



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

March 3, 2010

Sent Via E-mail

jeff.curtis@safety-kleen.com

Mr. Jeff Curtis
Safety-Kleen Systems, Inc.
4426 Entrepot Blvd
Tallahassee, Florida 32310

SUBJECT: Safety-Kleen Systems, Inc.
FLD 982 133 159
Operating/ Corrective Action Permit 009207-HO-007
Leon County

Dear Mr. Curtis:

Enclosed is Permit Number 009207-HO-007 to operate container and tank storage units. This permit is being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-730, and 62-780, Florida Administrative Code (F.A.C.).

This permit is final and effective ("issued") 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 the applicable filing fees with the appropriate District Court of Appeal.

Mr. Jeff Curtis
March 03, 2010
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The Notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you should have any questions, please contact Merlin D. Russell Jr. at 850-245-8796 or merlin.russell@dep.state.fl.us.

Sincerely,



Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/mdr

cc (with enclosures):

Jim Byer, FDEP Pensacola, James.Byer@dep.state.fl.us

Karen Knight, EPA/Region 4, Knight.Karen@epamail.epa.gov

Heath Rauschenberger, U.S. Fish & Wildlife Service,
heath_rauschenberger@fws.gov

Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com

Mayor John Marks, john.marks@talgov.com

Bill Proctor, Leon County Board of Commissioners, proctorb@leoncountyfl.gov



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PERMITTEE:
Safety-Kleen Systems, Inc.
4426 Entrepot Blvd
Tallahassee, FL 32310

I.D. NUMBER: FLD 982 133 159
PERMIT/CERTIFICATION NUMBER: 009207-HO-007
DATE OF ISSUE: MARCH 3, 2010
EXPIRATION DATE: March 14, 2015

ATTENTION:
Jeff Curtis

COUNTY: Leon
LATITUDE / LONGITUDE: 30°23'58"N/84°19'36"W
PROJECT: Operation of a hazardous waste container
storage unit and operation of a hazardous
waste tank storage unit.

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Conservation and Recovery Act [42 United States Code (U.S.C.) 6901, *et seq.*, commonly known as RCRA] and the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-777 and 62-780, Florida Administrative Code (F.A.C.). This permit replaces expired permit No. 009207-HO-006. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated September 10, 2009 and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof herein referred to as "the permit application". The RCRA-regulated units are described as follows:

Container Storage Unit:

The Permittee operates a hazardous waste container storage unit at the facility (shown in Attachments A and B). The Container Storage Unit is located in a completely enclosed warehouse. The Container Storage Unit is permitted to hold a maximum of 6,912 gallons of hazardous waste in containers at any one time; however, hazardous waste labeled as 10-day transfer facility waste may also be accumulated within the permitted unit for short periods of time. The dimensions of the secondary containment systems are large enough to contain spills at least 10% of the maximum allowed storage capacity. The drums are stored on pallets and may be double stacked. A synthetic coating material resistant to the solvents stored at this facility has been applied to the floor surface to protect the floor and reduce its permeability. Only hazardous waste with waste codes shown in Attachment E may be accumulated in the Container Storage Unit.

Waste Tank Storage Unit:

Five above ground storage tanks are maintained at the Safety-Kleen Tallahassee facility. Three of the storage tanks (shown in Attachments A and C) are underlain by a concrete slab with a 3 ft high concrete wall for secondary containment. Of these three tanks, one

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15,000 gallon Level I tank is authorized for storage of hazardous waste solvent under this permit. Only hazardous waste with waste codes shown in Attachment E may be stored in the tank designated for hazardous waste storage. One 15,000 gallon tank is used for storing used oil. One 15,000 gallon tank is used for storing fresh parts washer solvent. Two double walled tanks are located at the facility. One 8,000 gallon tank is used for storing non-hazardous used anti-freeze waste. One 15,000 gallon tank is used for storing fresh parts washer solvent.

Solvent Return/Fill Station:

The solvent return/fill station shown in Attachments A and D is comprised of a dumpster / barrel washer which is used to hold waste parts washer solvent before the waste solvent is pumped to the 15,000 gallon hazardous waste storage tank. The dumpster is underlain by a containment area. This area also has a continued use-vat/dumpster for receiving continued use solvents. These dumpsters are not intended for waste storage and must be emptied at the end of each work day.

Solid Waste Management Units:

Solid waste management units (SWMUs) were identified at the facility during preparation of the RCRA Facility Assessment Report. Solid waste management units identified to date are listed in Appendix A. No remedial corrective action is required at the facility at this time.

Hazardous and Universal Waste Registrations:

Registrations and notifications shall be made by submitting a completed Form 62-730.900(1)(b), "8700-12FL-Florida Notification of Regulated Waste Activity."

On September 1, 2009 the Permittee renewed its hazardous waste transporter and transfer facility registration in accordance with the provisions of Rule 62-730.170 and .171, F.A.C. The registration is valid for one year. The Permittee may store up to 8,800 gallons of waste handled under the transfer facility provisions at any one time. The hazardous waste transfer facility provisions allow a hazardous waste transporter to hold waste at the transfer facility for ten days or less while in transportation to another facility. The Permittee shall ensure that hazardous waste stored under the transfer facility provisions is accumulated in areas that are clearly demarked as transfer facility areas. Hazardous waste stored under the transfer facilities provisions in containers or on vehicles shall be situated over a manmade surface capable of preventing spills or releases to the ground.

On September 1, 2009 the Permittee renewed his used oil and used oil filter transporter and transfer facility registration in accordance with the provisions of Rule 62-710, F.A.C. The registration is valid for one year. One of the 15,000 gallon above ground

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storage tanks shown in Attachments A and C is used for storing used oil. Used oil storage tanks must meet the requirements of 40 C.F.R. Part 279.54, as well as the requirements of Chapter 62-762, F.A.C.

On September 1, 2009 the Permittee renewed his universal registrations and is authorized as a universal waste small quantity handler (SQH), including SQH authorizations for mercury containing devices, mercury containing lamps, and pharmaceutical universal waste in accordance with the provisions of Chapter 62-737, F.A.C. The registration is valid for one year. The Permittee shall ensure that universal waste or the containers in which they are stored are labeled or marked clearly in accordance with the requirements of Rule 62-737.400(5)(b), F.A.C. The Permittee shall be able to demonstrate the length of universal waste storage as specified in 40 CFR 273.15 or 273.35.

The Permittee is required to investigate any releases of hazardous waste or hazardous constituents at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. Pursuant to 40 Code of Federal Regulations (CFR) 260.10 [as adopted by reference in Rule 62-730.020(1), F.A.C.], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment A, a map which demarks the property boundaries of land under the Permittee's control) and to all contamination that originated from discharges at the contiguous property under control of the Permittee.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rule 62-730.290, F.A.C. and potential enforcement action.

Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3008(a), 3008(h), 3004(v), 3008(c), 3007, 3013 or Section 7003 of RCRA, Sections 104, 106(a), 106(e), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 *et seq.*, commonly known as CERCLA), or any other law providing for protection of public health or the environment. The Permittee is required to comply with applicable provisions of Chapter 62-730 F.A.C. and 40 CFR Parts 260 through 270 adopted therein, even when not specifically referenced in this permit.

The facility is located at 4426 Entrepot Blvd, Tallahassee, FL 32310.

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

1. RCRA Operating Permit Renewal Application (dated September 10, 2009).
2. RCRA Operating Permit Renewal Application (dated September 10, 2004).
3. Document entitled, "Safety-Kleen Systems, Inc. Sanford Branch # 3-130-01 Standard Operating Procedure Continued Use Solvent" (dated October 6, 2000).
4. RCRA Facility Assessment Report (dated March 15, 1991).

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PART I – GENERAL AND STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are “permit conditions” and are binding and enforceable pursuant to Sections 403.141 and 403.727, F.S. The Permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Sections 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 is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

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- a. Have access to and copy any records that must be kept under conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any time or 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. The Permittee shall comply with the following notification and reporting requirements:
- a. Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.
 - b. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Department with the following information:
 - (1) A description of and cause of noncompliance; and
 - (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
 - c. Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within five days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility and its owner or operator; the date, time, and type of incident; the name and quantity of materials involved; the extent of any injuries if any; an assessment of actual or potential hazards; and the estimated quantity and disposition of recovered material. The written submission shall contain all the elements of the written report and:
 - (1) A description and cause of the noncompliance.
 - (2) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

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- d. The Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C.
 - e. The Permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions, including Permittee-initiated emergency response or interim source removal. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to investigate contamination at or from the SWMU or AOC, and a discussion of the impact(s) the planned change will have on the known or suspected contamination. Notice of Emergency Response shall occur within 24 hours of initiation of the action. "As soon as possible," for non-emergency situations, shall be no more than 15 days.
 - f. The Permittee shall revise "Part I - General" of the Application for a Hazardous Waste Facility Permit [DEP Form 62-730.900(2)(a)] and submit the revised form to the Department within 30 days of any changes in the Part I information.
 - g. Biennial report: A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.
 - h. Unmanifested waste report: The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
 - i. Manifest discrepancy report: If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
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 prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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11. This permit is transferable only upon written Department approval in accordance with Rules 62-4.120 and 62-730.290(6) F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department. Before transferring ownership or operation of this facility during the term of this permit, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Chapter 62-730, F.A.C.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity. In the event that there is no building or reasonable repository for such a copy at the work site, then the permit or a copy thereof shall be kept at an alternate location agreed to by the department.
13. The Permittee shall comply with the following recordkeeping requirements:
 - a. Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The Permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit; copies of all reports required by this permit; records of all data used to complete the application for this permit; and all monitoring data required by 40 CFR Part 264 Subparts F and G, and 40 CFR 264.228. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include all required items in Chapter 62-160, F.A.C. These include at a minimum:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The person responsible for performing the sampling or measurements;
 - (3) The dates 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.
 - d. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced

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to comply with land disposal restrictions (40 CFR Part 268) for at least three years from the date that the waste which is the subject of such documentation was last sent to an on property or off-property facility for treatment, storage, or disposal, or until remedial activity is completed, whichever date is later. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

e. The Permittee shall keep a written operating record at the facility, which includes:

- (1) The results of any waste analysis;
- (2) Copies of manifests for three years;
- (3) The results of inspections;
- (4) The closure plan, postclosure plan, and remedial action (corrective measures) plans for each applicable SWMU and AOC, along with cost estimates for each plan; The remedial action (corrective measures) plan for each applicable SWMU and AOC and associated cost estimate(s);
- (5) Inspections of emergency and safety equipment (Condition 24 of this Part);
- (6) Biennial reports;
- (7) Personnel training records (Part II Subpart A - Condition 3);
- (8) The Waste Minimization Program Plan (Part II Subpart A - Condition 8);
- (9) Annual certification of waste minimization (Part II Subpart A - Condition 8);
- (10) The description and quantity of each hazardous waste received/generated;
- (11) The location of each hazardous waste within the facility and the quantity at location;
- (12) Notices to generators as specified in Part II Subpart A – Condition 2;
- (13) A log of dates of operations and unusual events; and
- (14) A summary report and details of incidents that require implementation of the contingency plan (Part II Subpart A – Condition 6).
- (15) Monitoring and test data for 40 CFR 264 Subparts AA, BB, and CC requirements.

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- (16) Documentation that local officials have refused to enter into preparedness prevention arrangements with the Permittee.
14. Within the timeframe requested by the Department, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Department's request does not include a timeframe, the time of response is 30 days. If the Permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
15. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be as follows:
- a. One hard and one electronic copy shall be sent to:
- Environmental Administrator
Hazardous Waste Regulation Section M.S. 4560
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
- b. One hard and one electronic copy shall be sent to:
- Hazardous Waste Supervisor
Department of Environmental Protection
Suite 308
160 Governmental Center
Pensacola, Florida 32502-5794
16. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating the name and date of the document submitted, the number(s) of the Part(s) and Condition(s) affected, and the permit number and project name of the permit involved.
17. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S. and Rule 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S. and Rule 62-730.220(10), F.A.C.

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18. The Department of Environmental Protection's 24-hour emergency telephone number is (850) 413-9911 or (800) 320-0519. During normal business hours, the DEP District Office may be contacted at (850) 595-8360.

19. The following conditions apply to permit modification and revocation of this permit:

- a. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapters 62-4 and 62-730, F.A.C. The filing of a request for a permit modification, revocation, 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 modifications to the Department for approval. The application shall meet the fee requirements of Rule 62-730.293, F.A.C. The Permittee shall submit the application for revisions to the address in Condition 15 of this Part. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

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

- b. The modification fee may also be submitted electronically. However, if the Permittee intends to submit the modification fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal. Note: failure to obtain instructions is a violation of this permit.
- c. For operating commercial TSDs that accept manifested shipments of hazardous wastes only and hazardous waste transfer facilities: All requests for permit modifications shall include an evaluation of the applicability of, and Permittee's compliance with, the siting criteria of Section 403.7211, F.S. and Rule 62-730.182, F.A.C.

20. Prior to 180 calendar days before the expiration of this permit, the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless postclosure care and all corrective action have been completed and accepted by the Department. If the Permittee allows this permit to expire prior to Department acceptance of the certification of postclosure and termination of all corrective action, the Permittee must reapply for a permit in accordance with DEP Form 62-730.900(2), F.A.C. The Permittee shall submit the renewal to the address in Condition 15 of this Part. The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

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Post Office Box 3070
Tallahassee, Florida 32315-3070

The renewal fee may also be submitted electronically. However, if the Permittee intends to submit the renewal fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically PRIOR to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

21. The Permittee shall comply with those sections of 40 CFR Part 124 specified in Rule 62-730.200(3), F.A.C., 40 CFR Parts 260 through 268, and 40 CFR Part 270 as adopted in Chapter 62-730, F.A.C., until released from postclosure care requirements and all facility-wide corrective action requirements.
22. The Permittee shall comply with the security provisions of 40 CFR 264.14 and the facility security provisions stated in Section 4.0 of the permit application dated September 10, 2004.
23. If this facility is a suspected or confirmed contaminated facility where there may be a risk of exposure to the public, and then upon direction from the Department, the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and Rule 62-730.225(4), F.A.C. The Permittee is responsible for supplying, installing and maintaining the warning signs.
24. The Permittee shall visually inspect the facility emergency and safety equipment in accordance with 40 CFR 264.15 and Section 5.2 of the permit application dated September 10, 2004, during permitted activities. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with the requirements of 40 CFR 264.15(c). A schedule for the inspection of the facility emergency and safety equipment must be maintained as the operating record of the facility. Changes, additions, or deletions to the schedule must be approved in writing by the Department.
25. The Permittee shall comply with the following conditions concerning preparedness and prevention:
 - a. At a minimum, the Permittee shall have the equipment available at the facility which is described in Section 5.8 and Table 5.6-1 of the permit application dated September 10, 2004.
 - b. The Permittee shall test and maintain the required equipment as necessary to assure its proper operation in time of emergency.
 - c. The Permittee shall maintain immediate access to an internal communications or alarm system.

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- d. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 264.37. If State or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.
 - e. At a minimum, the Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection, and emergency response equipment to any area of the Facility.
26. The conditions in this permit shall take precedence over the permit application documents where there are differences between those documents and the permit conditions.
27. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with Rule 62-730.100(3), F.A.C.
28. All work plans, reports and schedules and other documents (“submittals”) required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as provided in the approved submittal. If the Department disapproves a submittal, the Department may:
- a. Notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case the Permittee shall submit a revised submittal within 60 days of receipt of the Department’s disapproval; or
 - b. Revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.
29. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedure Act), Chapter 28-106, F.A.C. and the Department’s existing rules and procedures.
30. The following conditions apply to land disposal (placement) of hazardous wastes:
- a. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The

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Permittee shall maintain compliance with the requirements of 40 CFR Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 CFR Part 268, the Permittee shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached pending final written approval of such application.

- b. A restricted waste identified in 40 CFR Part 268 Subpart C may not be placed in a land disposal unit without further treatment unless the requirements of 40 CFR Part 268 Subparts C and/or D are met.
 - c. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.
31. The Permittee shall implement remedial activities beyond the facility boundary, if there is suspected or confirmed off-property contamination, to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Department that, despite the Permittee's best efforts, as determined by the Department, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee shall use all reasonable efforts, including but not limited to correspondence, telephone calls, personal contacts, drafting and redrafting agreements, and payment of a fee, to obtain any access to real property necessary for work to be performed in the implementation of this permit. If necessary access cannot be obtained by the Permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time thereafter seek to obtain such access as is necessary to implement the terms of this permit. The Permittee shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys' fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain necessary access to said property. The Permittee shall pay these sums to the Department, or arrange a payment schedule with the Department, within 30 days of demand by the Department. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-property access is denied. On-site measures to address such releases will be determined on a case-by-case basis.
32. The Permittee shall maintain compliance with 40 CFR Part 264, Subpart H - Financial Requirements and Rule 62-730.180(6), F.A.C. All submittals relating to financial assurance shall be submitted to:

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

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Financial assurance shall be based on estimates of the costs to close the facility and to implement postclosure care and/or corrective action (including the assessment phase and interim measures) (collectively referred to hereinafter as “remedial activities”) for a continuing (rolling) period of 30 years, unless this period is shortened or increased by the Department in a permit renewal or modification. The cost estimates must be based on the cost to the owner or operator of hiring a third party to conduct remedial activities. The Permittee shall include cost estimates with every work plan required by this permit. Cost estimates are subject to review and written approval by the Department. In the event the total cost estimate for all remedial activities increases beyond the amount provided by Permittee, the financial assurance instrument(s) must be increased accordingly within 60 days of the estimate increase, or, for those facilities using a financial test, in the next scheduled submittal. If the estimate increase causes the inability of the facility to provide financial assurance through its currently selected mechanism, alternate financial assurance must be provided within 60 days. If contamination from the facility goes beyond the property boundary, the Permittee shall provide assurances of financial responsibility for completion of corrective action beyond the property boundary.

33. The Permittee owns the real property that comprises the Facility. If and when the Permittee intends to transfer parcels to third parties, the Permittee may drop a parcel from the Facility covered by this permit, so long as the parcel never contained a SWMU or an AOC, or so long as any contamination associated with the SWMU or AOC has been addressed to the satisfaction of the Department. A parcel of the property may be sold with certain legal restrictions upon the future use and/or remedial activity requirements. Even though a parcel is no longer defined as part of the facility as a result of the permit modification [using the minor modification requirements of Rule 62-730.290(4), F.A.C.], in the unanticipated and improbable event that a contaminated SWMU or AOC is found on the parcel, and such contamination resulted from activities which occurred prior to the sale, the Permittee will be responsible for any corrective action.

PART II – OPERATING CONDITIONS

Part II Subpart A – General Operating Conditions

1. The Permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required.
2. The Permittee, as owner or operator of a facility that receives hazardous waste from off-site source(s) must inform the generator(s) in writing that it has the appropriate permit(s) for, and will accept, the waste the generator is shipping (except where the Permittee is also the generator). The Permittee shall keep copies of this written notice as part of the facility operating record.

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3. Facility personnel must successfully complete the approved training program indicated in Section 6.0 of the permit application dated September 10, 2004, within six months of employment or assignment to a facility or to a new position at the facility. Verification of this training must be kept with the personnel training records and maintained at the facility. Personnel shall not work unsupervised until training has been completed. The training must be reviewed by facility personnel at least annually. The Permittee shall maintain an updated list of personnel handling hazardous waste and their respective job titles at the facility.
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 hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
5. Permittee shall comply with the manifest requirements of 40 CFR 264.71 and 264.72. The Permittee must document the reconciliation of any manifest discrepancies.
6. The Permittee shall comply with the following conditions concerning the Contingency Plan:
 - a. The Permittee shall immediately carry out the provisions Section 5.0 of the permit application dated September 10, 2004, and follow the emergency procedures described by 40 CFR 264.56, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises and, within five calendar days, must submit to the Department a written report which includes all information required in Part I Condition 8.(c).
 - b. The Permittee shall comply with the requirements of 40 CFR 264.53.
 - c. Within seven calendar days of meeting any criterion listed in 40 CFR 264.54(a), (b) or (c), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change. Amendments to the plan must be approved in writing by the Department. All amended plans must be distributed to the appropriate agencies.
 - d. The Permittee shall comply with the requirements of 40 CFR 264.55, concerning the emergency coordinator.
7. Sampling and analysis of permitted and new hazardous wastes shall be conducted in accordance with Section 7.2 – Waste Analysis Plan of the permit application dated September 10, 2004.

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- a. The Permittee is liable for waste profiles supplied to generators.
 - b. Prior to acceptance of new waste codes a permit modification is required.
8. The Permittee shall develop and maintain a Waste Minimization Program Plan. The Permittee shall maintain copies of the certification required by this Condition in the facility operating record for a minimum of three years. The Permittee must certify, no less often than annually, that:
- a. The Permittee has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittee to be economically practicable; and
 - b. The proposed method of treatment, storage or disposal is the most practicable method available to the Permittee, which minimizes the present and future threat to human health and the environment.
9. In addition to the copies sent to the Hazardous Waste Regulation Section in Tallahassee, one electronic and one hardcopy of all submittals in response to permit conditions in this Part shall be sent to the district office address listed in Part I Paragraph 15.b of this permit.
10. With respect to ignitable and reactive wastes, the Permittee shall comply with 40 CFR 264.17(b), 264.176, and 264.198. With respect to incompatible wastes, the Permittee shall comply with 40 CFR 264.177 and 264.199.
11. The Permittee shall maintain at the facility, available for inspection by the Department, in permanent form for at least three years the following records that apply to all hazardous waste that enters and leaves the transfer facility:
- a. The manifest number for each shipment that enters and leaves the facility, or, for a shipment from a Conditionally Exempt Small Quantity Generator (CESQG) without a manifest, an identifying number from the shipping document.
 - b. The date when all hazardous waste enters and leaves the facility.
 - c. The generator's name and the EPA/DEP identification number. For CESQGs without an EPA/DEP identification number, the record shall include the name and address of the generator.
 - d. The amounts of hazardous waste and hazardous waste codes associated with each shipment into and out of the facility.

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Part II Subpart B – Specific Operating Conditions

Part II Subpart B.1 – Container Storage Unit

1. The Permittee shall only store hazardous waste in containers within the designated areas of the facility shown in Attachments B of this permit and in accordance with Section 8.0 of the permit application dated September 10, 2004.
2. The Permittee shall not accumulate more than 6,912 gallons of hazardous waste in containers in the space labeled Container Storage Area in Attachment B.
3. The Permittee shall only store the hazardous waste listed in Attachment E of this Permit.
4. No container of hazardous waste shall remain at the facility for a period longer than one year. It shall be a violation of this permit to put hazardous waste into a different container or to change the label on a container in order to avoid this time limit.
5. The Permittee shall manage all containers, which shall include containers of non-hazardous waste, in the manner outlined in this permit to ensure that a release of hazardous waste or hazardous constituents will not occur.
6. The Permittee shall ensure that those containers being managed under the transporter / transfer station requirements are stored in the designated area shown in Attachment B.
7. Accumulation areas containing transfer facility waste shall be clearly marked with signage and floor markings.
8. The Permittee shall notify the Department if the volume of material in the container storage areas exceeds the permitted capacity.
9. The Permittee shall not stack any containers in the container storage areas over six feet high and no stack shall consist of more than two containers.
10. Containers shall be handled in a manner that will prevent container rupture or leakage. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition.
11. The Permittee shall only use containers compatible with the hazardous waste contents.
12. The Permittee shall not place waste in unwashed containers that have previously held incompatible waste.
13. The Permittee shall ensure that stored hazardous waste is compatible with the secondary containment systems and liners of the storage areas.

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14. The Permittee shall inspect the integrity of the containment areas to ensure that they are free of cracks and gaps.
15. The Permittee shall contain and clean up spilled or leaked waste as soon as possible, but no later than 24 hours after discovery.
16. The Permittee shall not place or store containers in a manner that obstructs inspection or prevents any emergency action.
17. The Permittee shall inspect the container loading / unloading area and the container storage areas at least once weekly looking for leaking containers and for deterioration of containers and containment systems caused by corrosion and other factors following procedures identified in Section 8.4 of the permit application dated September 10, 2004.
18. The Permittee shall move all misplaced waste to its designated area as quickly as possible but no later than the end of each business day.
19. The secondary containment areas shall be clear of any free liquids and / or debris at all times. Any free liquids and / or debris present in these areas shall be removed as soon as possible, but no later than 24 hours after discovery.
20. The Permittee may store non-hazardous materials in the regulated storage area provided that the Permittee complies with the requirements of 40 CFR 264.175 and:
 - a. The volume of non-hazardous materials plus all other materials in the Container Storage Unit does not exceed 25,937 gal.
 - b. The Permittee maintains the required aisle spacing in the Container Storage Unit for both the permitted and non-hazardous materials.
 - c. The Permittee assures non-hazardous materials have labels specifying their contents.
 - d. The Permittee maintains in the facility operating record a written log of any non-hazardous materials stored in the permitted Container Storage Unit. The log shall include:
 - (1) The type and the quantity of non-hazardous materials;
 - (2) Verification of adequate secondary containment;
 - (3) Confirmation of appropriate aisle spacing availability; and

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- (4) Documentation of compatibility of non-hazardous materials and other materials present in the Container Storage Unit.
21. All service vehicle trucks and tractor trailers containing hazardous waste shall be situated either over a manmade surface which is capable of containing spills or preventing releases to the ground (i.e. capable of containing liquids), or at the loading / unloading area.
 22. Vehicles with incoming shipments of hazardous waste shall be unloaded into the appropriate storage area within three consecutive working days of the vehicle's arrival. Vehicles being loaded for outgoing shipment shall leave the facility within five consecutive working days of the first container of hazardous waste being placed on the vehicle.
 23. The Permittee shall manage all hazardous waste containers stored at the facility, including transfer waste containers, in accordance with the applicable provisions of 40 CFR 264 subpart CC and Section 11 of the permit application dated September 10, 2004.
 24. The Permittee shall ensure that all containers are kept closed with rings tightened and bungholes plugged except when adding or removing waste.
 25. The Permittee shall not operate 40 CFR Part 264 Subpart CC Level 3 containers at the Safety-Kleen - Tallahassee Branch facility.

Part II Subpart B.2 – Tank Storage Unit

1. The Permittee shall only store waste mineral spirits and other used parts washer solvent in the Level 1, 15,000 gallon tank designated for hazardous waste storage. This tank is shown in Attachment C and Section 9.0 of the permit application dated September 10, 2004.
2. The used oil storage tank shall not be used for hazardous waste storage.
3. The Permittee shall not place any material into any tank if that material is incompatible with the construction materials or contents of the tank.
4. The Permittee shall maintain, inspect and operate the spill and overflow prevention controls to prevent spills and overflows from the tank or containment system.
5. The Permittee shall remove any tank contents released to the secondary containment system within 24 hours of discovery.
6. The Permittee shall report any changes, component replacement or extensive repairs of the tank system to the Department. This report shall include the information required by

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40 CFR 264.196(e). The tank system shall not be returned to service until the certification report has been submitted to the Department and approved.

7. The Permittee shall inspect the tank system in accordance with the schedule and procedures identified in Section 9.4 of the permit application dated September 10, 2004. The Permittee shall inspect the following at least once each operating day:
 - a. Above ground portions of the tank system for evidence of corrosion, wear or any other factors that may contribute to, or cause, a release of tank contents.
 - b. Data gathered from monitoring and leak detection equipment for evidence the system is operating according to design specifications.
 - c. The secondary containment system to detect erosion or signs of a release of tank contents.
 - d. The area immediately surrounding the externally accessible portion of the tank system for evidence of a release of tank contents.
8. If tank contents leak or are released to the environment, the Permittee shall do the following:
 - a. Cease adding new material into the tank.
 - b. Remove liquids from the leaking tank system and take all measures to prevent continued release.
 - c. Remove liquids from the secondary containment structure.
 - d. Comply with the notification and reporting requirements of 40 CFR 264.196(d).
 - e. Inspect the tank and secondary containment systems to determine the cause of the release.
 - f. Comply with the secondary containment, repair and closure requirements of 40 CFR 264.196(e).
 - g. Certify major repairs of the tank system in accordance with 40 CFR 264.196(f).
9. The Permittee shall keep records at the facility documenting that the tank system has been designed, installed, and maintained in accordance with 40 CFR 264.193
10. The Permittee shall drain all liquids and sludge from the dumpsters in the Return / Fill Station Area at the end of each business day.

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11. The Permittee shall manage the hazardous waste storage tank shown in Attachment C of this permit in accordance with the applicable Level I tank control standards of 40 CFR 264 subpart CC and in accordance with Section 11.0 of the permit application dated September 10, 2004.
12. The Permittee shall operate and maintain the pumps, compressors, pressure relief devices, sampling connection systems, open-ended valves or lines, flanges and connectors, and any other control devices according to the plans contained in Sections 9.0 and 11.0 of the permit application dated September 10, 2004 and according to all applicable provisions of 40 CFR 264 subpart BB.
13. The Permittee shall ensure that all applicable equipment is marked / tagged for inspection in accordance with 40 CFR subpart BB and inspected for leaks each business day.
14. The Permittee shall repair leaks in accordance with the requirements of 40 CFR subpart BB.
15. The Permittee shall keep as part of the operating records the results of inspections, monitoring reports, repairs, and any other documents required by 40 CFR 264 subparts AA, BB and CC for a minimum of three years.

Part II Subpart C – Closure Conditions

1. The Permittee shall close the Container Storage Unit and Above Ground Tank Storage Unit in a manner that minimizes or eliminates, to the extent necessary to protect human health and the environment, postclosure escape of hazardous waste, hazardous waste constituents, hazardous waste decomposition products, contaminated leachate or run-off, to the groundwater, surface waters, or to the atmosphere.
2. The Permittee shall have a written closure plan as required by 40 CFR 264.112(a). The closure plan and all revisions to the plan must be kept at the facility until closure is completed, certified in accordance with 40 CFR 264.115, and accepted by the Department.
3. The Permittee shall modify/revise the approved Closure Plan per the requirements of 40 CFR 264.112(c) and Rule 62-730.290, F.A.C. by submitting a written request to the Department to amend the approved closure plan.
4. The Permittee must complete physical closure activities in accordance with the Closure Schedule in Section 10.0 of the permit application dated September 10, 2004. Any changes in the time allowed for closure activities after approval shall require prior written Department approval.

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5. The Permittee shall notify the Department 45 days prior to the date on which he expects to begin partial or final closure of a unit(s).
6. At least 30 calendar days prior to initiating closure activities, the Permittee shall prepare and submit a Closure Activities Report with "schedule date" and "completed" columns to document the progress of closure. Upon Department approval, the Closure Activities Report shall be maintained and updated by the Permittee throughout the closure period, with copies submitted monthly to the Department. Each report must be submitted to the Department by the tenth (10th) day of each month for the preceding month until the acceptance of physical closure by the Department. The schedule for submittal can be changed with written Department approval. These reports can be submitted electronically. Any deviation from scheduled or described tasks shall be fully documented on the checklist.
7. Within 90 days after receiving the final volume of hazardous waste, or upon notification by the Department that closure of a unit is required, the owner or operator must treat or remove from the unit all hazardous waste. The Permittee shall complete closure activities within 180 days after notification to the Department of closure. Any changes in the time allowed for closure of the units after approval shall require prior written Departmental approval.
8. The Permittee shall properly decontaminate or dispose of all equipment, structures, and residues used during or resulting from the closure activities.
9. The Permittee shall manage all hazardous wastes, residues, sludges, spilled or leaked waste, or contaminated liquids and soils removed during closure of the unit(s) in accordance with the applicable provisions of 40 CFR 260 through 268, including the manifest requirements. A copy of each manifest required as a result of closure activities shall be submitted to the Department with the Closure Certification.
10. The Permittee shall provide opportunities for site inspections by the Department by informing the Department at least seven calendar days in advance of any physical closure activity (e.g., soil sampling, soil removal, etc.).
11. Within 60 calendar days of the completion of closure, the Permittee shall submit to the Department, by certified mail or hand delivery, a Closure Certification report signed by the Permittee and an independent Professional Engineer registered in the State of Florida, stating that the unit has been closed in compliance with the Closure Plan and the conditions of this permit. The Closure Certification must be based on the Professional Engineer's own observation and knowledge of the closure activities. The Closure Certification must include, but not be limited to, the following:
 - a. Sampling data to verify clean closure;

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- b. Decontamination data;
 - c. Copies of manifests or other appropriate shipping documents for removal of all hazardous wastes and all contaminated residues;
 - d. Groundwater monitoring data summary pertaining to closure activities;
 - e. A description of the summary of final closure activities; and
 - f. A final inspection check-off sheet.
12. The Permittee shall notify the Department within seven calendar days of any determination that actions undertaken as part of closure or associated monitoring programs no longer satisfy the requirements set forth in this permit. If the Department determines that a modification of the permit is required, the Permittee shall, within 60 calendar days, submit an application for a permit modification in accordance with Rule 62-730.290.
13. Within 30 days of determining that all contaminated soil cannot be practically removed or decontaminated, the Permittee shall notify the Department of such determination. Within 90 days of the determination the Permittee shall submit an application for permit modification to close the facility as a landfill and perform postclosure care as required by 40 CFR 264.310.
14. Within 30 calendar days of submitting a closure certification for a land disposal unit, including a land disposal unit identified under Condition 13 of this Part, the Permittee shall submit to the Department and to the local zoning authority, or the authority with jurisdiction over local land use, a survey plat indicating the type, location, and quantity of hazardous wastes disposed of within the unit with respect to permanently surveyed benchmarks in accordance with 40 CFR 264.116. For hazardous wastes disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the hazardous wastes to the best of his/her knowledge and in accordance with any existing records.

PART III – POSTCLOSURE CONDITIONS

Not applicable at this time.

PART IV – ENVIRONMENTAL MONITORING CONDITIONS

1. The Permittee shall comply with the requirements of 40 CFR 264.97 if groundwater monitoring is necessary to satisfy the requirements of 40 CFR 264.98, 40 CFR 264.99, or 40 CFR 264.100.

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PART V – CORRECTIVE (REMEDIAL) ACTION CONDITIONS

1. The Conditions of this Part apply to:
 - a. The SWMUs and AOCs identified in Appendix A;
 - b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means; as used in this Part of the permit, the terms “discover”, “discovery”, or “discovered” refer to the date on which the Permittee either:
 - (1) visually observes evidence of a new SWMU or AOC;
 - (2) visually observes evidence of a previously unidentified release of contaminant(s) to the environment; or
 - (3) receives information which suggests the presence of a new release of contaminant(s) to the environment; and
 - c. Contamination that has migrated beyond the facility boundary, if applicable.
2. Within 15 calendar days of discovery, the Permittee shall notify the Department in writing of any newly discovered release(s) of contaminant(s) to the environment; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as “site”), and all available information (e.g., location of site(s) on a topographic map of appropriate scale; general dimensions of affected area; media affected; hazardous constituents released; and magnitude of release). The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present. The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.
3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. Unless the notification letter specifically establishes a different time frame for work plan submittal, the Work Plan shall be submitted within 60 calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously existing data may be submitted with the work plan for the Department’s consideration.

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4. In accordance with the schedule in the approved CS Work Plan, or no later than 60 calendar days after Department written approval of a CS Work Plan if no schedule is included in the Work Plan, the Permittee shall submit a Confirmatory Sampling (CS) Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.
5. De Minimis discharge is a release of contaminant(s) that is removed from the soil, sediment, surface water, and groundwater to cleanup target levels or background concentrations within 30 days of discovery of the release. De Minimis discharges must meet the notification requirements of Condition 2 of this Part, notifying the Department that a De Minimus action is underway. A De Minimis Remediation Report must be submitted to the Department within 90 days of discovery of the release. The report must include a description of all actions taken in response to the discharge and the information required by the Interim Source Removal Report pursuant to Rule 62-780.500(7)(a) F.A.C.
6. Upon notification by the Department, the Permittee shall commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs (“contaminated sites”) identified in the notification. Unless the notification letter specifically establishes a different time frame to commence or complete site assessment, the Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C.
7. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of 40 CFR 264.101 or this permit for prior or continuing releases of contaminant(s) to the environment, the Permittee shall submit an amended work plan to the Department within 60 calendar days of such determination.

PART VI – REMEDY SELECTION AND IMPLEMENTATION

Part VI Subpart A – General Conditions

1. Within 90 calendar days of notification by the Department the Permittee shall submit a Remedial Action Plan developed in accordance with Rule 62-780 F.A.C. Remedial Action Plans may be performance based, submitting remediation options to be implemented based on changing conditions at the site. The Remedial Action Plan shall contain a Public Participation Plan.
2. Within 30 days of Department written approval of the remedial alternative(s) selected, the Permittee shall publish notice of a proposed permit modification in accordance with Rule 62-730.292(3)(c), F.A.C. This modification will serve to incorporate a final remedy

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into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.

3. The Remedial Action Plan shall include a provision for the Permittee to submit periodic Remedial Action Status Reports per 62-780.700(13). The intent to implement a different approved remedy in a performance based Remedial Action Plan will be provided in the Remedial Action Status Report and will be implemented with written Department concurrence.
4. When site rehabilitation (remedial action) is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C. Site Rehabilitation Completion Reports can be part of a combined document with the Remedial Action Status Report.
5. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a designated regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased as per 40 CFR 264.100.(f).

Part VI Subpart B – Selected Remedies

1. Not Applicable at this time.

PART VII – CONTINUED USE PROGRAM

Under the Continued Use Program (CUP), Safety Kleen 105 and 150 solvents (hereinafter “CUP solvents”) are eligible for re-use in drum washing activities at the facility and are exempt from the definition of hazardous waste as provided in 40 CFR 261.2(e)(1)(ii), when the CUP is operated according to the following:

1. Safety-Kleen shall maintain the following records at the facility for a minimum of three years in accordance with the requirements of 40 CFR 261.2(f):
 - a. The name, address and EPA ID number (if applicable) of each CUP customer.
 - b. The daily quantity of CUP solvent received from each CUP customer.
 - c. The daily number of drums washed with CUP solvent at the facility.
 - d. The daily quantity of CUP solvent used to wash drums.
 - e. The Continued Use Service Checklists for each CUP customer.

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2. Any CUP solvent that meets any of the following criteria shall be managed as a hazardous waste as defined in 40 CFR Part 261. This includes, but is not limited to filing of an un-manifested waste report in accordance with 40 CFR 264.76:
 - a. CUP solvent not used to wash drums.
 - b. CUP solvent that would be ineffective as a drum washing agent.
 - c. CUP solvent that is cross-contaminated with any foreign materials that would render the CUP solvent ineffective as a drum washing agent.
3. Safety-Kleen shall use only the CUP solvent vat located in the Return / Fill Shelter area for handling and / or use of CUP solvent, and non-CUP solvent will not be placed in the CUP vat.
4. At least once every three years, Safety-Kleen shall instruct, in person, the employee(s) who is most responsible for environmental compliance and / or health and safety issues at each CUP customer's facility on how to follow Safety-Kleen's October 6, 2000 document entitled "Safety-Kleen Systems, Inc. Sanford Branch # 3-130-01 Standard Operating Procedure Continued Use Solvent". Safety-Kleen will keep a record for each training session conducted under this paragraph, which includes at a minimum:
 - a. Date instruction was given.
 - b. Location of instruction.
 - c. A statement verifying that the training covered how to best follow Safety-Kleen's October 6, 2000 document entitled "Safety-Kleen Systems, Inc. Sanford Branch # 3-130-01 Standard Operating Procedure Continued Use Solvent".
 - d. Name and signature of instructor.
 - e. Name, job, title and signature of person receiving instruction.
5. In the event Safety-Kleen discovers or otherwise becomes aware that a CUP customer has returned or attempted to return to Safety-Kleen either (i) solvents in violation of the Safety-Kleen October 6, 2000 document entitled "Safety-Kleen Systems, Inc. Sanford Branch # 3-130-01 Standard Operating Procedure Continued Use Solvent", or (ii) solvents containing non-solvent, toxic materials of a type or amount other than that which would ordinarily result from the customer's normal parts washing activities, Safety-Kleen shall warn the customer that it may be removed from the program. After two such warnings, Safety-Kleen will remove the customer from the program.

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6. Safety-Kleen shall not speculatively accumulate CUP materials. To ensure that speculative accumulation is not occurring, Safety-Kleen shall document at the end of each calendar year that the amount of CUP solvent used to wash drums equals or exceeds 75% by volume of the amount of CUP solvent accumulated from the beginning of the year.
7. If any part of a bulk shipment or individual container of solvent destined for the CUP is reclaimed, burned for energy recovery, or is otherwise definable as a solid and hazardous waste then the entire shipment or container will be managed as hazardous waste.
8. CUP solvent shall not be used for washing drums when the drums do not need washing.
9. Safety-Kleen shall not use more CUP solvent than is needed for the drum washing operation. No more than 13.5 gallons of CUP solvents shall be used to wash a drum.
10. Annually, Safety-Kleen shall provide to the Department data obtained from analyzing five samples of customer solvent from its CUP in Florida, to assist in determining whether any used solvent received from its customers contains non-solvent, toxic materials of a type or amount other than that which would ordinarily result from the customer's normal parts washing activities.

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**Appendix A - Summary of Facility Sites
 (Solid Waste Management Units and Areas of Concern)**

A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				
A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI]) or a Risk Assessment:				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Potentially Affected Media
There are no units identified at this time as requiring a Site or Risk Assessment.				
A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	Dates of Operation		Potentially Affected Media
There are no units identified at this time requiring a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				
A.4. List of SWMUs/AOCs <u>implementing</u> a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):				
SWMU/AOC Number/Letter	SWMU/AOC Name	Dates of Operation		Potentially Affected Media
There are no units identified at this time undergoing a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				
A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:				
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA		
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.				

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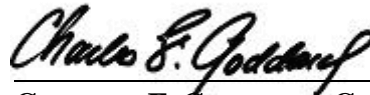
A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.		
A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:		
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA
SWMU 1	Container Storage Area Inside Service Center	RCRA Facility Assessment report dated March 15, 1991
SWMU 2	Tank Storage Area Inside Tank Farm Building	RCRA Facility Assessment report dated March 15, 1991
SWMU 3	Used Antifreeze Storage Tank	HSWA Corrective Action permit issued October 19, 2005
SWMU 4	15,000 gallon 150-Solvent Tank	HSWA Corrective Action permit issued October 19, 2005
SWMU 5	Non Hazardous Vacuum Waste Tanker	HSWA Corrective Action permit issued October 19, 2005

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Issued March 3, 2010

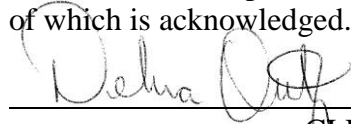
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

March 3, 2010
DATE

Jim Byer, FDEP Pensacola, James.Byer@dep.state.fl.us

Karen Knight, EPA/Region 4, Knight.Karen@epamail.epa.gov

Heath Rauschenberger, U.S. Fish & Wildlife Service, heath_rauschenberger@fws.gov

Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com

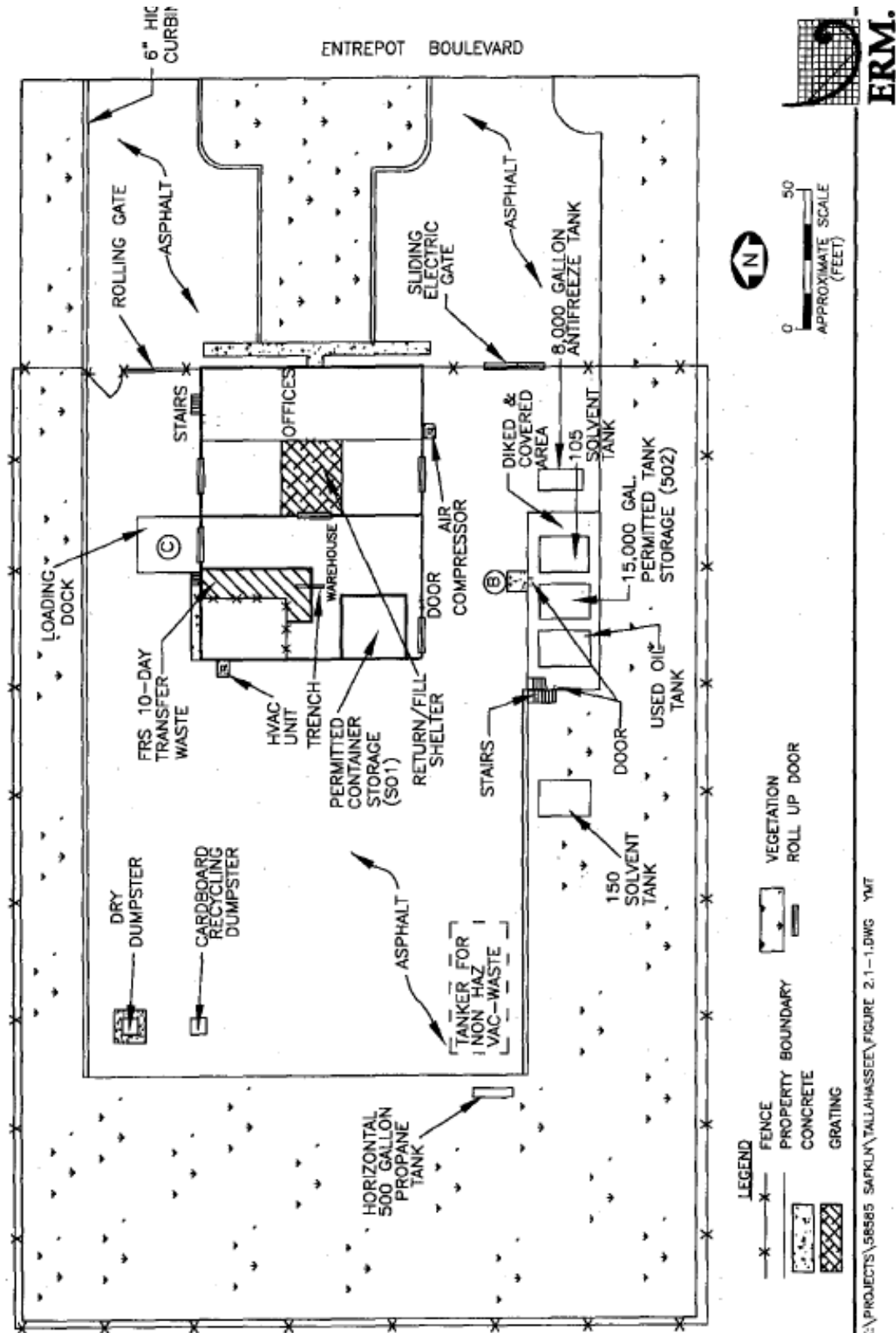
Mayor John Marks, john.marks@talgov.com

Bill Proctor, Leon County Board of Commissioners, proctorb@leoncountyfl.gov

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Attachment A – Property Boundary and Facility Layout



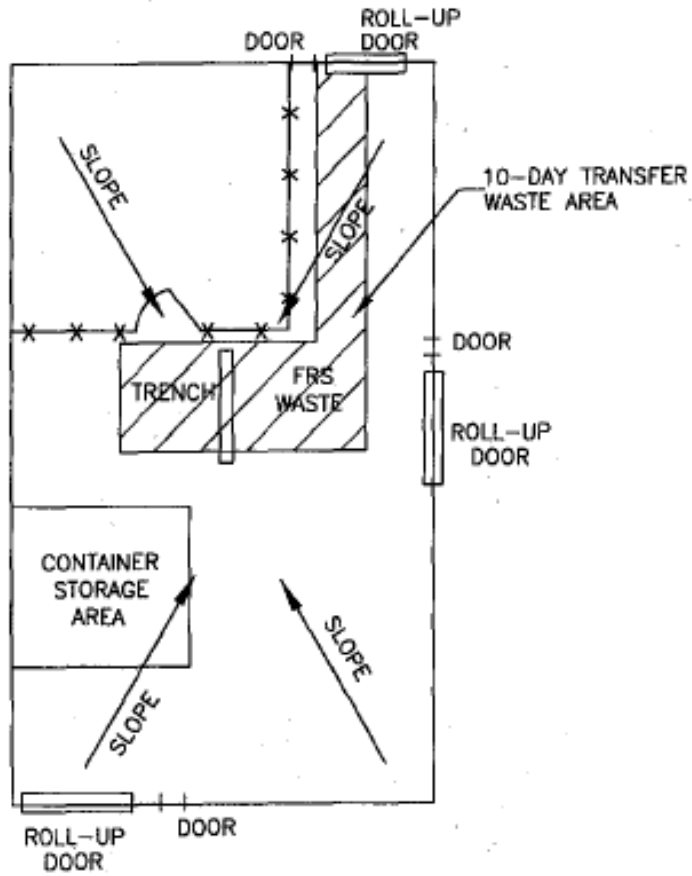
C:\PROJECTS\58585 SAFKLN\TALLHASSEE\FIGURE 2.1-1.DWG YMT

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Attachment B – Container Storage Unit

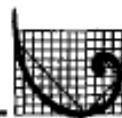


LEGEND

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0 20
APPROXIMATE SCALE
(FEET)



ERM.

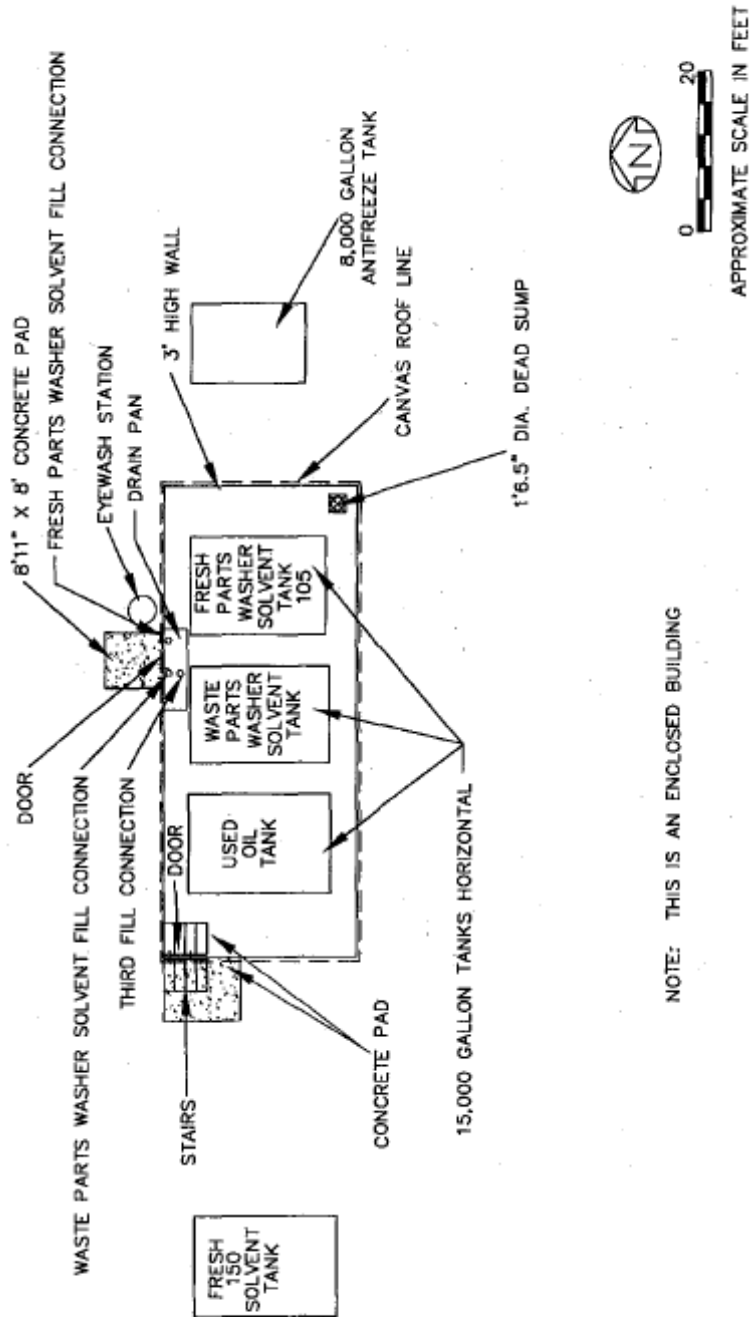
ECTS\58585 SAFKLN\FIGURE B.1-1.DWG YMT

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Attachment C – Above Ground Storage Tank Unit



SAFKLN\Figure 9.2-1.DWG YMT

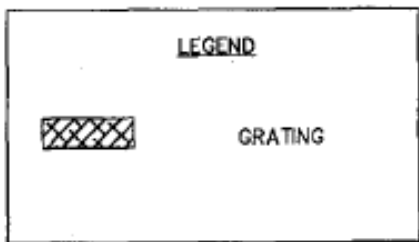
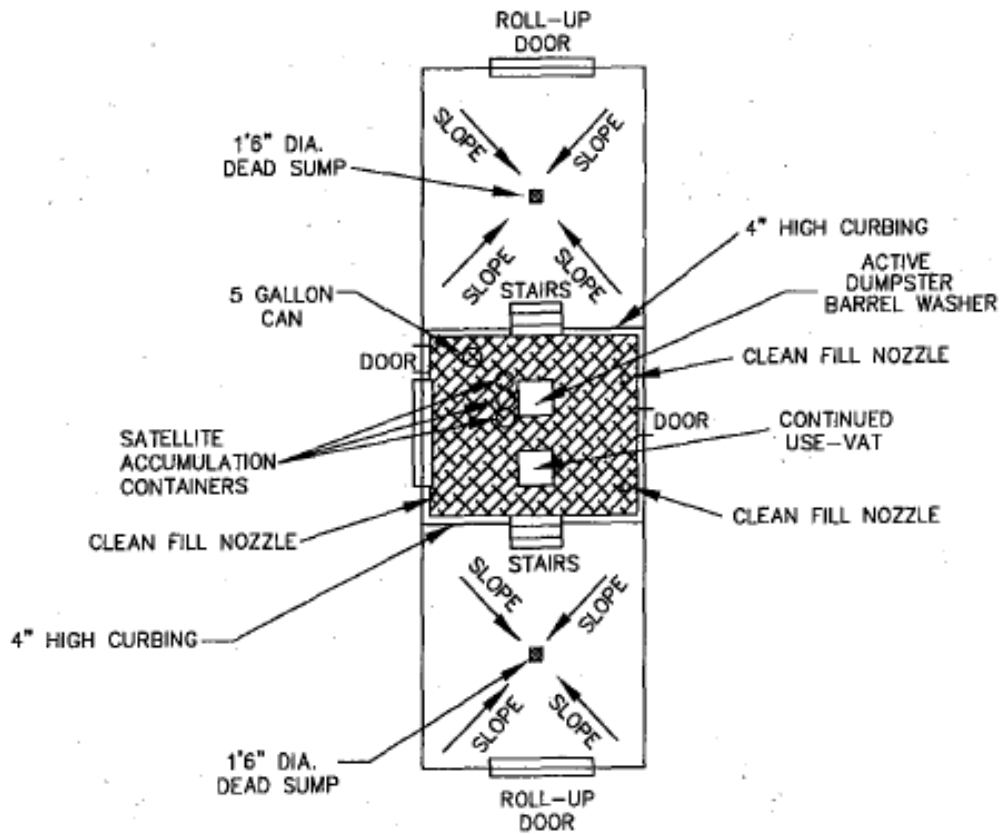


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Attachment D – Return and Fill Shelter Area



JETS\58585 SAFKLN\Figure 9.3-1.DWG YMT



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Attachment E – Waste Codes Allowed in the Container Storage Unit, Above Ground Tank Storage Unit and Transfer Facility Waste Area

Waste Type	Process Code(s)	Estimated Annual Amounts (Tons)	Waste Codes
Spent Parts Washer Solvent	S01* S02**	813	D001 and D-Codes Listed in Note Below
Branch-Generated Liquids/Solids (Debris)	S01*	8	D001 and D-Codes Listed in Note Below ; F001, F002, F003, F004, F005
Dumpster Sediment	S01*	Included Above	D001 and D-Codes Listed in Note Below
Tank Bottoms	S01*	Included Above	D001 and D-Codes Listed in Note Below
Used Immersion Cleaner (New Formula) IC699	S01*	28	D-Codes Listed in Note Below
Dry Cleaning Waste (Perchloroethylene)	S01*	350	F002 and D-Codes Listed in Note Below
Dry Cleaning Waste (Non-perchloroethylene)	S01***	Included Above	Transfer wastes - waste codes assigned by generator.
Paint Wastes	S01*	69	D001, F003, F005 and D-Codes Listed in Note Below
Fluid Recovery Service (FRS) Waste	S01***	250	Transfer wastes - waste codes assigned by generator.
Mercury-Containing Lamps/ Devices	N/A***	Less than 2.2	Not applicable - handled as nonhazardous transfer wastes.

NOTES:

D-Codes: D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

- * This waste will be stored in containers in the building container storage area. The maximum capacity in the container storage area for hazardous waste and product is 29,400 gallons, with 6,912 gallons being waste.
- ** The spent parts washer solvent storage tank has a capacity of 20,000 gallons and may be filled up to 19,000 gallons.
- *** This waste will be held for transfer in containers in the transfer area.