

Thursby, Kim

From: Kothur, Bheem
Sent: Monday, July 20, 2009 10:09 AM
To: Thursby, Kim
Subject: FW: FW: E post Email Response Not Received (Florida Recycling)

FTI and request.

Bheem

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

From: Dee Miller [mailto:deemiller@tampabay.rr.com]
Sent: Monday, July 20, 2009 10:05 AM
To: Kothur, Bheem
Subject: Re: FW: E post Email Response Not Received (Florida Recycling)

Please advise Kim Thursby I am not a her and that I received the email on 7/6/09.
Thanks,
Dee Miller

Kothur, Bheem wrote:

>
> Hi Mr. Miller:
>
> Please send us confirmation that you have received our NOD-2 comments
> on June 30, 2009 from Kim Thursby.
>
> Thanks.
>
> Bheem
>
>
>
>
>
>
>
> /The Department of Environmental Protection values your feedback as a
> customer. DEP Secretary Michael W. Sole is committed to continuously
> assessing and improving the level and quality of services provided to
> you. Please take a few minutes to comment on the quality of service
> you received. Simply click on this link to the DEP Customer Survey
> <<http://survey.dep.state.fl.us/?refemail=Bheem.Kothur@dep.state.fl.us>>.
> Thank you in advance for completing the survey./
> / /
>
> *From:* Thursby, Kim
> *Sent:* Wednesday, July 15, 2009 9:48 AM
> *To:* Kothur, Bheem
> *Subject:* E post Email Response Not Received (Florida Recycling)
>
>
>

> Bheem,
>
> I sent this through e post email on June 30, 2009 to
> deemiller@tampabay.rr.com <<mailto:deemiller@tampabay.rr.com>> and as of
> today I have not received a response back from her. Can you please
> contact Ms. Miller and see if she received the email and have her send
> response through e post email.
>
>
>
> Thanks,
>
> Kim
>
>
>
>
>
>
>
>
> Kim Thursby
>
> Department of Environmental Protection
>
> 2600 Blair Stone Road
>
> Mail Station 4560
>
> Tallahassee, Florida 32399-2400
>
> Direct with voice mail (850) 245-8792
>
> Fax Number (850) 245-8810
>
>
>
>
>
>

Thursby, Kim

From: Epost HWRS
Sent: Tuesday, June 30, 2009 8:30 AM
To: 'deemiller@tampabay.rr.com'
Cc: Dregne, James; 'mike@imperialtesting.com'; Wick, Fred; Posner, Augusta; Hornbrook, Frank; 'mike.redig@dep.state.fl.us'; 'msherman@fowlerwhite.com'; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Florida, Recycling Solutions,FLR 000 034 033;294693-HO-001;Comments to First Notice of Deficiency Response dated May 19, 2009 and (NOD-2)
Attachments: 6-30-09-Florida Recycling Solutions LLC NOD-2 (Draft 2) 6_29_09 (2) (2) (2).pdf-Receipt.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. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

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



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

June 30, 2009

SENT VIA E-MAIL

deemiller@tampabay.rr.com

Mr. Dee Miller, General Manager
Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, Florida 33811

RE: Florida, Recycling Solutions, LLC
EPA I.D. No: FLR 000 034 033
Permit Number: 294693-HO-001
New Used Oil Processing Facility Permit Application
Comments to First Notice of Deficiency Response dated May 19, 2009 and (NOD-2)

Dear Mr. Miller:

The Florida Department of Environmental Protection (the Department) has received your new permit application dated February 23, 2009 and responses received on May 26, 2009 to operate a Used Oil Processing facility at 3210 Whitten Road, Lakeland, Florida, 33811.

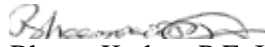
The review of the permit renewal application indicates that it is incomplete. Please provide the information requested in the enclosed attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. Dee Miller, General Manager
June 30, 2009
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Bheem Kothur at 850-245-8781, e-mail: Bheem.kothur@dep.state.fl.us.

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/

Enclosure: Attachment

cc: Jim Dregne, DEP/South West District, james.dregne@dep.state.fl.us
Michael Stillinger, Imperial Testing Laboratories/Lakeland, mike@imperialtesting.com
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Augusta Posner, OGC/Tallahassee, augusta.posner@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Michael Redig, DEP/Tallahassee, mike.redig@dep.state.fl.us
Sherman Meredith, msherman@fowlerwhite.com

ATTACHMENT

June 30, 2009

FLORIDA RECYCLING SOLUTIONS, LLC Lakeland Florida

EPA I.D. Number: FLR 000 034 033

Comments to First NOD Response

GENERAL COMMENTS

1. Department understand that you may use Aqua Clean equipment and employees; however, you must address and describe in detail the clear understanding of who is doing what? The operating information section still does not draw a clear line between the two operations and their regulatory responsibilities. Please review and revise as appropriate.
2. Site Map and Tank Table: Facility submitted through e-mail on May 22, 2009, appears the contents in the tanks are not identified. Please review and revise as appropriate. Also, add tank 10 to the table and its contents if appropriate.
3. Due to process system change in NOD responses, and adding tank 10 to the process system and incase Lake City does not renew the sewer discharge permit, please review the cost estimates and revise as appropriate.
4. Since we have one company address, one company owner, one I.D. No., and two company names. Please choose which company name is the "Managed Entity Name"? so that to issue all DEP documents under that name.

SPECIFIC COMMENTS

Application Form

5. USGS Contour Map and FEMA Flood Map – The parcel shape on the map still appears to be incorrect. The revised map is still dated 1/13/09. Please review and revise as appropriate through out the documents.
6. Page 15 - The PE Certification is for Tanks 6, 7, 8 and 9. Tank 10, the oil water separator and Tank 17 are mentioned in the text discussing processing operations, but are omitted from this certification. They are also outside the FRS boundary within the facility per facility diagram IIC. Please review and revise this page as appropriate.
7. The Tanks program registration information has different tank numbers and contents are assigned. Please review and revise and be consistent.

Tank #	Size	Content	Installed	Placement	Status	Const	Pipe	Monitor
6	3000	Misc Petrol-Based Product	07/01/1997	ABOVE	U	C N K	B D G A	Q M

7	9200	Misc Petrol-Based Product	07/01/1997	ABOVE	U	C N K	B D G A	Q M
8	10000	Vehicular Diesel	09/01/2006	ABOVE	U	C I	B A D	Q F

- a) Tank 10 in the application appears to be registered Tank #6, and is registered as a petroleum product tank. Is this tank going to be used to hold oil recovered by ACE before it is transferred to FRS? Revise accordingly.
- b) Tanks 9 in the application appears to be registered as Tank#7 by ACE. Will the registration be changed? Revise accordingly.
8. Secondary containment for the piping from this tank to the process heaters is not clearly delineated. Diagram IIC has a label "Fully enclosed area" around the base of Tank 17 that is not observed in facility photographs from 2007 (see photo below). Has this wall been constructed, or is it planned construction? Does it provide the secondary containment for the piping from Tank 9 to the heaters?
9. If this fuel will be burned incidental to processing, without specification testing, it is still subject to 40 CFR 279.54(e) secondary containment requirements.



Cone Bottom Tank, Stabilization pad



Unloading area SE corner of the stabilization pad

Attachment I - Operating information – Description of Facility Operations

10. Page 1 - Paragraphs 1 and 2 indicate that both ACE and FRS will be processing wastewater. Operational differences between the two entities are still vague. Both FRS and ACE will accept oily water and used oil/water mixtures. The text does directly answer whether either or both corporations will transport material. Please review and revise as appropriate.
11. The oil/water separator is not included within the FRS delineated process area. From the text descriptions, it appears that both companies will use this piece of process equipment. How will materials from both companies be tracked through this process unit? How will transfers of oil between the companies be tracked under 40 CFR 279.56. Also, see comment item 1 and address as appropriate.
12. Page 2 - How will FRS track oil that is burned on site? FRS may have to demonstrate that the process heaters qualify for an exemption from air permitting by conducting sulfur analysis and tracking the amount of fuel burned incidental to processing. See F.A.C. 62-210.300(3)(a)33 and 34. Or otherwise, obtain air permit as appropriate and before start using the process heaters equipments.

Attachment II – Operating Information - Used Oil Process Flow

Load handling –

13. This discussion includes ACE activities as well as FRS activities. When materials are consigned to the facility, which corporation will be the designated consignee? Is material handling to be decided before or after receipt? Please be clear.
14. How will oil transfers between the companies be tracked? How will oily waste transfers between the companies be tracked?
15. Are there designated unloading areas for materials consigned to FRS that are different from materials consigned to ACE? Will materials consigned to FRS only be unloaded by the pump designated as Used Oil unloading pump (P3)? Or will materials consigned to FRS be unloaded into the trench on the west end of the “Oil Unloading/Loading Area?” Currently this trench is used to receive oily waste waters consigned to ACE.
16. Drawing IIC - Tank 17, the cone bottomed tank is discussed as processing equipment and is outside the main containment area. A containment area is indicated on one facility drawing, but no design specifications or capacity calculations were included. Please review and revise as appropriate.
17. Page 2 – Says that a batch of oil is 9,000 gallons or more. This needs to be more specific.
18. Drawing IIB - Regarding the two hot water boilers – what is their heat capacity? Are they exempt from air permitting under 62-210.300(3)(a) F.A.C.? If not, please obtain an air permit before using these equipments.
19. In order to demonstrate compliance with air permitting exemption criteria, sulfur analysis of the fuel is needed, and you must maintain records of the amount of fuel burned in each unit and collectively at the facility as a whole. (40 CFR Part 279 does not require specification testing for burning incidental to processing.)

Attachment III - Analysis plan

20. Page 4, 2.0 - The rebuttable presumption is based on total halogen content, not total organic halogens (TOH or TOX). Chlor-d-Tect measures total halogens, not total organic halogens. Please review and revise the paragraph as appropriate.
21. Page 6, 3.2 -The discussion in the first paragraph of Section 3.2 is not accurate – EPA test methods for TOX in drinking water do not rely upon titration, and titration based Chlor-d-Tect field test kits do not detect just organically bound halogens. Dextsil claims their Hydrochlor Q kit for testing mixtures with more than 70% water is not affected by salt water, however this method has not been adopted in EPA Methods SW-846. Please review and revise as appropriate.
22. Page 6, 3.2, para. 2 - EPA Method 9077 is a final method, not proposed. Please revise as appropriate.
23. Page 4, 2.0 - “FRS makes the determination whether or not wastes or materials are acceptable under the permits issued to the facility” Are specific personnel assigned this duty? What training do they have? Bottom of Page 4 of this attachment references a “Section 7” which is not included. This should be changed to refer to pg 12’s Used Oil Refusal Procedure. This section is acceptable if the vehicle is not operated by FRS or Aqua Clean. How does the facility intend to handle rejected loads that are in FRS or Aqua Clean owned or operated vehicles?

Material Data Certification Sheet - Appendix B

- 24. Page 1 - The sheet does not request a description of the process generating the waste. Please review and revise the sheet as appropriate.
- 25. Page 1 - The sheet should include a specific profile number that can be used to track wastes with different shipping descriptions, such as waste water or used oil accepted from the same generator.
- 26. Page 1 - The flash point for ignitable hazardous waste is ≤ 140 degrees F, not < 140 degrees. The sheet does not indicate whether the temperature is in degrees Fahrenheit or Celsius. In addition, the Department would recommend adding a temperature range of 100 degrees F or lower, as that temperature indicates that the oil is off specification. Please review and revise as appropriate.
- 27. Page 1 - The pH ranges for corrosive hazardous waste is ≤ 2 or ≥ 12.5 . Please review and revise as appropriate.

Generator's Certification – Appendix B

- 28. Page 2 - Suggest adding: “I understand that I am responsible for notifying Aqua Clean of any change in the chemical or physical nature of the material prior to future shipments.” Please revise as appropriate.
- 29. Page 2 - Suggest adding: “I understand that providing false or inaccurate information in this document is a violation of state and federal regulations.” Please revise as appropriate.

Attachment IV – Operating Information

- 30. Page 1, Item a - What is the alarm device? Is it an air horn, alarm or PA system to signal employees? Or is it a telephone or monitored direct alarm to alert local authorities?
- 31. Page 10 – The paragraph beginning with “FRS accepts...” includes a sentence that appears to have a cut and paste type error. Please revise: “...standards and discharged to the used oil area and consist of 3 storage...”
- 32. Page 10 - The paragraph below contains a typo – “..of the discharged permit..”
- 33. Page 10 - The last sentence on the page should end with SWFWMD, not SWWMD.
- 34. Page 11 – second line “releases” is redundant. Please review and revise as appropriate.
- 35. Page 11 - Please explain what is meant by the term “10% concrete slab barrier.”
- 36. Page 11 - The facility has more than one unloading area. Will all materials designated as “used oil” or “oily waste” be off loaded at the north area that is provided with the 9,000 gallon containment sump? Or will the unloading manifolds on the south side of the solidification slab also be used? What containment is provided in this area? Please review and revise as appropriate.
- 37. Page 12 – The emergency equipment list on page 12 doesn't include the pump mentioned on page 13 and 14. In addition, the list does not include the sawdust absorbent and front end loader present on site. Please review and revise as appropriate.
- 38. Page 36 – The Roster is blank? Will the Roster be completed and distributed with the approved plan after permit issuance? Please clarify.

Attachment V – Operating Information

39. Page 1 – No specifications on the concrete slab were included except on the diagram “Water Treatment Plant Layout” dated 6/13/97, which is not signed or sealed. Please review and resubmit the final documents and as appropriate.
40. Drawing SC45e with four monitoring wells, Drawing Revision R dated 5/14/09 signed by Steven A Dutch engineer with Chastain Skillman. What is the purpose of this submittal? Please clarify, review and revise as appropriate.
41. The depth of liner and construction details regarding holding pit and collection trough is not provided. If used oil will be unloaded there, these details must be provided.

Attachment VI – Closure:

If the city of Lakeland cuts off access to the sewer, Please explore what other treatment and discharge options you may have and estimate their costs.

Attachment VII

42. The first page in this section has a check under “Option A” indicating the facility will use the “Used Oil Transporters certification and training manual” This manual is acceptable for transportation related aspects of facility operations, but additional training on processor operations must also be provided.

“Collection Sampling”

43. Odor: - The Department believes that intentionally smelling petroleum products is an inappropriate screening procedure. Gasoline water mixtures will contain benzene, a carcinogen, and employee exposure must be avoided to comply with OSHA requirements.
It would be acceptable to revise this section:
Odor: Intentionally sniffing waste materials should be avoided. If unexpected or unusual odors are noted during material transfer, the situation should be investigated with the generator and a supervisor.
A sweet smell may.... Etc.

“Product Screening Quality Assurance”

44. Please identify the halogen present in the 990 ppm “known” product sample.
45. How often will the “known” be tested or replaced? Solvents present in oil are lost over time when stored in containers that are opened and closed, or that have head space.

Attachment VII

46. Last page - Ends with “oil collection sampling.doc” Does FRS have copies of ASTM tank sampling standards applicable to petroleum fuels under state and federal Air Program regulations? If so, please provide the same.