

## Thursby, Kim

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**From:** Kothur, Bheem  
**Sent:** Monday, June 20, 2011 10:18 AM  
**To:** Tripp, Anthony  
**Cc:** Thursby, Kim  
**Subject:** RE: Howco Environmental Services;FLD 101 828 689;Intent Permit

Tony,  
Below e-mail was sent to you mistakenly. This e-mail suppose to sent to Kim Thursby.  
Please ignore the previous e-mail.

Bheem

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**From:** Kothur, Bheem  
**Sent:** Monday, June 20, 2011 10:13 AM  
**To:** Tripp, Anthony  
**Subject:** FW: Howco Environmental Services;FLD 101 828 689;Intent Permit

Hi Kim,  
FYI Mr. Richard Dillen is confirmed on June 14, 2011 on the half of Howco, Astor facility permit II.  
Tim Hagan, President of the facility is on vacation.

Bheem

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**From:** Richard Dillen [<mailto:rdillen@howcousa.com>]  
**Sent:** Tuesday, June 14, 2011 1:21 PM  
**To:** Kothur, Bheem  
**Cc:** Tim Hagan; Lee Morris; Tim Rudolph  
**Subject:** RE: Howco Environmental Services;FLD 101 828 689;Intent Permit

Bheem,

Hereby HOWCO confirms receipt of the Notice of Intent for the Astor facility.

Richard.

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**From:** Kothur, Bheem [<mailto:Bheem.Kothur@dep.state.fl.us>]  
**Sent:** Tuesday, June 14, 2011 1:07 PM  
**To:** Richard Dillen  
**Subject:** FW: Howco Environmental Services;FLD 101 828 689;Intent Permit

FYI  
Please take care of Permit PN very soon.  
Thanks,

Bheem

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**From:** Epost HWRS  
**Sent:** Tuesday, June 07, 2011 3:07 PM  
**To:** [thagan@howcousa.com](mailto:thagan@howcousa.com)  
**Cc:** Bahr, Tim; Goddard, Charles; White, John; Martin, Lee; [heath.rauschenberger@fws.gov](mailto:heath.rauschenberger@fws.gov);  
[FWCConservationPlanningServices@myfwc.com](mailto:FWCConservationPlanningServices@myfwc.com); Hornbrook, Frank; Wick, Fred; Holmes, Georgiana;

[Wcadwell@lakecountyfl.gov](mailto:Wcadwell@lakecountyfl.gov); Kothur, Bheem; Tripp, Anthony  
**Subject:** Howco Environmental Services;FLD 101 828 689;Intent 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](mailto:epost_hwrs@dep.state.fl.us). (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

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

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](mailto:epost_hwrs@dep.state.fl.us)

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. 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.*



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

June 7, 2011

SENT VIA E-MAIL

[thagan@howcousa.com](mailto:thagan@howcousa.com)

Mr. Arthur Timothy Hagan, President  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

SUBJECT: Howco Environmental Services  
Used Oil and Material Processing Facility Permit  
E.P.A. I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-04; 27221-SO-005  
County: Lake County

Dear Mr. Hagan:

Enclosed you will find a Department Permit (Intent to Issue), along with the draft New Permit and language for the required Public Notice of Agency Action. Please ensure publication within the time allotted.

As applicant, you are a person whose substantial interests will be determined by the permit, and rights explained in the Intent to Issue apply to you. You have a period of 14 days from the date you received this Intent to Issue in which to exercise your rights.

Proof of publication must be provided to the Department within seven (7) days of publication of the notice.

If you have any questions, or would like to discuss this matter, please contact Bheem Kothur at (850) 245-8781 or via e-mail: [bheem.kothur@dep.state.fl.us](mailto:bheem.kothur@dep.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim J. Bahr'.

Tim J. Bahr, Administrator  
Hazardous Waste Regulation

Mr. Arthur Timothy Hagan, President

June 7, 2011

Page Two

TJB/bk

Enclosure

cc: John White, DEP/Central District, [john.white@dep.state.fl.us](mailto:john.white@dep.state.fl.us)  
Lee Martin, DEP/Tallahassee, [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us)  
Heath Rauschenberger, U. S. Fish and Wildlife Services, [heath\\_rauschenberger@fws.gov](mailto:heath_rauschenberger@fws.gov)  
Florida Fish and Wildlife Conservation Commission,  
[FWCConservationPlanningServices@myfwc.com](mailto:FWCConservationPlanningServices@myfwc.com)  
Frank Hornbrook, DEP/Tallahassee, [frank.hornbrook@dep.state.fl.us](mailto:frank.hornbrook@dep.state.fl.us)  
Fred Wick, DEP/Tallahassee, [fred.wick@dep.state.fl.us](mailto:fred.wick@dep.state.fl.us)  
Georgiana Holmes, OGC/Tallahassee, [Georgiana.holmes@dep.state.fl.us](mailto:Georgiana.holmes@dep.state.fl.us)  
Lake County Board of Commissioners, [Wcadwell@lakecountyfl.gov](mailto:Wcadwell@lakecountyfl.gov)

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of an  
Application for a Permit Renewal by:

*Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102*

*DEP File No. 27221-HO-004;  
27221-SO-005  
EPA I. D. FLD 101 828 689  
Lake County*

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**INTENT TO ISSUE**

The Florida Department of Environmental Protection (“the Department”) gives notice of its intent to issue a renewal permit (copy enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below.

On June 23, 2010, with modifications on August 17, 2010, September 3, 2010 and May 17, 2011 Howco Environmental Services, Astor, Florida, submitted an application and draft comments to the Department for a renewal permit to the used oil and material processing facility located at 24133 State Road 40, Astor, Florida 32102. The Department has permitting jurisdiction under Section 403.704 and 403.769, Florida Statutes (F.S.) and Chapters 62-4, 62-701, 62-710, 62-730, 62-740 and 62-762 Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that an operating permit is required for the proposed work. The Department intends to issue this renewal permit with the conditions included in the enclosed draft permit.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Newspaper Notice. The notice shall be published one time only within fourteen (14) days of receipt in the legal ad section of a daily, major newspaper of general circulation in the area affected. For the purpose of this notice, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one daily newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit modification. If you are uncertain that a newspaper meets these requirements, please contact the Office of General Counsel of the Department at (850) 245-2242. The applicant shall provide proof of publication to the Department of Environmental Protection at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, within seven (7) days of publication. Failure to publish

the notice and provide proof of publication within the allotted time may result in the denial of the permit modification.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Petitions by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of their receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of such notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.

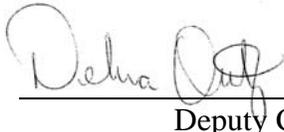
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Charles F. Goddard, Chief  
Bureau of Solid & Hazardous Waste  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**FILING AND ACKNOWLEDGMENT**

Filed on this date, pursuant to Section 120.52(7), F.S., with the duly designated Deputy Clerk, receipt of which is hereby acknowledged.



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Deputy Clerk

June 7, 2011

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Date

Newspaper Notice:

**STATE OF FLORIDA  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PUBLIC NOTICE OF PROPOSED AGENCY ACTION  
NOTICE OF INTENT TO ISSUE**

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF INTENT TO ISSUE A RENEWAL PERMIT TO HOWCO ENVIRONMENTAL SERVICES, ASTOR, FLORIDA, TO OPERATE A USED OIL AND MATERIAL PROCESSING FACILITY LOCATED AT 24133 STATE ROAD 40, ASTOR, FLORIDA 32102, HAVING ASSIGNED FACILITY I.D. NUMBER FLD 101 828 689.

The renewal draft permit prepared in accordance with the provisions of Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740 and 62-762, Florida Administrative Code (F.A.C.), contains the conditions for permit numbers 27221-HO-004 and 27221-SO-005. The renewal permit is intended to be issued to allow Howco Environmental Services to operate a Used Oil and Material Processing Facility at the Howco Environmental Services, site in Astor, Florida.

Copies of the renewal application and the new draft permit are available for public inspection during normal business hours 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Department of Environmental Protection, Central District Office, 3319 Maguire Blvd, Suite 232, Orlando, Florida 32803-3767, (407) 894-7555 and at 2600 Blair Stone Road, Mail Station #4560, Tallahassee, Florida 32399-2400; Attention: Administrator, Hazardous Waste Regulation Section, (850) 245-8781.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice of intent or receipt of the written notice, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; and
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of all material facts disputed by petitioner, or a statement that there are no disputed facts; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

## PERMITTEE:

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Date of Issue: DRAFT  
Expiration Date: August 25, 2015  
County: Lake County  
Lat/Long: 29°09' 46" N/81° 32' 26" W

Attention:  
Mr. Arthur Timothy Hagan, President

Project: Used Oil and Material Processing Facility

This permit renewal is issued under the provisions of Chapter 403 of Florida Statutes (F.S.), Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740 and 62-762 of Florida Administrative Code (F.A.C.), and 40 Code of Federal Regulations (CFR) Part 279. The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereto and specifically described as follows:

**TO OPERATE:** To operate a Used Oil Processing Facility hereinafter referred to as "Facility". The Used Oil Processing Facility is located on an approximately five (5) acre parcel of land owned by Hagan Holdings, d/b/a Howco Environmental Services in Lake County at 24133 State Road 40, Astor, Florida, 32102. A diagram of the site layout and tank storage area is included as Attachment – A. Tank capacity and contents are shown in the Tank Table as Attachment - B of this permit.

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

The Facility consists of a total of 11 aboveground storage tanks ("ASTs") and one (1) Shaker. Presently, nine (9) of these tanks may be used to store or process used oil. One (1) tank is dedicated to, petroleum contact water, oily wastewater and other non-hazardous wastewater. One (1) tank is dedicated to water/antifreeze, and one (1) tank is dedicated to burner fuel; however, the contents of each tank may change from time-to-time based on market conditions, provided appropriate marking/placarding is provided in accordance with applicable law. All tanks are inside the secondary containment. The use and the capacities of the ASTs and related appurtenances currently in use at the Facility are listed in Attachment B of this permit.

## OTHER ACTIVITIES

This permit also authorizes the Permittee to operate a waste processing Facility for other petroleum non-hazardous solid waste not constituting "used oil", subject to the conditions set forth in Part V of this permit. The Facility also manages petroleum contact water ("PCW") under the conditions set forth in Part III of this permit.

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

In addition, the Permittee may accept and store drums and totes containing up to 275 gallons of used oil, PCW, oily water, or oily residues within the contained areas.

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

1. Used Oil Processing Facility Permit Renewal Application dated April 16, 2004 and additional information submitted dated July 1, and September 30, 2004 and April 21, 2005.
2. Used Oil Processing Facility Permit HO06-0027221, Issued on May 26, 1998; and
3. Used Oil Processing Facility Permit Application submitted on August 15, 1997 and additional information submitted on January 30, and February 25, 1998.
4. Used Oil Processing Facility Permit Renewal Application dated June 23, 2010 and FDEP Review Comments NOD-1 dated July 27, 2010 and the Facility Responses dated September 3, 2010 and DEP received on September 8, 2010.
5. Facility responses to DEP courtesy draft permit dated December 1, 2010 and May 17, 2011.

**This renewal Permit replaces Permit 27221-HO-003.**

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

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Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

## 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

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

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

The Permittee shall be responsible for any and all damages that may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.
9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-710.800, F.A.C., as applicable. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction, operation, or closure.
13. This permit also constitutes:
  - (a) Determination of Best Available Control Technology (BACT);
  - (b) Determination of Prevention of Significant Deterioration (PSD);
  - (c) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500); and
  - (d) Compliance with New Source Performance Standards.
14. The Permittee shall comply with the following monitoring and record keeping requirements:

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

- (a) Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action;
  - (b) The Permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The person responsible for performing the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The person responsible for performing the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
15. When requested by the Department, the Permittee shall, within a reasonable period of time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.
16. The Permittee shall comply with the following requirements during the life of this permit:
- (a) The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C.
  - (b) This facility shall be constructed, operated and maintained in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, 62-730, 62-740, and 62-762, F.A.C., and all other applicable requirements of Department Rules.
  - (c) By acceptance of this permit, the Permittee certifies that he has read and understand 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.

Hagan Holding Company  
d/b/a Howco Environmental Services  
24133 State Road 40  
Astor, Florida 32102

I.D. Number: FLD 101 828 689  
Permit Number: 27221-HO-004  
Permit Number: 27221-SO-005  
Expiration Date: August 25, 2015

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

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

Environmental Administrator  
Hazardous Waste Regulation Section  
Bureau of Solid and Hazardous Waste  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS 4560  
Tallahassee, Florida 32399-2400

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

Hazardous Waste Program Manager  
Department of Environmental Protection  
Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803-3767

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

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

The Permittee shall submit the other copies of the renewal permit and/or modifications to the addresses in the General and Standard Condition 17 (a) and (b) of this permit.

- (d) Financial Assurance Mechanism:

The Permittee shall maintain, in good standing, the financial 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.

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18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-730.900(1)(b) in accordance with Rule 62-710.500, F.A.C.
19. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C.].
20. The Permittee shall submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3) by March 1 of each year in accordance with Rule 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510, F.A.C. and 62-740.300(5), F.A.C.
21. Before transferring ownership or operation of this facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 279 and Rule 62-710, F.A.C. The Permittee shall also submit an application for transfer of the permit, at least thirty (30) days prior to transferring the facility, on DEP Form 62-1.201(1) accompanied with an appropriate application fee, required pursuant to Rule 62-4.050, F.A.C.
22. Before closing or making any substantial modification to the facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-4.080 and 62-710.800(3), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida in accordance with Chapter 471, F.S.
23. The Department may modify, revoke, reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-710.800, F.A.C. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee may submit any subsequent revisions to the Department for approval. These revisions shall meet the requirements of Rules 62-4.050 and 62-710.800(3), F.A.C. and must be accompanied with an appropriate application fee.
24. The Permittee shall submit a complete application for renewal of the permit, on DEP form 62-710.901(6) and in a manner prescribed by the Department, sixty (60) days before the expiration of this permit, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-710.800(4), F.A.C.
25. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludge, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52.
26. The Permittee shall not accept or store any hazardous wastes in the permitted tanks or in any other area at the facility without receiving written approval from the Department.
27. The Permittee is allowed to store used oil only in the aboveground tanks within the secondary containment, and or with double walled tanks as shown in Attachment - A of the permit. The permitted units are as shown in Attachment B of this permit.

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28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of the permit application in Attachment 2 and Attachment B of the permit.
29. 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.].
30. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping shall be maintained in the Permittee operating record. [Rule 62-710.510, F.A.C.].
31. 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 Attachment No. 6 of the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
  - (a) All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
  - (b) Pursuant to 40 CFR 279.54, the secondary containment system shall be:
    - (1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;
    - (2) Capable of visual leak detection 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 visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection in accordance with 40 C.F.R. Part 112 and 62-762.601(1)(d)&(e), F.A.C.
    - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
    - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
  - (c) Ancillary equipment shall be provided with secondary containment.
32. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps, once a month. If any cracks or gaps are found, the Permittee shall repair the cracks

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- and gaps with caulking the same day of discovery and shall permanently fix the cracks or gaps within seven (7) days [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].
33. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 CFR 279.54(f)].
  34. 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, F.A.C.].
  35. 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.
  36. If a container or tank holding used oil, PCW, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.22].
  37. 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 2 and 3 of the permit application; and
    - (d) Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
  38. The Permittee shall inspect the tank system in accordance with Attachment 8 of the permit application. These requirements include:
    - (a) Developing and following a schedule and procedure for inspecting pump controls, alarms, valves, pipes, tanks, and other applicable overfilling controls.
    - (b) Inspecting at least once each month the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. The Permittee shall document the monthly inspections in writing on the monthly inspection form submitted with the permit application; and
    - (c) The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
  39. The Permittee shall remove spilled or leaked waste within three (3) days [62-762.821(1)(d), F.A.C.] and accumulated precipitation from the secondary containment areas within one (1) week [62-762.701(2)(b), F.A.C.] and these wastes shall be managed in accordance with the Howco Spill Prevention Control and Countermeasures Plan (SPCC) and Contingency Plan of the permit application.

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40. Pursuant to the requirements of 40 CFR 279.52(a), concerning preparedness and prevention, the Permittee shall:
- (a) Maintain a copy of the preparedness and prevention plan, of the permit application, at the facility;
  - (b) Equip the facility with the required emergency equipment described in SPCC Plan of the permit application [40 CFR 279.52(a)(2)];
  - (c) Test and maintain the required emergency equipment in accordance with the requirements of 40 CFR 279.52(a)(3);
  - (d) Provide all facility personnel involved in used oil processing operations with immediate access to an internal alarm or emergency communication device, as described in SPCC Plan of the permit application [40 CFR 279.52(a)(4)]; and
  - (e) Make arrangements with the local authorities as described in SPCC Plan of the permit application [40 CFR 279.52(a)(6)] and Attachment 6 of the permit application dated April 21, 2005 and the revised dated October 12, 2010
41. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall comply with the "Specific Spill Containment Procedures" of Attachment 6 of the permit application dated July 11, 2005 and as revised October 12, 2010. In the event of a Spill or Other Emergency:
- (a) Immediately carry out the provisions of the Attachment 6, Contingency Plan, and SPCC Plan of the permit application, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);
  - (b) Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);
  - (c) Amend the plan and submit the amended plan for Department approval within seven (7) days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven (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 CFR 279.52(b)(5), concerning the emergency coordinator; and
  - (e) Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Central District office may be contacted at (407) 894-7555.

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42. The Permittee shall maintain reports of discharges that are greater than twenty-five (25) gallons, as part of its on-site operating records. The reports shall include amount and time of discharge 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 of the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of service.
43. Within three (3) days of the discovery of a discharge the Permittee shall test the system in accordance with subsection 62-762.641(3), F.A.C., and if found to be leaking, place the system out-of-service in accordance with 62-762.802(2), F.A.C., until repaired, replaced or closed. [62-762.821(2)(d), F.A.C.].
44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment 6 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 CFR 279.52. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedules must be maintained as part of the operating record of the facility [40 CFR 279.54].
45. Pursuant to 40 CFR 279.55, concerning the written analysis plan, 40 CFR 279.56, concerning Tracking, the Permittee shall:
  - (a) Sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment 3 of the permit application;
  - (b) Test all containers of the same waste stream for the parameters listed in Attachment 4 of the permit application, if any of the samples fail the analysis required by General and Standard Condition 45.(a), the Permittee may collect a representative sample from containers received from the same generator for this analysis;
  - (c) Reject any incoming containers of used oil which fail the analysis required by the General and Standard Condition 45.(a). The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and
  - (d) Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in Attachment 3 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) Compliance sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. Incoming, process control and outgoing used oil analysis will be completed by Howco's laboratory. One biweekly outgoing used oil sample will be sent to an outside laboratory that meets the National Environmental Laboratory Accreditation Conference (NELAC) certification in Chapter 62-160.
  - (f) A copy of the written analysis plan must be kept at the facility.

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

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: the Permittee shall maintain records on DEP Form 62-701.900 (2) or on substantially equivalent forms which contain at least the same information as the Department form.
  - (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
    - (1) The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
    - (2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
    - (3) The quantities of each type of used oil accepted and date of acceptance; and
  - (b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
    - (1) The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
    - (2) The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
    - (3) The quantities of used oil shipped and date of shipment; and
    - (4) The laboratory analytical results.
  - (c) Record Retention: The records described in paragraph (a), (b) and (c) of this section must be maintained for at least five years. The records shall be kept at the permitted facility or at the Permittee's corporate headquarters in St. Petersburg excepting current year's records must be kept at the facility, and shall be available for inspection by the Department during normal business hours.
  - (d) The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements set forth in Attachment 3 of the permit application dated August 15, 1997 as revised on April 16, July 1, September 30, 2004 and April 21, 2005.
2. Pursuant to 40 CFR 279.57, the Permittee must keep a written operating record at the Facility and maintained until closure of the Facility, which includes the following information:

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- (a) Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55; and described in Attachment 3 of the permit application dated August 15, 1997 as revised on April 16, July 1, September 30, 2004 and April 21, 2005.
  - (b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
  - (c) All records required by condition 1 of this Part
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 twenty-five gallons 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 within fourteen (14) days if a release requires the Permittee to take any of the tanks out of the service.
4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludge, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).
5. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501, F.A.C., for existing shop fabricated/field erected tanks of Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.
6. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
  - (a) All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.
  - (b) The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:
    - (1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
    - (2) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection.
    - (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 visual leak detection to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days.
  - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
  - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
- (c) Ancillary equipment shall be provided with secondary containment.

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

1. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter in compliance with Rule 62- 730-170, F.A.C., or has received a DEP/EPA ID number by notifying the Department on DEP/EPA Form 8700-12FL of its intent to transport PCW.[62-740.200(2), F.A.C.]
2. The Permittee shall label or mark all containers or tanks which are used for the storage of petroleum contact water with the words “Petroleum Contact Water” or “PCW”. [62-740.100, F.A.C.]
3. The Permittee shall store PCW only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored. PCW received into the Facility may be commingled and stored in Facility tanks with other petroleum or used oil-contaminated water for processing and recovery in accordance with Attachment 2 of the permit application.
4. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
5. The Permittee shall store or treat PCW in tanks registered under the specifications of Rule 62-762, F.A.C. or in containers or tanks that do not require registration but meet the requirements of 62-740.100(2), F.A.C. [62-740.300(2)(a) and (b), F.A.C.]
6. The Permittee shall test and manage all waste residuals after the recovery of product from PCW in accordance with Chapter 62-730, F.A.C., or other applicable rules of the Department [62-740.300(6), F.A.C.].
7. The Permittee shall maintain the following records for a minimum of three years [62-740.300(2)(c), F.A.C.
  - (a) For each shipment of PCW received.

- (1) Name and address of the PCW producer.
  - (2) Name and address of the PCW transporter.
  - (3) Date of receipt of the PCW shipment.
  - (4) Volume of PCW received.
  - (5) A copy of the shipping paper used for shipment of the PCW.
  - (6) Have on file written assurances from the producers that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW [62-740.300(4), F.A.C.].
- (b) Weekly PCW container or tank inspections as required in 62-740.100(2)(e), F.A.C.
- (c) Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW [62-740.300(3), F.A.C.].
8. The Permittee shall submit an annual report covering petroleum contact water (PCW) activities for the previous year by March 1 of each year. The report shall include:
- (a) The total quantity of PCW received during the previous calendar year.
  - (b) An estimate of the total quantity of product recovered from the PCW as described in Attachment 2 of the permit renewal application dated April 21, 2005 and as revised on June 23, 2010 and pursuant to 62-740.300(5), F.A.C.

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

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

1. The Permittee shall prevent the release of petroleum contact water, used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
  - (a) All new components shall have secondary containment as required by 40 CFR Part 279.54 and Parts (b) and (c) of this condition prior to being put into service.
  - (b) The secondary containment system shall meet the requirements of 40 CFR 279.54 and Rule 62-762, F.A.C. 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 visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection.
  - (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 [40 CFR Part 279.54(g)].
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 2 of the permit application dated August 15, 1997 as revised on April 16, July 1, 2004 and June 23, 2010; and
  - (d) Comply with the requirements of 40 CFR Part 279.54(g) if a leak or spill occurs.
4. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words "Used Oil". [40 CFR 279.54(f)]

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5. The Permittee shall store used oil only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.
6. If a container holding used oil is not in good condition (e.g. rusting, bulging) or begins to leak. The Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment 8 of the permit application dated August 15, 1997 as revised on April 16, and July 2004 and June 23, 2010.
8. The Permittee shall remove spilled or leaked waste within three (3) days [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-762.701(2)(b), F.A.C.]. The above materials shall be managed in accordance with Attachment 2 of the permit application dated August 15, 1997 and as revised on April 16, and July 1, 2004 and June 23, 2010.
9. The Permittee shall keep containers closed except when adding or removing waste.

#### **PART V – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS (WASTE PROCESSING ACTIVITIES)**

1. The facility may accept petroleum contaminated non-hazardous solid wastes including granular absorbents, rags, pads, booms, Personal Protection Equipment (PPE), soil, and debris collected by HOWCO drivers from customers' sites exclusively in sealed 55 gallon drums.
  - (a) No wastes shall be received at the site for solidification or blending. There shall be no intermediate storage of treated or untreated waste outside of 55 gallon drums.
  - (b) Permittee shall analyze all waste in accordance with the Analysis Plan in Attachment 3 of the permit application dated August 15, 1997 and as revised on April 16, July 1, September 30, 2004 and April 21, 2005 and June 23, 2010. Only non-hazardous waste may be processed. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste, in accordance with the provisions of Paragraph 21 of Part I of this permit.
  - (c) The amount of waste stored in 55 gallon drums at the Facility shall not exceed the capacity of the box trailer used to transport the 55 gallon drums to the HOWCO-St. Petersburg facility for processing.
2. A trained spotter will not be required unless the sealed 55 gallon drums are opened prior to transfer to the HOWCO-St. Petersburg facility for processing. Once the drums are opened in the receiving area the wastes must be inspected by a trained spotter for unauthorized, non-approved and non-conforming waste streams. The spotter will identify and segregate the following wastes upon

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inspection: hazardous waste, PCB's, asbestos waste, explosives, putrescible, toxic waste, biohazardous waste, non-approved and nonconforming waste streams.

3. If identified upon inspection, unauthorized wastes, non-approved, and nonconforming waste streams will be placed in a proper D.O.T. shipping container. These containers will be placed in a secondary containment unit. The unauthorized waste will be marked "UNAUTHORIZED WASTE" and will be wrapped with yellow caution tape. Pursuant to Rule 62-701.710(4)(b), stored putrescible wastes shall not be allowed to remain at the facility for more than 48 hours. The putrescible waste will be shipped to a permitted solid waste facility for proper treatment or disposal. Any other segregated, unauthorized waste received, such as hazardous waste, PCB's asbestos waste, explosives, toxic waste, biohazardous waste, non-approved and nonconforming waste streams shall be transported to an authorized disposal or recycling facility within 30 days of receipt. The waste generator and the Florida Department of Environmental Protection will be notified of the unauthorized waste.

## **PART VI – CLOSURE CONDITIONS**

1. The Permittee shall close the facility in compliance with 40 CFR 279.54(h), 62-710.800(9), F.A.C. and Attachment 9, closure plan of the permit application dated August 15, 1997 and as revised on April 16, and July 1, 2004 and June 23, 2010. The closure plan requires at a minimum the following:
  - (a) Test residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment 9 of the permit application dated August 15, 1997 and as revised on April 16, and July 1, 2004 and June 23, 2010.
  - (b) Remove and properly dispose any non-hazardous residue.
  - (c) Triple rinse the tanks, piping and ancillary equipment.
  - (d) Remove the tanks and piping to a scrap steel dealer.
  - (e) Submit a closure report, within 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 9 of the permit application dated August 15,

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1997 and subsequent revisions dated April 16, and July 1, 2004 and June 23, 2010 in order to meet the following requirements that:

- (a) There will be no need for further Facility maintenance;
  - (b) Used oil will not contaminate soil, surface water or groundwater;
  - (c) All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
  - (d) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C.
  - (e) Permittee who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 CFR 279.54(h), remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soil, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11;
  - (f) The closure plan, as described in Attachment 9 of the renewal permit application dated August 15, 1997 and as revised on April 16, and July 1, 2004 and June 23, 2010 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 sixty (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 in accordance with the closure and post-closure requirements of 40 CFR 264.310 that apply to hazardous waste landfills and in accordance with Chapter 62-770, F.A.C..
  4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 CFR 279.54(h), comply with the following requirements:
    - (a) At closure, containers holding used oil or residues of used oil must be removed from the site; and
    - (b) The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.

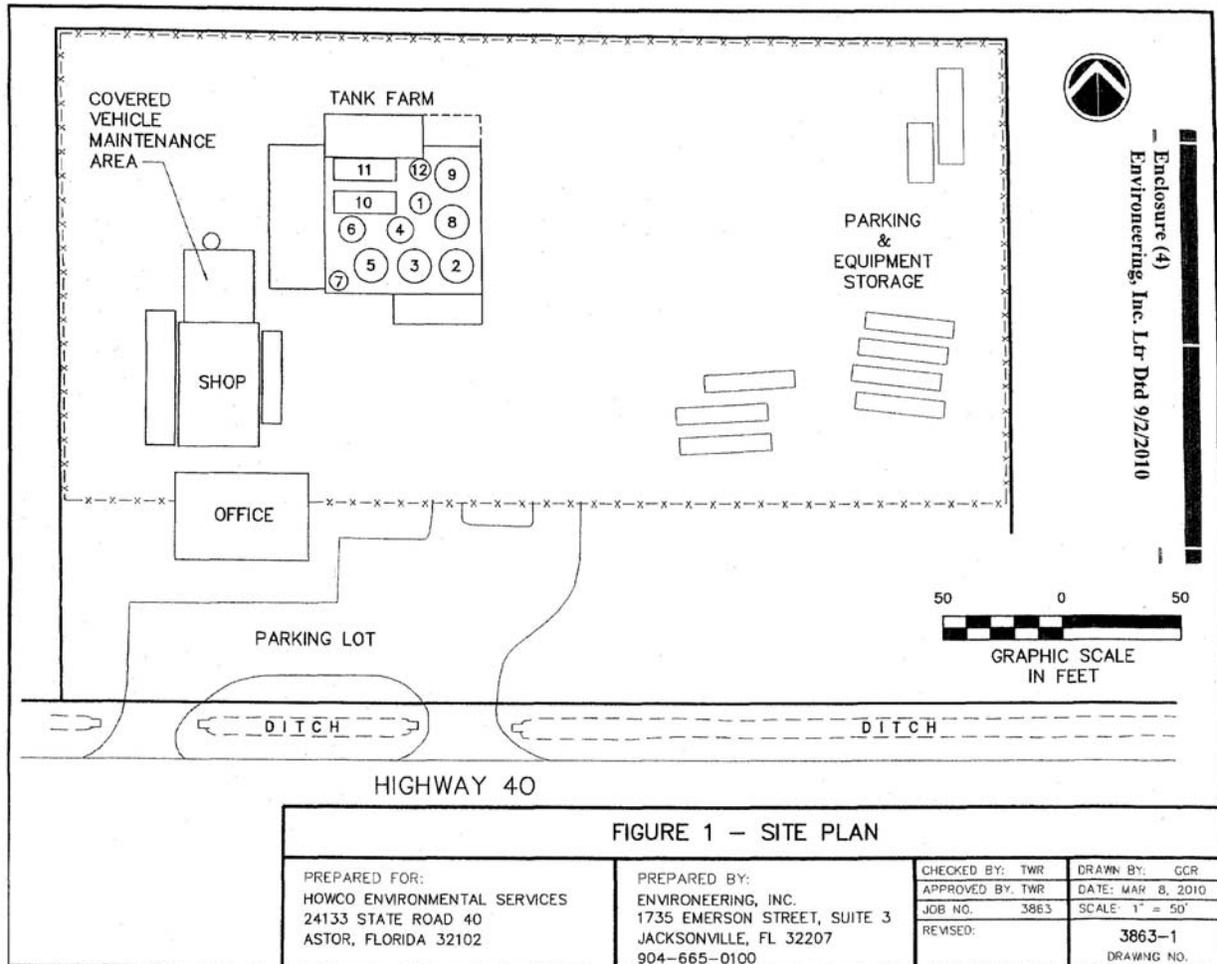


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**ATTACHMENT- A**

**SITE MAP**



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## ATTACHMENT B

### TANK TABLE

HOWCO Environmental Services  
Astor Facility

ENVIRONMENTAL ENGINEERING, INC.  
September 2010

Tank Number	Tank Capacity (gal)	Tank Contents
1	8,225	water/antifreeze
2	27,640	Used oil
3	27,640	Used oil
4	10,000	Off specification fuel
5	27,640	Used oil
6	10,000	Used oil
7	8,000	Burner fuel
8	29,000	Used oil
9	38,000	Used oil
10	15,000	Used oil (heated tank)
11	15,000	Used oil (heated tank)
12	500	Screened oil

Enclosure (5)  
Environmental Engineering, Inc. Ltr Dtd 9/2/2010