

**Thursby, Kim**

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**From:** Garry Allen [gallen@synergyrecycling.org]  
**Sent:** Tuesday, January 26, 2010 1:27 PM  
**To:** Epost HWRS  
**Cc:** 'Mike Stillinger'  
**Subject:** RE: Synergy Recycling;FLR 000 053 611

Thank you.

We have received the permit.

Garry R. Allen  
Operating Partner  
Synergy Recycling of Central Florida, LLC  
3800 W. Lake Hamilton Drive  
Winter Haven, FL 33881  
Phone: (863) 419-0556  
Fax: (863) 419-0126  
Cell: (813) 410-4013

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**From:** Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]  
**Sent:** Tuesday, January 26, 2010 9:42 AM  
**To:** 'gallen@synergyrecycling.org'  
**Cc:** Dregne, James; 'heath\_rauschenberger@fws.gov'; 'maryann.poole@myfwc.com'; Hornbrook, Frank; Wick, Fred; Posner, Augusta; Martin, Lee; 'mike@imperialtesting.com'; 'jpotter@mywinterhaven.com'; 'jeanreed@polk-county.net'; Bahr, Tim; Kothur, Bheem; Tripp, Anthony  
**Subject:** Synergy Recycling;FLR 000 053 611

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). (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](http://www.adobe.com/products/acrobat/readstep2.html).

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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)

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# 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

January 26, 2010

SENT VIA E-MAIL

[gallen@synergyrecycling.org](mailto:gallen@synergyrecycling.org)

Mr. Garry R. Allen, Operating Partner  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

SUBJECT: Synergy Recycling of Central Florida, LLC  
Facility New Permit  
EPA I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001; 292753-SO-002

Dear Mr. Allen:

Enclosed are Permit Numbers 292753-HO-001 and 292753-SO-002 issued to Synergy Recycling of Central Florida, LLC 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](mailto:bheem.kothur@dep.state.fl.us).

Sincerely,

Tim J. Bahr, Administrator  
Hazardous Waste Regulation

TJB/bk  
Enclosure

Mr. Garry Allen, Operating Partner  
January 26, 2010  
Page Two

cc: James Dregne, DEP/Southwest District, [james.dregne@dep.state.fl.us](mailto:james.dregne@dep.state.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)  
Frank Hornbrook, DEP/Tallahassee, [frank.hornbrook@dep.state.fl.us](mailto:frank.hornbrook@dep.state.fl.us)  
Fred Wick, DEP/Tallahassee, [fred.wick@dep.state.fl.us](mailto:fred.wick@dep.state.fl.us)  
Augusta Posner, OGC/Tallahassee, [augusta.posner@dep.state.fl.us](mailto:augusta.posner@dep.state.fl.us)  
Lee Martin, DEP/Tallahassee, [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us)  
Mike Stillinger, [mike@imperialtesting.com](mailto:mike@imperialtesting.com)  
Jeff Potter, Mayor, City of Winter Haven, [jpotter@mywinterhaven.com](mailto:jpotter@mywinterhaven.com)  
Jean Reed, Polk County Board of Commissioners, [jeanreed@polk-county.net](mailto:jeanreed@polk-county.net)



# Florida Department of Environmental Protection

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

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Lt. Governor

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Secretary

## PERMITTEE:

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001  
Permit Number: 292753-SO-002  
Date of Issue: January 26, 2010  
Expiration Date: January 26, 2015  
County: Polk County  
Lat/Long: 28°04' 42" N/81° 39' 39" W

Attention:  
Mr. Garry R. Allen, President

Project: Used Oil and Material Processing Facility

This permit is issued under the provisions of Section 403 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 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 and Material Processing Facility hereinafter referred to as the "Facility". The Used Oil and Material Processing Facility is located on an approximately 2.03-acre parcel of land owned by Synergy Recycling of Central Florida, LLC. in Polk County at 3800 West Lake Hamilton Drive, FL, 33881. Diagrams of the site layout and tank storage area are included as Attachments (Attachment – A and B, respectively), Tank capacity and its contents are shown in Tank Table (Attachment - B) of this permit.

The Permittee is authorized to process used oil, oily wastewater, petroleum contact water (PCW), oily solid waste, used antifreeze, and used oil filters under this permit.

The Facility consists of a total of three (3) tanks with a total capacity of 36,500 gallons. One (1) 25,000 gallon double-walled tank, split in three compartments (3a, 3b, and 3c) rated for 18,000/3,500/3,500-gallons, respectively. The 18,000-gallon compartment shall contain used oil. The 3,500-gallon compartments shall contain used oil, oily water or spent antifreeze. The permittee also uses one (1) 10,000-gallon storage tank for processing oily water (or PCW), and one (1) 1,500-gallon storage tank for processing antifreeze. These tanks are placed in a concrete secondary containment structure that is sealed and impervious to petroleum products. Two tank containers are located within the secondary containment unit. The double-walled tank is located outside the secondary containment. All tanks are shown on the drawing in Attachment A of this permit.

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

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

Used Oil Processing Facility Permit Application Dated October 23 and FDEP received on November 10, 2008.

1. Solid Waste Processing Facility Application Dated February 27, 2009 and FDEP received on March 5, 2009.
2. Used Oil Processing Facility Permit Application, NOD Letter Dated December 17, 2008 and the Facility Responses Dated February 27, 2009.
3. Used Oil Processing Facility NOD-2 Letter Dated April 10, 2009 and the Facility Responses Dated April 20, 2009.
4. Used Oil Processing Facility NOD-3 Letter Dated May 15, 2009 and the Facility Responses Dated June 11, 2009.

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
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I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
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## TABLE OF CONTENTS

PART I – GENERAL AND STANDARD CONDITIONS.....	4
PART II – USED OIL PROCESSING CONDITIONS.....	12
PART III – PETROLEUM CONTACT WATER PROCESSING CONDITIONS.....	15
PART IV – TANK AND CONTAINER CONDITIONS.....	16
PART V – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS.....	18
PART VI– CLOSURE CONDITIONS .....	18
ATTACHMENT A – SITE LAYOUT .....	21
ATTACHMENT B – TANK STORAGE ..	22

## **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



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

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
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Hazardous Waste Regulation Section  
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  
Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

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

Environmental Administrator  
Hazardous Waste Regulation Section  
Department of Environmental Protection  
2600 Blair Stone Road, M.S. 4560  
Tallahassee, Florida 32399-2400

The Permittee shall submit the other copies of the renewal permit and/or modifications (one hard and one electronic) 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. 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.

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Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

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 62-701.901(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 and 62-740.300(5), 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(4), 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.
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, and or with double walled tanks as shown in Attachment - A of the permit. The permitted units are Tanks 1 through 3.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of the permit application in Attachment II and 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 Attachment II of the permit application and Attachment B of the permit.

30. Tanks installed on or after July 13, 1998 shall comply with the performance standards of F.A.C., Rule 62-762.501. 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's 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 systems 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. Prior to beginning operation, the Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

Synergy Recycling of Central Florida, LLC  
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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 Attachments II and III 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 Attachments II and III 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 Spill Prevention Control and countermeasures Plan (SPCC) And Contingency Plan 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, of the permit application, at the facility;

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- b. Equip the facility with the required emergency equipment described in SPCC Plan 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 SPCC Plan of the permit application [40 CFR 279.52(a)(4)]; and
  - e. Make arrangements with the local authorities as described in SPCC Plan 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 Attachment VII, Contingency Plan, and SPCC Plan of the permit application, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);
  - b. Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);
  - c. Amend the plan and submit the amended plan for Department approval within seven days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven days of the change in the plan. All amended plans must be distributed to the appropriate agencies;
  - d. Comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator; and
  - e. Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Southwest District office may be contacted at (813) 632-7600.
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 VII 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, 40 CFR 279.56, concerning Tracking, the Permittee shall:
- a. Sample and analyze each incoming shipment for the parameters listed in Attachment IV of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment IV of the permit application;
  - b. Test all containers of the same waste stream for the parameters listed in Attachment IV 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 C 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.
  - e. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.
  - f. The Permittee must keep the written analysis plan at the facility.

## **PART II -- USED OIL PROCESSING CONDITIONS**

1. 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: the Permittee shall maintain records on DEP Form 62-701.900 (2) or on substantially equivalent forms which contain at least the same information as the Department form.
  - 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. Record Retention: The records described in paragraph (a) and (b) of this section must be maintained for at least five years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
2. Pursuant to 40 CFR 279.57, the Permittee must keep and maintain a written operating record at the Facility until closure of the Facility, which includes the following information:
  - a. Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55; and described in Attachment (C) .5a, (C).5b and (C).5c of the permit application.
  - b. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
3. 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 the Permittee to take any of the tanks out of service.
4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of 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).
5. 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.

6. 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 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.
7. Permittee shall submit as built drawings for the proposed and constructed Tanks within thirty (30) days of issuing this permit. Each drawing shall be signed and sealed and certified by a Professional Engineer registered in the State of Florida.
8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new Tanks until the Permittee has established Financial Assurance for the tanks in accordance with Condition Part I.17.(d) of this permit and the Department has approved installation of the tanks. Upon Department approval of the newly installed and the updated Financial Assurance mechanism, the Permittee may start using those tanks.

### **PART III – PETROLEUM CONTACT WATER PROCESSING CONDITIONS**

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 has received a DEP/EPA ID number by notifying the Department on DEP/EPA Form 8700-12FL of its intent to transport PCW. [62-740.200(2), F.A.C.]
2. The Permittee shall label or mark all containers or tanks which are used for the storage of petroleum contact water with the words “Petroleum Contact Water” or “PCW”. [62-740.100, F.A.C.]
3. 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.
4. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either overpack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
5. The Permittee shall store or treat PCW in tanks registered under the specifications of Rule 62-762, F.A.C. or in containers or tanks that do not require registration but meet the requirements of 62-740.100(2), F.A.C. [62-740.300(2)(a) and (b), F.A.C.]
6. The Permittee shall test and manage all waste residuals after the recovery of product from PCW in accordance with Chapter 62-730, F.A.C., or other applicable rules of the Department [62-740.300(6), F.A.C.].
7. 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.
    - (6). Have on file written assurances from the producers 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. Weekly PCW container or tank inspections as required in 62-740.100(2)(e), F.A.C.
  - c. Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW [62-740.300(3), F.A.C.].

8. 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.
  - b. An estimate of the total quantity of product recovered from the PCW.

#### **PART IV – TANK AND CONTAINER CONDITIONS**

“Tank system”, for the purpose of Part IV of this permit, is defined as storage tank(s), appurtenant equipment and secondary containment structures 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 of 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 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.
2. The Permittee shall, in the event of a release:

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

- 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 II 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 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 VIII 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. Accumulated precipitation must be removed from the secondary containment areas within twenty-four hours after a rainfall event. The above materials shall be managed in accordance Attachment VII of the permit application dated October 23, 2008 and revised February 27, 2009.
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 V – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS**

1. The facility may accept non-hazardous oil-contaminated solid wastes generated from CERCLA sites that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom, air and transmission filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal or processing facilities.
  - a. All wastes received at the site for solidification will be received either by drum in the drum storage area or in bulk via vacuum truck into the existing on site mixing chamber, both of which are located in the north warehouse. The mixing chamber will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed roll-off container which will be staged on the bermed concrete slab.
  - b. All waste shall be analyzed in accordance with the Analysis Plan, and Attachment IV of the permit application using the appropriate analytical methods as described in Update IV of SW-846. Oil contaminated solid waste determined to be non-hazardous as defined by 40 CFR Part 260-262 may be processed at the facility. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.
  - c. Roll-off containers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of oil-contaminated solid waste on the site shall not exceed 100 55-gallon drums or one 20- to 30-cubic yard (CY) roll-off dumpster processed for recycling and disposal. The maximum area of the drum storage area shall not exceed 3600 square ft. No other material (solidifying agent) will be added to the mixture.
  - d. Maximum amount of oil-contaminated solid waste to be brought in to the facility shall be 0.73 CY per day or 23 CY per month. The oil contaminated solid waste shall be brought into the facility in the form of approximately 80 to 100 55-gallon drums of material for disposal. .
  - e. Roll off containers shall be covered at all times.

## **PART VI – 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 IX, closure plan of the permit application dated October 23, 2008. The closure plan requires at a minimum the following:
  - a. Test residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment IX of the permit application dated October 23, 2008.
  - b. Remove and properly dispose 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 IX of the permit application dated October 23, 2008 and subsequent revisions 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 IX of the renewal permit application dated October 23, 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.

Synergy Recycling of Central Florida, LLC  
3800 West Lake Hamilton Drive  
Winter Haven, FL 33881

I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

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 post-closure care in accordance with the closure and post-closure requirements of 40 CFR 264.310 that apply to hazardous waste landfills.
4. Containers: Permittee 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 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 January 26, 2010

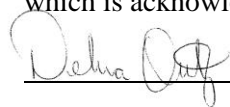
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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

January 26, 2010

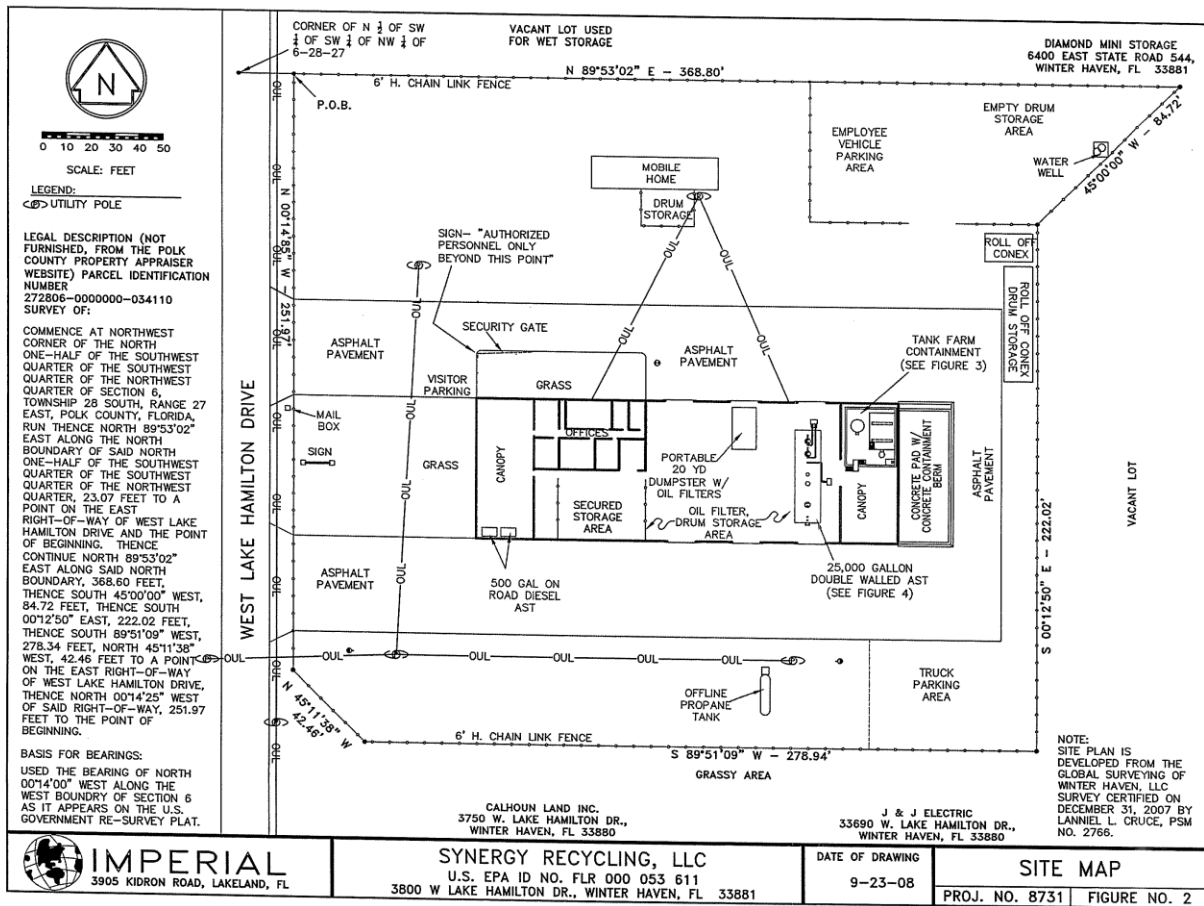
DATE



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I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

## ATTACHMENT- A SITE MAP



Synergy Recycling of Central Florida, LLC  
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I.D. Number: FLR 000 053 611  
Permit Number: 292753-HO-001 and 292753-SO-002  
Expiration Date: January 26, 2015

## **ATTACHMENT B**

### **TANK TABLE**

<b><u>Tank Number</u></b>	<b><u>Tank Capacity gallons</u></b>	<b><u>Tank Contents</u></b>
<b>1</b>	<b>10,000</b>	<b>Oily Water, Used Oil</b>
<b>2</b>	<b>1,500</b>	<b>Spent Antifreeze</b>
<b>3-a</b>	<b>18,000</b>	<b>Used Oil</b>
<b>3-b</b>	<b>3,500</b>	<b>Used Oil, Oily Water, Spent Antifreeze</b>
<b>3-c</b>	<b>3,500</b>	<b>Used Oil, Oily Water, Spent Antifreeze</b>

Tank 3 is a 25,000-gallon double walled tank, separated into (3) compartments with the cited capacities above.