- (1) The name, address and EPA identification number (if applicable) of the transporter 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 results.
 - 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 C of the renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008.
 - d. Record retention: The records described in paragraph (a), (b) and (c) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
3. Pursuant to 40 CFR 279.57, the Permittee must keep and maintain until closure of the Facility a written operating record at the Facility, which includes the following information:
- a. Records and results of used oil analyses performed as described in the analysis plan in Attachment C of the permit application 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).
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 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than one (1) gallon shall include the amount, time of the release, time of the response and a description of the response. Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department immediately if a release requires one or more tanks to be taken out of service.
5. 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, sludge, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).
6. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501, F.A.C., for existing shop fabricated/field erected tanks 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.

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7. 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 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 parts (b) and (c) of this condition prior to being put into service.
 - b. The secondary containment system shall meet the requirements of 40 CFR 279.54 and 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 strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that 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.
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (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.

PART III – TANK AND CONTAINER CONDITIONS

“Tank system”, for the purpose of Part III of this permit, is defined as storage tank(s), appurtenant equipment and secondary containment structure comprising the Permittee’s used oil processing facility.

1. The Permittee shall prevent the release of petroleum contact water, used oil, oily waste or oily wastewater 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 Parts (b) and (c) of this condition prior to being put into service.
 - b. The secondary containment system shall meet the requirements of 40 CFR279.54 and shall be:
 - (1) Designed, installed and operated to prevent any migration of waste 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 sufficient strength to sustain the stresses induced by failure of the primary containment system as well as other stresses that 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 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.
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (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.
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.
3. The Permittee shall, as part of the general operating requirements:
- a. Not place petroleum contact water, 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 B of the permit application; 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 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 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 6 of the permit application.
 8. The Permittee must initiate the removal of spilled or leaked waste from the secondary containment areas within twenty-four hours of the incident and the waste should be completely removed within three (3) days [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-762.701(2)(b), F.A.C.]. The above materials shall be managed in accordance to Attachment 6 of the permit application.
 9. The Permittee shall keep containers closed except when adding or removing waste.
 10. To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

PART IV – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 CFR 279.54(h), 62-710.800(5), F.A.C. and Attachment 8 of the renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008. The closure plan requires at a minimum the following:
 - a. Test residue in the tanks for hazardous constituents. If the residue is hazardous, follow the closure plan in Attachment 8 of the renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008.
 - b. Remove and properly dispose of any non-hazardous residue.
 - c. Triple rinse the tanks, piping and ancillary equipment.
 - d. Remove the tanks and piping to a scrap steel dealer.

- e. Submit a closure report, within 30 days after closing these tanks, that describes the closure process and includes documentation of:
 - (1) The weight of #1 heavy metal scrap sold.
 - (2) The weight of other scrap sold, by classification.
 - (3) The weight of scrap disposed and how disposed.
 - (4) An inventory of the valves and fittings that were retained for future application.
 - (5) A statement that the tanks and piping have been completely removed and that everything removed is included in the above listing.
- 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 renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008 in order to meet the following requirements that:
 - a. There will be no need for further Facility maintenance;
 - b. Used oil will not contaminate soil, surface water or groundwater;
 - c. All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
 - d. Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C.
 - e. Permittee who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 CFR 279.54(h), remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soil, and structures and 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 262.11;
 - f. The closure plan, as described in Attachment 8 of the renewal permit application dated December 11, 2007, revised February 13, 2008 and May 12, 2008 shall be updated whenever significant operational changes occur or design changes are made;
 - g. The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
 - h. The Permittee shall submit an updated and detailed plan to the Department at least 60 days prior to the schedule date of closing the Facility; and
 - i. 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, within 30 days after closing the Facility.

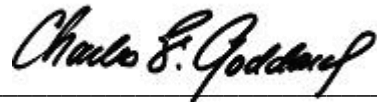
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3. Within 90 days of determining that the Facility can not be clean closed under this permit, the Permittee shall submit a permit application to close the tank system(s) and perform post-closure care in accordance with the closure and post-closure requirements of 40 CFR 264.310 that apply to hazardous waste landfills.
4. The Permittee who stores 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 oil 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 262.11.

Issued August 14, 2008

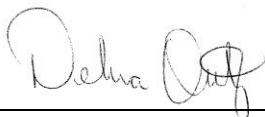
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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.



CLERK

August 14, 2008

DATE

I.D. Number: FLD 981 758 485
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LEGEND

ON STORAGE LOCATION / EQUIPMENT TYPE

1. 2000 PCL MACHINE
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100. 2000 PCL MACHINE

ON STORAGE LOCATION

PROPERTY LINE

FLOW

FUEL ON PPE LINE

SCALE: 1" = 232'

Rev 2 At-1 Facility Diagram

Rinker Materials of Florida, Inc.

Attachment 1, Page 3 of 3

2/1/08

Revision 2

ATTACHMENT B

Table 1. Rinker Materials of Florida, Inc.									
Raw Materials and Fuel Storage									
		Tank							Year
Area Name ^a	ID No. ^b	Legend ID ^a	Size/Capacity	Type of Material Stored	Status	Installed			
Drainage Area "A"	--	12	2,000 Gallon Tank	Oily Water	Inactive	1987			
Drainage Area "A" - BA	5	15	600,000 Gallon Tank	Waste Oils	Active	1958			
Drainage Area "A" - C	6	15	600,000 Gallon Tank	Waste Oils	Active	1958			
Drainage Area "A" - D1	9	13	25,000 Gallon Tank	Oily Water	Inactive	1990			
Drainage Area "A" - D2	10	13	25,000 Gallon Tank	Oily Water	Inactive	1990			
Drainage Area "A" - D3	11	13	25,000 Gallon Tank	Oily Water	Inactive	1990			
Drainage Area "A" - D4	12	13	25,000 Gallon Tank	Oily Water	Inactive	1990			
Drainage Area "A" - E1	13	14	25,000 Gallon Tank	Oily Water	Inactive	1990			
Drainage Area "A" - E2	15	14	20,000 Gallon Tank	Diesel Fuel	Inactive	2005			
Drainage Area "A" - Railcar Unloading	--	16	Storage Area	Fuel Oil	Active	--			
Drainage Area "B"-Emergency Generator	--	1	500 Gallon Tank	Diesel Fuel	Active	2000			
Drainage Area "B"-Kiln Day Tank - F	4	2	30,000 Gallon Tank	Fuel Oil	Active	1958			
Fuel Oil Tank	14		30,000 Gallon Tank	Fuel Oil	Active	1990			
Drainage Area "D"-Pressure Cleaning Facility	--	3	1,000 Gallon Tank	Waste Oils	Active	1984			
Drainage Area "D"-Emergency Generator	--	4	110 Gallon Tank	Diesel Fuel	Active				
Drainage Area "D"-Fueling Station	1	5	20,000 Gallon Tank	Diesel Fuel	Active	1958			
Drainage Area "D"-Oil & Lubricant Storage	--	6	60' x 8" Storage Area	Oil and Lubricant	Active	--			
Drainage Area "D"-Emergency Generator	7	7	560 Gallon Tank	Diesel Fuel	Active	1958			
Drainage Area "D"-Oil & Lubricant Receiving & Stg.	--	8	20' x 40' Storage Area	Oil and Lubricant	Active	--			
Drainage Area "D"	8	9	500 Gallon Tank	Fuel Oil	Inactive	1958			
Drainage Area "D"-Oil & Lubricant Storage	--	10	30' x 30' Storage Area	Oil and Lubricant	Active	--			
Drainage Area "D"-Fuel Storage	--	11	20,000 Gallon Tank	Oily Water	Inactive	1987			
Drainage Area "D"-Fuel Storage	--	11	20,000 Gallon Tank	Oily Water	Inactive	1987			
^a Refer to Facility Diagram (Attachment 1, Revision 2).									
^b Tank ID from the FDEP tank registrations. Some tanks are not required to be registered and therefore, do not have a tank ID.									