

Thursby, Kim

From: Chadwell, Chris [Chris.Chadwell@lakelandgov.net]
Sent: Friday, May 14, 2010 1:07 PM
To: Epost HWRS
Subject: RE: Florida Recycling Solutions, LLC;FLR 000 034 033;Intent to Issue New Used Oil and Material Processing Permit

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Wednesday, May 12, 2010 8:08 AM
To: deemiller@tampabay.rr.com
Cc: Dregne, James; heath_rauschenberger@fws.gov; maryann.poole@myfwc.com; Hornbrook, Frank; Wick, Fred; Posner, Augusta; Martin, Lee; mike@imperialtesting.com; Fields, Gow; bobenglish@polk-county.net; rnoble@fowlerwhite.com; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Florida Recycling Solutions, LLC;FLR 000 034 033;Intent to Issue New Used Oil and Material Processing Permit

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

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

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few

minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

PUBLIC RECORDS NOTICE:

All e-mail sent to and received from the City of Lakeland, Florida, including e-mail addresses and content, are subject to the provisions of the Florida Public Records Law, Florida Statute Chapter 119, and may be subject to disclosure.



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

May 12, 2010

SENT VIA E-MAIL
deemiller@tampabay.rr.com

Mr. W.D. Miller, III, P.E.
Vice President and General Manager
3210 Whitten Road
Lakeland, Florida 33813

SUBJECT: Florida Recycling Solutions, LLC
Intent to Issue New Used Oil and Material Processing Permit
EPA I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Polk County

Dear Mr. Miller:

Enclosed are Permit Numbers 294693-HO-001 and 294693-SO-002 issued to Florida Recycling Solutions, 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.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

Mr. Dee Miller, Vice President and General Manager

May 12, 2010

Page Two

TJB/bk

Enclosure

cc: J James Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission, maryann.poole@myfwc.com
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Augusta Posner, OGC/Tallahassee, augusta.posner@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Mike Stillinger, mike@imperialtesting.com
Gow Fields, Mayor, City of Lakeland, gow.fields@lakelandgov.net
Bob English, Chairman, Polk County Commission, bobenglish@polk-county.net
Ron H. Noble, Fowler White Boggs/Tampa, rnoble@fowlerwhite.com



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

Attention:
Mr. W. D. Miller III, P.E.
Vice President and General Manager

I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Date of Issue: May 12, 2010
Expiration Date: May 12, 2015
County: Polk
Lat/Long: 28.005389 N / 82.042878 W

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 (C.F.R.) 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 5.86-acre parcel of land to be leased by Florida Recycling Solutions, LLC in Polk County at 3210 Whitten Road, Lakeland, FL, 33811. Diagrams of the site layout and tank storage area are included as Attachments (Attachment – A and B, respectively), Tank capacities and tank numbers are shown in the Tank Table (Attachment - B) of this permit.

The facility is authorized to process used oil, accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline/diesel/water mixtures from petroleum storage facilities; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

The Facility consists of a total of three tanks (6, 7, and 8) with a total capacity of 90,000 gallons and one 9,200 gallon capacity tank (9) of used oil. These tanks are located in a concrete secondary containment structure that is sealed and impervious to petroleum products and all are shown on the drawing in Attachment A of this permit.

Used oil filters are also received in 55-gallons drums and other Department of Transportation containers. The drummed oil filters are stored on the pad under tank 17. The storage containers are stored on an oil impermeable surface, or reinforced concrete surface in the covered area beneath tank 17 coated with Carboline #890 Epoxy Seal or equivalent (15 mil dry film thickness). The permitted Used Oil facility is constructed over a 60 mil. thick HDPE liner.

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application Dated February 23, 2009 and FDEP received on February 24, 2009.
2. Revised Used Oil Processing Facility Application Dated May 21, 2009 and FDEP received on May 26, 2009.
3. Revised Used Oil Processing Facility Permit Application, NOD Letter Dated March 31, 2009 and the Facility Responses Dated May 20, 2009 and received on May 26, 2009.
4. Revised Used Oil Processing Facility NOD Letter Dated September 11, 2009 and the Facility Responses Dated October 28, 2009 and received on October 29, 2009.
5. Solid Waste Permit Application, DEP Form 62-701.900(4), F.A.C., and Part –IV Draft Permit Conditions, dated March 10, 2010 and DEP revised draft permit condition dated March 30, 2010.

All of these documents numbered 1 through 5 are hereinafter collectively referred to as the Permit Application.

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

TABLE OF CONTENTS

PART I – GENERAL AND STANDARD CONDITIONS.....	4
PART II – USED OIL PROCESSING CONDITIONS.....	12
PART III – TANK AND CONTAINER CONDITIONS.....	15
PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS.....	16
PART V – CLOSURE CONDITIONS	17
ATTACHMENT A – SITE LAYOUT	20
ATTACHMENT B – TANK STORAGE	21

Part I - GENERAL AND STANDARD CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the Permittee and enforceable pursuant to the authority of Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The Permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The Permittee shall at all times properly operate and maintain the facility and systems of processing and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and

- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the Permittee does not comply with, or will be unable to comply with, any condition or limitation specified in this permit, the Permittee shall immediately notify and provide the Department with the following information:
- a. A description of and cause of non-compliance; and
 - b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The Permittee shall be responsible for any and all damages that may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-710.800, 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, Public Law 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 C.F.R. 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:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

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

Environmental Administrator
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 mechanisms established to demonstrate proof of financial assurance. Supporting documentation and required 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.

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.901(1) in accordance with Rule 62-710.500, F.A.C.
19. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C].
20. The Permittee shall submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3) by March 1 of each year in accordance with Rule 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510 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 C.F.R. 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 C.F.R. 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 aboveground tanks within secondary containment, and/or in double-walled tanks as shown in Attachment - A of the permit. The permitted units are Tanks 6 through 9.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of Attachment II of the Permit Application 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 Nos. IV and V of the Permit Application and shall comply with the requirements of 40 C.F.R. 279.54, including the requirements set forth below:
 - a. All new tank systems shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
 - b. Pursuant to 40 C.F.R. 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. All tank systems 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 C.F.R. 279.54(d)(2) and 40 C.F.R. 279.54(e)(2)].

34. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 C.F.R. 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 C.F.R. 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 I and II of the Permit Application; and
 - d. Comply with the requirements of 40 C.F.R. 279.54(g) if a leak or spill occurs.
39. The Permittee shall inspect the tank system in accordance with Attachments V 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 C.F.R. 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;
 - b. Equip the facility with the required emergency equipment described in SPCC Plan of the Permit Application [40 C.F.R. 279.52(a)(2)];
 - c. Test and maintain the required emergency equipment in accordance with the requirements of 40 C.F.R. 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 C.F.R. 279.52(a)(4)]; and
 - e. Make arrangements with the local authorities as described in SPCC Plan of the Permit Application [40 C.F.R. 279.52(a)(6)].
42. Pursuant to the requirements of 40 C.F.R. 279.52(b), concerning the contingency plan, the Permittee shall:
- a. Immediately carry out the provisions of the SPCC Plan and Contingency Plan, Attachments II and IV, respectively, of the Permit Application, and follow the emergency procedures described by 40 C.F.R. 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 C.F.R. 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 C.F.R. 279.52(b)(3);
 - c. Amend the plan and submit the amended plan for Department approval within seven (7) days of meeting any criteria listed in 40 C.F.R. 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven (7) days of the change in the plan. All amended plans must be distributed to the appropriate agencies;
 - d. Comply with the requirements of 40 C.F.R. 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 IV of the Permit Application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 C.F.R. 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 C.F.R. 279.54].
45. Pursuant to 40 C.F.R. 279.55, concerning the written analysis plan, 40 C.F.R. 279.56, concerning Tracking, the Permittee shall:
 - a. Sample and analyze each incoming shipment by EPA Method 9077 or a Tek Mate Sniffer as set forth in the Permit Application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with the Permit Application;
 - b. Test all containers of the same waste stream for the parameters listed in Attachment III 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 a copy of the written analysis plan at the facility.

PART II -- USED OIL PROCESSING CONDITIONS

1. Pursuant to 40 C.F.R. 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-refiner 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 C.F.R. 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 C.F.R. 279.55; and described in Attachment III (a) and III (b) of the Permit Application.
 - b. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 C.F.R. 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 C.F.R. 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 C.F.R. 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 C.F.R. 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 any changes to tanks during the Permit Application review period or the permit Intent to Issue process period 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 Final Permit is Issued and the as built drawings for any changes to any tank have been

approved by the Department. Then the Permittee may start using those tanks to store the used oil and processing it.

PART III – TANK AND CONTAINER CONDITIONS

“Storage Tank System”, as defined in 62-762.201(77), F.A.C., for the purpose of Part III of this permit, refers to storage tank(s) 6 through 9, 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 C.F.R. 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 C.F.R.279.54 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:
 - 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 C.F.R. 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 C.F.R. 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 C.F.R. 279.22]
7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment IV of the Permit Application.
8. The Permittee must initiate the removal of spilled or leaked waste from the secondary containment areas within twenty-four hours of the incident and the waste should be completely removed within three (3) days [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within twenty-four hours after a rainfall event. The above materials shall be managed in accordance with Attachment IV of the permit application dated February 23, 2009 and received February 24, 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 stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may only accept non-hazardous, oil contaminated solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom,

filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal facilities.

- a. All non-hazardous oil contaminated solid waste received at the site for solidification will be received either in drums or containers in the drum storage area or in bulk via vacuum truck into the existing on-site mixing pad. The mixing pad 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 dump truck or trailer for transportation to a solid waste disposal facility.
- b. Prior to acceptance of oil contaminated solid waste at the facility, the Permittee shall obtain from the generator a signed Profile Document which demonstrates that the waste is non-hazardous. The profile must be supported by laboratory analytical results (MSDS sheets may be accepted for virgin, unused materials). The Permittee shall perform, or shall require the generator to perform, the sampling and analysis. The minimum required analysis shall include TCLP Metals (As, Cd, Cr, Pb) and TCLP Volatile Organics. For small volumes of waste, generator's knowledge may be applied on a case by case basis to support a claim that an oil contaminated solid waste is non-hazardous.
- c. Sealed dump trucks or trailers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste accumulated at the permitted facility at any given time shall not exceed fifty 55-gallon drums (or their equivalent volume) and three 35 cubic yard containers or trailers.
- d. The maximum amount of solid waste to be brought into and processed at the permitted facility shall not exceed 720 cubic yards per year.
- e. The permitted facility shall maintain records of total amount of oil contaminated solid waste delivered, processed and disposed of annually. The records shall be maintained a minimum of three (3) years.

PART V – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 C.F.R. 279.54(h), 62-710.800(5), F.A.C., and Attachment VI (closure plan) of the permit application dated May 20, 2009. The closure plan requires at a minimum the following:
 - a. Testing of residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment VI of the permit application dated May 20, 2009.
 - b. Remove and properly dispose of any non-hazardous residue.
 - c. Triple rinse the tanks, piping and ancillary equipment and properly dispose of the rinsate.
 - d. Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

- e. Submit a closure report, within thirty (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 VI of the permit application dated May 20, 2009 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, and does 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. Permittees who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11;
 - f. The closure plan, as described in Attachment VI of the permit application dated May 20, 2009 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 thirty (30) days after closing the Facility.
- 3. Within ninety (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

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

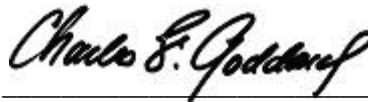
FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

in accordance with the closure and post-closure requirements of 40 C.F.R. 264.310 that apply to hazardous waste landfills.

4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11.

Issued May 12, 2010

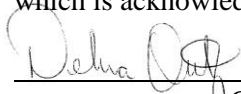
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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.

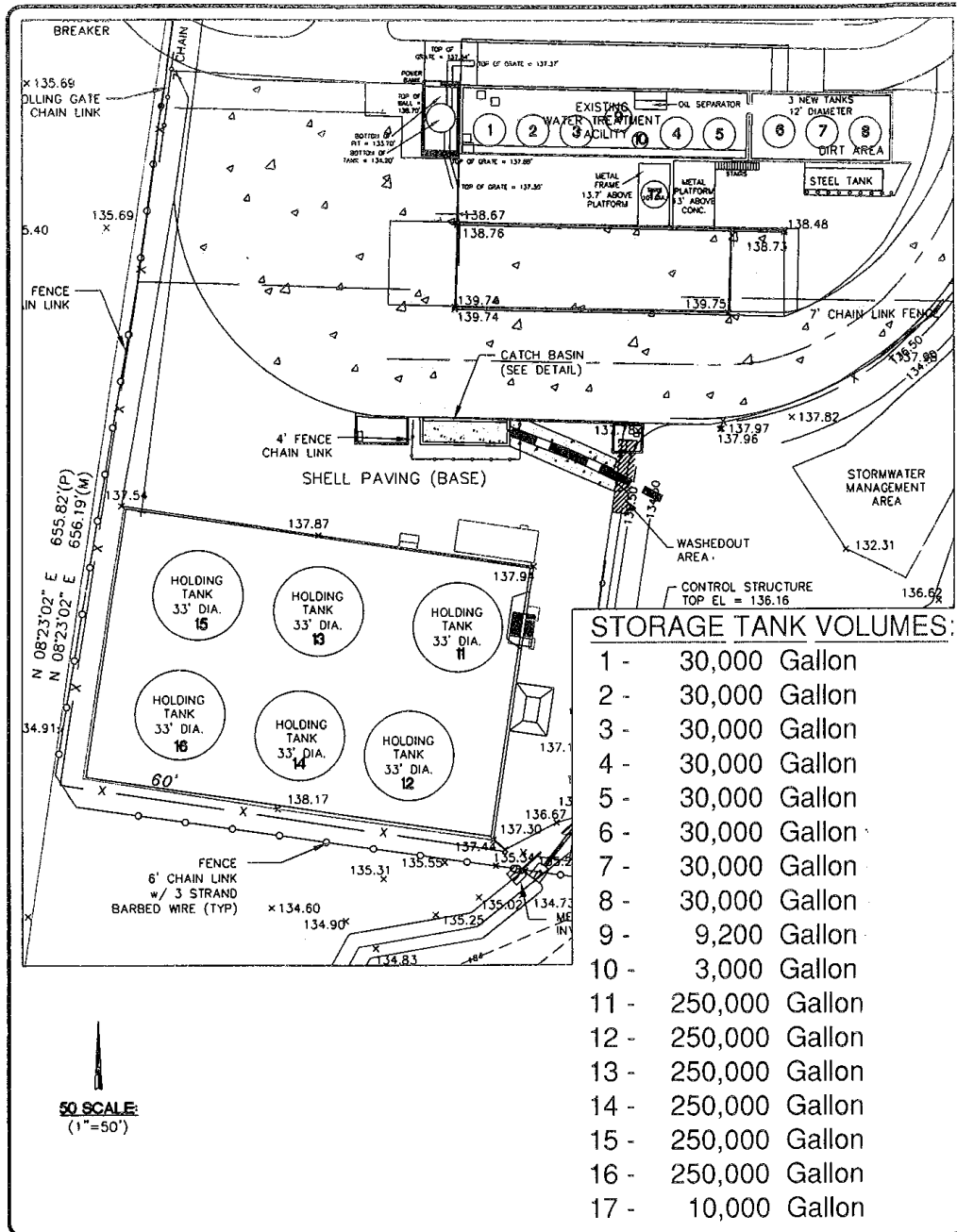


CLERK

May 12, 2010

DATE

ATTACHMENT- A SITE MAP



<p>400 W. EMMETT STREET KISSIMEE, FLORIDA 34741-5481 PHONE: (407) 847-9433 FAX: (407) 847-2499 ENG. CERT. OF AUTHOR. No. 3285/SUR. CERT. OF AUTHOR. No. 3270 ENGINEERING, SURVEYING AND PLANNING</p>	<p>HWA Hanson, Walter & Associates, Inc.</p>	<p>FLORIDA RECYCLING SOLUTION, LLC</p>	
		<p>TANK AREA CLOSE UP</p>	
		<p>DATE 01/13/09</p>	<p>SHEET 1 OF 1</p>

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

ATTACHMENT B

TANK TABLE

TANK LIST for FLORIDA RECYCLING SOLUTIONS, LLC and AQUA CLEAN ENVIRONMENTAL COMPANY, INC.

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER	TOTAL CAPACITY GALLONS
6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

TANK NUMBER	TOTAL CAPACITY GALLONS
1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000