

Thursby, Kim

From: BOSEK, JOHN E [bosek.john@cleanharbors.com]
Sent: Friday, March 22, 2013 9:44 AM
To: Epost HWRS
Subject: RE: Clean Harbors Florida, LLC; FLD 980 729 610;Final DEP approval of modification

Modification approval received.

John Bosek
Facility General Manager
Clean Harbors Florida LLC
170 Bartow Municipal Airport
Bartow, FL 33830
bosek.john@cleanharbors.com
Phone: (863) 519-6331
Cell: (863) 559-1610
Fax: (863) 519-6361

From: Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]
Sent: Thursday, March 21, 2013 3:52 PM
To: BOSEK, JOHN E
Cc: Bahr, Tim; Goddard, Charles; cindy@bartow-airport.com; melonybell@polk-county.net; Knauss, Elizabeth; FWCConservationPlanningServices@myfwc.com; llongworth@cityofbartow.net; BMorello@progressiveec.com; heath_rauschenberger@fws.gov; Russell, Merlin; Tripp, Anthony
Subject: Clean Harbors Florida, LLC; FLD 980 729 610;Final DEP approval of modification

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

Please take a few minutes to share your comments on the service you received from the department by clicking on this link. [DEP Customer Survey](#).

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact Clean Harbors Environmental Services at 781.792.5555 and delete the material from any computer.



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTINEZ CENTER
 2600 BLAIRSTONE ROAD
 TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
 GOVERNOR

HERSCHEL T. VINYARD JR.
 SECRETARY

March 21, 2013

Sent Via E-mail

bosek.john@cleanharbors.com

Mr. John Bosek
 Clean Harbors Florida, LLC
 170 Bartow Municipal Airport
 Bartow, Florida 33830-9504

SUBJECT: Clean Harbors Florida, LLC; FLD 980 729 610
 Operating Permit No. 64247-HO-012
 Polk County

Dear Mr. Bosek:

This document is in response to your letter dated March 4, 2013 requesting to add replacement tank T-106 back into service, and the additional information you submitted on March 18, 2013. Upon review of these submittals, the Department finds your request satisfactory. Therefore, pursuant to Section 403.722, Florida Statutes (F.S.), and Chapter 62-730, Florida Administrative Code (F.A.C.), the Department modifies the following conditions of the Permit:

Specific Condition	<u>From</u>	<u>To</u>
A. RCRA Permitted Units, 3, second paragraph	Hazardous waste storage in tank systems is conducted in ten 6,600 gallon (6,000 gallon working volume) carbon steel ("Crude Storage Tanks") tanks designated as T-101 through T-110, located in the South Tank Farm as shown in Attachment D. The total permitted storage capacity is 60,000 gallons or 6,000 gallons per tank. Hazardous wastes stored in these ten tanks and their designated hazardous waste codes are listed in Appendix II-G of permit application dated May 2011 and November 4, 2011. Currently, T-106 has been removed and is planned to be replaced.	Hazardous waste storage in tank systems is conducted in ten 6,600 gallon (6,000 gallon working volume) carbon steel ("Crude Storage Tanks") tanks designated as T-101 through T-110, located in the South Tank Farm as shown in Attachment D. The total permitted storage capacity is 60,000 gallons or 6,000 gallons per tank. Hazardous wastes stored in these ten tanks and their designated hazardous waste codes are listed in Appendix II-G of permit application dated May 2011 and November 4, 2011.

Page 5	<p>5. RCRA Part B Permit Renewal Submission Fee dated June 6, 2011.</p> <p>6. Response to the First Notice of Deficiencies dated November 4, 2011.</p> <p>7. E-mail transmitting electronic copies of Part B revisions including the electronic copy of closure cost estimates dated November 30, 2011.</p> <p>8. E-mail transmitting updated information on SWMU-12 dated January 13, 2012.</p> <p>9. E-mail transmitting modified figures for this permit dated January 31, 2012.</p>	<p>5. RCRA Part B Permit Renewal Submission Fee dated June 6, 2011.</p> <p>6. Response to the First Notice of Deficiencies dated November 4, 2011.</p> <p>7. E-mail transmitting electronic copies of Part B revisions including the electronic copy of closure cost estimates dated November 30, 2011.</p> <p>8. E-mail transmitting updated information on SWMU-12 dated January 13, 2012.</p> <p>9. E-mail transmitting modified figures for this permit dated January 31, 2012.</p> <p>10. Tank, T-106 Modification, Clean Harbors, Florida LLC dated January 2013 (transmittal letter dated March 4, 2013)</p> <p>11. Revised information submitted in an e-mail dated March 18, 2013.</p>
Part II Subpart C- Tank Systems.15	<p>At the time of permit issuance, Tank T-106 has been removed, and it is in the process of being replaced. The Permittee shall:</p> <ul style="list-style-type: none">a. Notify the Department at least one week prior to the installation of T-106.b. Ensure that the replacement tank's construction details and capacity remain the same as the former T-106.c. Submit as-builts with an engineer's certification to the	Reserved

	Department at the completion of the replacement. The certification must be signed and sealed by a Professional Engineer registered in the state of Florida.	
Part II Subpart C- Tank Systems.16	The Permittee shall not operate replacement tank T-106 until written approval is received from the Department.	Reserved

This permit modification becomes effective immediately. All other conditions of the permit remain unchanged. This letter must be attached to the existing permit, and becomes part of that permit. As Permittee, you have appellate rights as set forth in the enclosed Notice of Rights.

If you have any questions, please contact Merlin D. Russell Jr. at 850-245-8796 or merlin.russell@dep.state.fl.us.

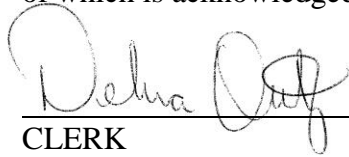
Sincerely,



Charles F. Goddard., Chief
Bureau of Solid & Hazardous Waste
CFG/mdr

Filing and Acknowledgment

Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.


CLERK

March 21, 2013
DATE

cc via e-mail w/enclosure:

Cynthia L. Barrow, Bartow Municipal Airport Development Authority, cindy@bartow-airport.com

Melony M. Bell, County Commissioner, melonybell@polk-county.net

Elizabeth Knauss, DEP/Tampa, Elizabeth.knauss@dep.state.fl.us

Florida Fish & Wildlife Conservation Commission Planning Services,
FWCConservationPlanningServices@myfwc.com

Mayor Leo Longworth, llongworth@cityofbartow.net

Bridget S. Morello, Progressive Engineering & Construction, Inc,
BMorello@progressiveec.com

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

NOTICE OF RIGHTS

1. If you dispute any issue of material fact raised by this permit modification, you have the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes (F.S.). At a formal hearing, you will have the opportunity to be represented by counsel, to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing office's recommended order.
2. If you do not dispute any issue of material fact raised by this permit modification, you have the right to an informal administrative proceeding pursuant to Sections 120.569 and 120.57(2), F.S. If an informal proceeding is held, you will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Department's Order, or to present a written statement challenging the grounds upon which the Department is justifying its proposed action.
3. If you desire a formal hearing or an informal proceeding, you must file a written "Petition for Administrative Proceeding" within 21 days of receipt of this Order. The petition must be in the form required by Rule 28-106.201(2) Florida Administrative Code (F.A.C.) A petition is "filed" when it is received by the Department's Agency Clerk, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.
4. You will waive the right to a formal hearing or an informal proceeding if a Petition is not filed with the Department within 21 days of the date you receive this permit modification. If you file a written request for extension of time within the time limit and show good cause for an extension, the Department may extend the time by issuing another written order.
5. Mediation is not available in the context of this Order.
6. A party who is adversely affected by this Order when it becomes Final is entitled to Judicial Review pursuant to Section 120.68. F.S. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Agency Clerk, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or with the District Court of Appeal in the Appellate District where the party resides. The Notice of Appeal must be filed within 30 days of rendition of the Order to be reviewed. The Order is rendered on the date it becomes Final. The Order becomes Final on the letterhead date, unless a Petition for formal hearing or informal proceeding is filed as outlined in this notice.