I – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may accept non-hazardous solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom, air and transmission filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal or processing facilities.

    a. All wastes received at the site for solidification will be received either by drum or container 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 permitted solid waste disposal facility.

    b. Oil contaminated solid waste determined to be non-hazardous as defined by 40 CFR Part 260-262 may be processed at the facility. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.

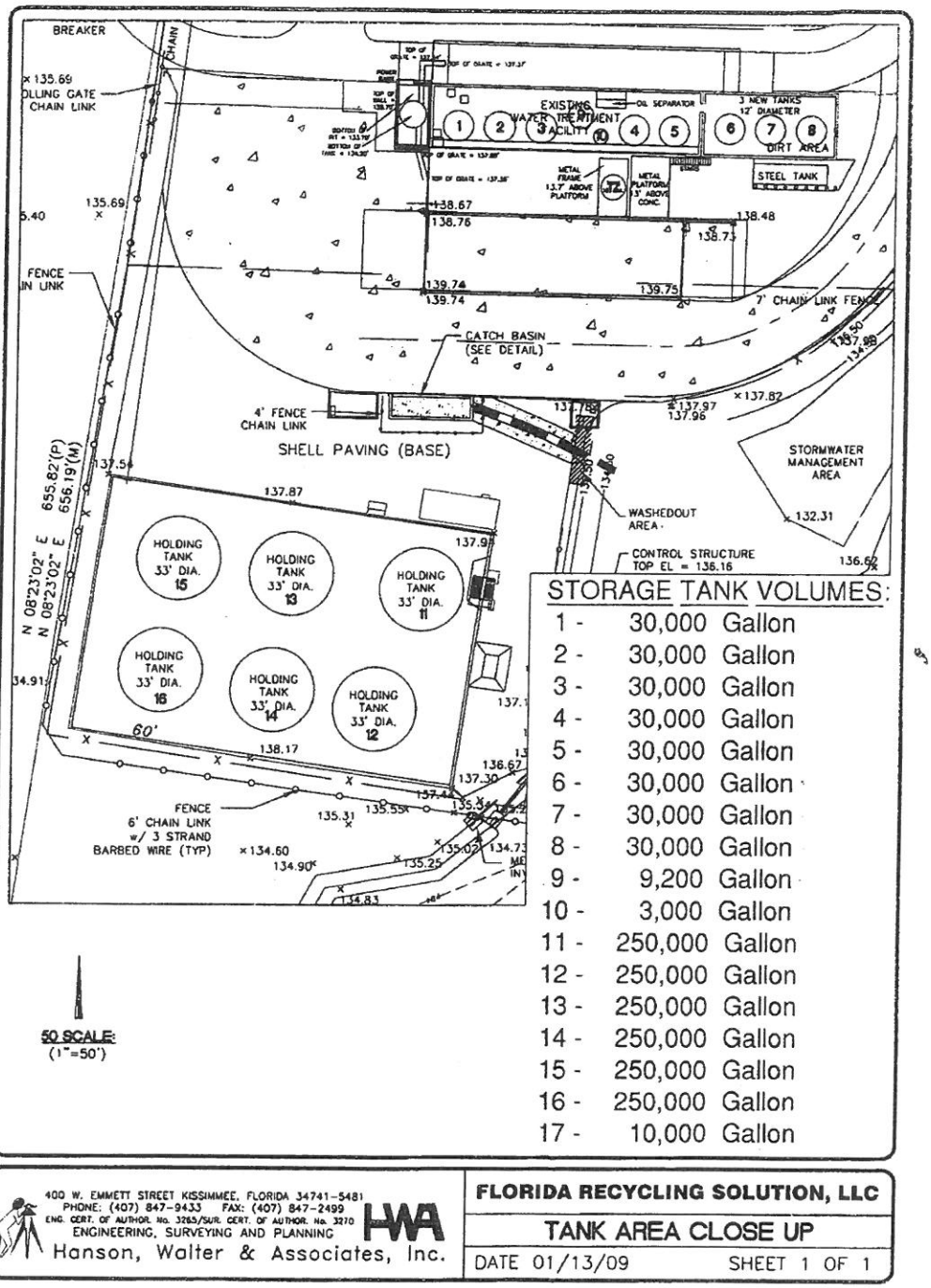
    c. Sealed dump trucks or trailers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste at the permitted facility shall not exceed fifty 55-gallon drums (or their equivalent volume) and three 35 cubic yard containers or trailers.

    d. The maximum amount of solid waste to be brought into the permitted facility shall not exceed 720 cubic yards per year. The oil contaminated solid waste will be brought into the facility in containers or 55 gallon drums.

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

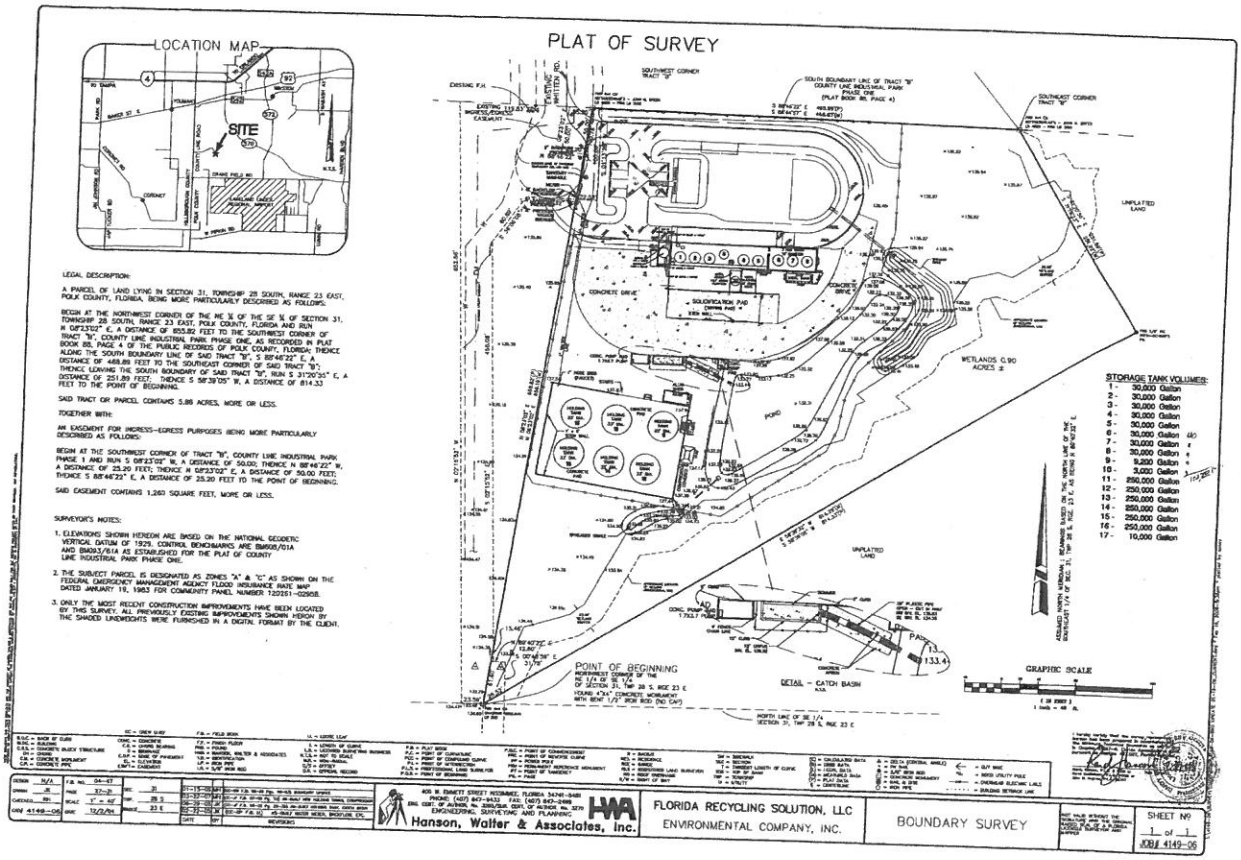
ATTACHMENT-A
SITE MAP



STORAGE TANK VOLUMES:	
1 -	30,000 Gallon
2 -	30,000 Gallon
3 -	30,000 Gallon
4 -	30,000 Gallon
5 -	30,000 Gallon
6 -	30,000 Gallon
7 -	30,000 Gallon
8 -	30,000 Gallon
9 -	9,200 Gallon
10 -	3,000 Gallon
11 -	250,000 Gallon
12 -	250,000 Gallon
13 -	250,000 Gallon
14 -	250,000 Gallon
15 -	250,000 Gallon
16 -	250,000 Gallon
17 -	10,000 Gallon

400 W. EMMETT STREET KISSIMMEE, FLORIDA 34741-5481
PHONE: (407) 847-9433 FAX: (407) 847-2499
ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270
ENGINEERING, SURVEYING AND PLANNING
Hanson, Walter & Associates, Inc.

FLORIDA RECYCLING SOLUTION, LLC
TANK AREA CLOSE UP
DATE 01/13/09 SHEET 1 OF 1



Attachment III

REPORTING AND TRACKING

1.1Operating Record and Reporting

FRS maintains records of used oil analyses. As analytical data from outside contract laboratories become available, copies of the analytical reports are organized in notebooks indexed by unique batch number. Additionally FRS maintains a list of used oil transporters, the Used Oil Transporter Reference List (UORTL), with names, addresses, and EPA ID numbers allowing cross-reference to this data.

Summary reports and details of any incidents that require implementation of the contingency plan as specified I 279.52(b) will be recorded in the operating record, and maintained until closure of the facility.

FRS reports to the Florida Department of Environmental Protection by March 1st' each year the following information concerning used oil activities during the previous calendar year:

1) The EPA ID number name and address of the processor/or refiner.
2) The calendar year covered by the report.
3) The quantities of used oil accepted for processing/re-fining and the manner in which the used oil was processed/re-fined including the specific processes employed.

FRS will burn on spec oil. The amount burned will be measured using a flow meter and/or site glass and recorded.

1.2 Acceptance Records

FRS maintains records of each used oil shipment for processing. These records consist of entries in a computer database in conjunction with field copies of invoices, manifests, bills of lading, and other shipping documents. The following information is recorded for each load of used oil accepted.

1) The name and address of the transporter who delivers the used oil.
2) The name and address of the generator or processor/re-refine from which the used waste oil was sent.
3) The EPA identification number of the transporter who delivered the used oil.
4) The EPA identification number (if applicable) of the generator or processor from whom the used oil was sent.
5) The quantity of used oil accepted.
6) The type of oil accepted (per 62-710.510 (1) (d), F.A.C.)
7) The date of acceptance.
8) Documentation of halogen screening.

9) FRS will screen each incoming shipment of used oil for halogens using the collection sampling procedure in section VII. This screening shall also be used when FRS accepts phase separated oil from ACE.
10) Each transfer of material from ACE to FRS shall have its own paper trail just as though the material was received from some outside entity.

1.3 Delivery records

As a marketer of used oil, FRS maintains a record of used oil originating from its facility to used oil burners. These records take the form of a database in conjunction with filed hard copies of invoices, manifests, bills of lading, and other shipping documents.

1.3.1 Off-Specification Used oil

FRS records or may cross-reference the following information on each shipment of off-site specification used oil.

1) The name and address of the transporter who delivers the off-specification used oil to the recipient.
2) The name and address of the recipient of the off-specification used oil.
3) The EPA identification number of the transporter who delivers the off-specification used oil to the recipient.
4) The EPA identification number of the recipient.
5) The quantity of off-specification used oil shipped.
6) The end use of the oil (per 62-710.510 (1) (f), F.A.C.)
7) The date of the shipment.
8) Documentation of halogen screening.

FRS will only ship off-specification used oil to recipients who have notified the EPA of their activities according to the requirements of RCRA section 3010 and who possess an EPA identification number.

1.3.2 On-Specification Used Oil Fuel

Analytical data on oil production lots is recorded in the database.
For each shipment of used oil from a particular oil production lot, the oil production lot number is recorded on the shipping order. In the case of the on-specification production lots, this allows a cross-reference to the record of analyses used to make the determination that the oil meets the specification as required under 40 CRF 279.72(a). These records are maintained for a period of at least three years.

FRS records or may cross–reference the following information on each shipment of on-specification used oil fuel:

1) The name and address of the transporter who delivers the on-specification used oil to the recipient.
2) The name and address of the recipient of the on-specification used oil.
3) The EPA identification number of the transporter who delivers the on-specification used oil to the recipient.
4) The EPA identification number of the recipient
5) The quantity of on-specification used oil shipped.
6) The end use of the oil (per 62-710.510(1) (e), F.A.C).
7) The date of the shipment.
8) A cross reference to the record of used oil analysis or other information use to make a determination that the oil meets the specification as required under 279.72(a). As described above this cross reference consists of recording the oil production lot number on the appropriate shipping documents.

The records will be maintained for at least three years.

Closure Plan.

Introduction.

This plan is intended to fulfill the requirements of 40 CFR 279.54(h) and Chapter 62-710.800(9) F.A.C. The plan outlines the procedures necessary for closure of the used oil management portions of the FRS facility. The attachments include a schematic plant diagram, schedule of analytical methods required for closure, residues characterization, soils sampling and analysis protocol and groundwater sampling and analysis protocol. FRS will maintain a copy of an approved closure plan on site until the Department has accepted certification of closure. FRS will submit an updated and detailed Closure Plan to the Department at least 60 days prior to the scheduled closing of the facility. FRS will notify the Department at least 45 days prior to the date of final closure. Within 30 days of completion of closure, FRS will submit to the Department a certification signed by an officer of FRS and by an independent, registered professional engineer stating that the portion of the facility subject to used oil regulation has been closed in accordance with the specifications and procedures set forth in the closure plan.

Closure Procedures.

The management units to be closed pursuant to this plan include the tanks and containers used to manage used oil, PCW, and oily wastewater, pipelines, valves, pumps and other associated equipment and the related secondary containment. The various units to be closed are shown on the attached diagram.

Upon closure, all the tanks, containers and associated equipment will be emptied and cleaned to remove all liquids and any residual solids. All material removed from the units will be processed on-site with treated wastewater discharged to the POTW, recovered hydrocarbons sent off-site to an end user or used oil processor and solids sent off-site to an appropriate disposal facility. All material will be characterized as described in the attachment and either processed on-site or sent off-site for disposal at an appropriate disposal facility.

All tanks, containers and associated equipment will be rinsed and cleaned using an appropriate detergent and pressure washed or otherwise cleaned as necessary. After cleaning, the units will be triple rinsed. When cleaned to acceptable standards, tanks, containers and associated equipment will be sold, scrapped or placed in other service. Acceptable standards will be determined by the facility(ies) accepting the tanks,

containers and associated equipment. This will be documented by FRS. All resinate and cleaning residuals will be managed on-site for appropriate disposal.

When the management units and the secondary containment have been cleaned to the acceptable standards, soils near the secondary containment will be sampled and tested as described in the attachment covering ground sampling.

Any contaminated soils will be removed from the site and sent to an appropriate disposal site. When any contaminated soils have been removed, groundwater will be further tested to determine levels of contamination if any.

Should groundwater show unacceptable levels of contamination following facility closure and removal of any contaminated soils, FRS will proceed with the appropriate FRS Closure Plan.

Soils and Groundwater Sampling Protocol

Soils will be sampled at two different depths at each sampling location. The first soil sample will be collected at a depth of 6 to 12 inches below grade. The second sample will be collected at a depth between 24 to 30 inches below grade or 6 inches above groundwater level if groundwater is not more than 3 feet deep. The soils will be analyzed using the analytical method listed in the parameters and methods schedule attached.

Groundwater

If soils contamination is found, groundwater-sampling well will be placed to a depth of twenty feet in the vicinity of the contaminated soil. The groundwater will be sampled using the method listed in the attached schedule.

Schedule of Analytical Methods

Material	Metals	TRPH	Volatiles	Semi-Volatiles	EOX/TOX
Residues	EPA 6010B	EPA8015B	EPA8260B	EPA8270C	EPA 9023
Groundwater	EPA 6010B	EPA 8015B	EPA8260B	EPA8270C	EPA 9020B
Soils	EPA6010B	EPA8015B	EPA8260B	EPA8270C	EPA 9023

Closure Schedule

1. Removal of tank and container contents.	30 days
2. Cleaning of tanks, containers, pipelines, pumps, and other related equipment.	60 days.
3. Cleaning secondary containment.	30 days
4. Analysis of resinate.	15 days
5. Soils sampling and analysis	45 days

Preparedness and Prevention

A copy of the SPCC Plan is attached. The Contingency Plan is included as an appendix to the plan.

The facility is operated and maintained to minimize the possibility of a fire, explosion, or other unplanned release of any pollutant or potentially hazardous material. All personnel are trained for emergency response, fire control, first aid, and routine operating procedures. Operators and maintenance personnel clean the plant routinely. All tanks are inventoried, maintenance items listed, and correcte action planned daily.

a) The plant is equipped with an alarm device which will be actated in the event of an emergency.

b) Supervisors have cell phones that are used for emergency response.

c) Fire extinguishers are located throughout the plant. Spill control equipment is located east end of the facility. There is, on site inside the gate, a fire hydrant owned operated and maintained by the City of Lakeland. Under an agreement with Cintas all extinguishers are maintained and inspected annually or more often if we use any of them.

d) Emergency response systems and materials are inspected at least monthly.

e) All operating personnel have either direct contact or cell phone contact with other plant personnel at all times.

f) Proper aisle space is maintained at all times in the vicinity of tanks and containers.

g) All local authorities have receed a copy of the latest approved SPCC plan and will recee any revised plan.

h) Correcte actions taken in response to spills/leaks will be recorded as required in the pertinent regulations.

SPILL PREVENTION, CONTROL AND COUNTERMEASURE PLAN

TABLE OF CONTENTS

BASIC INFORMATION
LOCATION: 3210 Whitten Rd. Lakeland, FL. 33811
FACILITY TYPE: Industrial Wastewater Pretreatment & Hydrocarbon Recycling
DESIGNATED FACILITY CONTAT: PLANT MANAGER
ALTERNATE FACILITY CONTACT: GENERAL MANAGER

EMERGENCY ACTION

In the event of a spill or leak from any tank or pipe, the senior responsible person at the site should carry out the following actions until he is relieved by someone with higher authority.

SAFETY FIRST

Take all actions necessary to protect the life and health of all persons in the area.

CALL FOR HELP

Notify local emergency authorities (fire, police, and ambulance) as necessary. Call Aqua Clean.

STOP THE LEAK

Take actions to stop the flow of liquid if such can be done safely.

NOTIFY REGULATORY AGENCIES

In the event of a potentially dangerous situation, call the federal and state hotlines immediately to report the spill. If the situation is under control, fill out the questions on the Spill Form in Section 14 of this plan prior to calling the regulatory agencies. The information the Spill Form is what the agencies will want to know.

PURPOSE

The National Oil Spill Prevention, Control and Countermeasures (SPCC) Program became effecte on January 10, 1974, under the authority of Section 311 of the 1970 Federal Water Pollution Contract Act, as amended, (33 U.S.C. 1251 et seq.), also known as the Clean Water Act (CWA). The regulations are codified in Title 40, Code of Federal Regulations, Part 112 (40 CFR 112) “Oil Pollution Prevention-Non-Transportation Related On-Shore and Off-Shore Facilities”.

The regulations require, among other things, the preparation and implementation of a Spill Prevention Control and Countermeasure (SPCC) Plan for all applicable non-transportation related facilities, which could reasonably be expected to discharge a harmful quantity.

The purpose of the SPCC Plan includes the means to identify and describe the potential source of spills, the facilities and procedures utilized to prevent a spill, and control and cleanup procedures used by facility personnel. Proper implementation of the plan will reduce the spill potential and minimize the adverse consequences a spill might have on the environment.

SPCC PLAN AVAILABITY

As required by law and to be of use in an emergency situation, complete copies of the Plan are maintained in the following locations:

Location	**Contact**
Administrate Office	Plant Manager
Shift Supervisor's Office	Shift Supervisor

CERTIFICATION, REVIEW AND AMENDMENTS

Management Responsibility/Approval

In accordance with 40CFR 112.7, the responsibility for spill prevention, control, and countermeasures has been placed with the Plant Manager.

By signature, the above management personnel certify that they have approved this SPCC Plan and have the authority to commit the resources required for its implementation:

Signed: _____

Signed: _____

Certification of Original Plan

Having examined and being familiar with provisions of the Code of Federal Regulations Title 40, Chapter 1, Subchapter D Part 112, I certify that his SPCC Plan satisfies the requirements of 40 CFR Part 112 and has been prepared in accordance with good engineering practices.

Signed: _____
Licensed Professional Engineer
Registration #:

Amendment by Owner/ Operators

The SPCC Plan will be reviewed as required by law or when engineering or operational changes occur. It will be updated regularly with regard to names and telephone numbers. If significant changes in the facility are made that substantially affect this Contingency Plan, then this plan will be updated as soon as practicable or within six months. Minor changes in the facility affecting this plan shall be recorded and filed with this plan, and incorporated in the Plan at the three year update. Any amendment will be inspected and certified by a registered professional engineer.

SPILL HISTORY

Since FRS there have been no reportable spills or oil released from within the confines of the facility.

If a spill should occur, this SPCC Plan will be amended to include a written description of the spill, the correcte action taken and a plan for preventing recurrence of a spill.

FACILITY DESCRIPTION

FRS is located within an industrial wastewater treatment facility located at 3210 Whitten Road Lakeland, Florida 33811. The size of the facility is approximately 5.6 acres and the facility operates according to the following schedule:

Mon- Fri	6:30 A.M. – 11:00 P.M.
Sat.	7:00 A.M. – 7:00 P.M.

A site location map is located in Section 23 of this plan.

FRS accepts used oil from marine, petroleum, environmental and industrial sources. Oil is refined into usable fuel by physical, mechanical and chemical means and subsequently stored in a designated section managed FRS. Wastewaters are then transferred to ACE to be treated by various techniques including gravity separation to meet the City of Lakeland discharge permit standards and discharged.

There is no long-term storage of material at FRS. As a recycler of used oil it is the policy of FRS to separate this material as quickly as possible, refine it, and market it for use as fuel. Wastewater is also treated and once the effluent can be shown to meet the requirements of the discharged permit it is discharged to the City of Lakeland. A small stock of treatment chemicals is kept on hand to meet ongoing treatment needs.

Drainage

Stormwater from the facility is contained within the facility by berms, concrete containment and concrete slab barrier. Stormwater that is contained, drains to sumps located in the east containment facility. Stormwater run off from dreways and land, flows to one of two storm water retention ponds permitted by the SWWMD.

POTENTIAL SPILL SOURCES CONTAINMENT AND CONTROL EQUIPMENT

Potential Spill Sources

Potential spill hazards identified at FRS facility include releases due to accidents, equipment failure, or overflows from above ground treatment and storage tanks for wastewater and waste oil. All ancillary equipment in conjunction with these tanks such as pipes, pumps and valves are also potential spill sources. Another potential spill source is from the loading/unloading of tankers at the designated off-loading sites.

Each area that has been identified as a potential spill source and the maximum total quantity of material which could be discharged at one time as a result of a major failure are listed below.

Truck Loading and unloading.

Containment and Dersionary Structures

The Aqua Clean facility has been designated and constructed for maximum containment to prevent any discharge from reaching the water retention ponds.

This entire facility has been designed for complete containment safety and is fully lined with concrete. Underneath the concrete areas there is a 60 mil HDPE liner. All oil storage tanks are within a concrete containment has a 60 mil liner underneath. The walled enclosures has been calculated to be of sufficient volume to contain the largest storage tank and +10%. A concrete slab barrier is sufficiently impervious to allow for containment of spilled material.

The truck loading/offloading areas are bordered by curbs. A sump at the west end of the unloading area has capacity to hold 9,000 gallons or 28% more than a truck load in the event of a major accident.

Spill Control Equipment

The following spill control materials are kept in the spill shed and inventoried every two months for replacement of items consumed in minor cleanup jobs; the entire inventory will be restocked as soon as possible following a major spill event.

TYPE OF EQUIPMENT	QUANITY	AREA STORED
Sorbent Booms (3'' x 20')	3	Spill Container
Sorbent Sheets (11''x13x3/8''	100	
Sorbent Pillows (8 ½" x17")	12	
Absorbent Particulate	100 lb.	
Poly Bags	10	
Sand Bags (filled)	20	
Labels	10	
Squeegees	2	
Shovels	2	
Tyvek Coveralls	2	
3" gas dren portable pump	1	
Sawdust absorbent	More then 10 cu yds	
Front End Loader	1	

EQUIPMENT SPECIFICATIONS

The following table lists purposes and specifications FRS spill control equipment.

EQUIPMENT	PURPOSE	SPECIFICATIONS
Sorbent Booms	Absorption	
Sorbent Sheets	Absorption	
Sorbent Pillows	Absorption	
Absorbent Particulate	Absorption	
Poly Bags	Package contaminated materials	Chemically Resistant
Sand Bags	Diking Dersion	
Labels	Labeling contaminated materials	
Squeegees	Spill Cleanup	
Shovel	Constructing emergency earthen berms or dikes, transferring contaminated soil or debris to container	
Tyvek Coverall's	PPE, protect clothing and skin from spilled material	Chemically Resistant
Splash Goggles	PPE, protect eyes from spilled material	Chemically Resistant
Nitirle Gloves	PPE, protect hands from spilled material	Impervious to liquids
Gas 3'' portable pump	Material Transfer	200 gpm

Heavy Equipment

FRS has pumps and equipment that can be used for transferring spilled material to a suitable storage vessel. Refer to the table above for a listing of these items.

Personal Safety Equipment.

Personal Safety Equipment is provided to all FRS plant employees. Instruction on the proper use of this equipment is provided by the Shift Supervisor. Each employee is responsible for issued equipment and usually maintains this equipment at work stations or in personal lockers. Additional safety equipment available includes disposable clothing, non-disposable chemically resistant clothing, face shields, splash goggles, special purpose gloves, respirators (for suitably trained employees) and various other disposable coverings which are provided as needed and stored in the shop area.

Equipment Suppliers and Emergency Response Contractors

This section lists telephone numbers of commercial sources for equipment, supplies, and assistance that can be quickly obtained in the event of an emergency.

A. Adam's Air & Hydraulic (certain parts for vac trucks) (813) 626-4128

B. Air Compressor Mill Compressor Service Don Walker (863) 559-5769
Cell (863) 665 7876

C. Alert Tire (813) 754-3554
After hours (813) 267-0191

D. Bayport Valve & Fitting (863) 425-0023

E. Ritchey's Truck Repair (863) 425-0888
Bruce Ritchey (863) 559-2700

F. GCR Tires (use if no response from Alert) (863) 533-0368

G. Hydraulic Services (Truck Hose & Fitting Repair) (863) 644-7511

H. Leedy Electric (863) 425-2698

I. M&M Contractors Gary Gens (863) 559-8230

J. Penske Sam Tilsley (863) 686-6136

OR The Penske SOS number in the truck.

K. Plant Pumps – Hudson Pumps Tony DeJesus (863) 665-7876
Cell (863) 860-0276

L. Sawdust – Biomass (813) 513-3005
Greg Branam (813) 622-6363

*** ALL NUMBERS WILL LEAD TO A DIRECT COMMUNICATION OR GE AN AFTER HOURS NUMBER TO CALL.**

FIRE FIGHTING EQUIPMENT

Fire extinguishers of various types and capacities are located throughout the facility

FIRE EXTINGUISHER INFORMATION

UNIT NUMBER	LOCATION
1 Wheeled Unit--Foamed	Front Pad Pit
2 Wheeled Unit--Foamed	Diesel Island\Used Oil Filter Crusher
3 Wheeled Unit--Foamed	Solidification Pad
8 Portable Units—ABC	Various locations with no more than 50’ of travel distance

NOTIFICATION AND RESPONSE PROCEDURES

This section addresses the emergency countermeasures developed for the facility in the event that a spill or discharge of oil should occur. This countermeasure plan includes a description of responding facility personnel, their responsibilities and qualifications, the procedures to be followed in the event of a spill, and the role of local emergency response.

Facility Notification and Response Procedures

Should any oil spill occur, the person detecting the spill should:

1. Immediately notify the Shift Supervisor, The Shift Supervisor should attempt to provide initial containment of the spill, if the spill does not pose a harmful or unsafe situation. The Shift Supervisor or his designee shall serve as the Spill Team Coordinator who is responsible for communication with, coordination of all applicable personnel to insure proper response to a spill event. In order to provide adequate initial response, the Spill Team Coordinator shall begin by assessing the situation and implementing the following:

    a) Verification of the type of spill, its exact location and quantities released,

    b) Determine whether spilled material may reach the retention ponds and whether initial containment efforts are adequate to prevent a release to the environment,

    c) Determine the presence of potential for injuries fire etc, and assess the need for additional safety or security measures,

    d) Establish cause of spill and time of occurrence,

    e) Assess what cleanup and emergency procedures are to be taken,

    f) Immediately actate the Spill Team, if needed,

    g) Stop the source of the spill or leakage,

    h) Assess the need for assistance. Request for outside assistance must be coordinated with management personnel,

    i) Determine and record the exact type of material, approximate amount of spill, duration of discharge and cause of incident. Record the information on the Spill Report Form located in Section 19 of this plan,

    j) Complete proper cleanup and prepare for the disposal of the spilled material and

    k) Report any spill event or potential spill to management to ensure compliance with environmental regulations.

Major Spill Events

In response to major spill events which may pose significant danger to life or property, immediately notify the **Lakeland Fire Department** and at least one of the following members of the FRS Spill Control Team.

NAME	TITLE	CELL PHONE	HOME PHONE
ROBERT TOROK	PLANT MANAGER	(863) 712 6631	
MIKE ZELLARS	GENERAL MANAGER	(863) 712 6635	

The above personnel will notify the Governing State and Federal regulatory agencies in the event the release goes beyond the confines of the facility boundaries.

- National Response Center: (800) 424-8802

In case of a major spill that requires evacuation of the operating facility, take the following actions in the order listed:

1. Direct all personnel to leave the area by means of alarm system.

2. If possible, contain and isolate the source of the spill to minimize the volume of material to be cleaned up.

3. Be prepared and standby for organized spill cleanup.

The Spill Team Coordinator should follow up with notification to other agencies as appropriate to the nature of the spill event.

Following satisfactory resolution of the spill event, the Spill Team Coordinator must prepare one or more written reports. A facility report should be prepared summarizing the spill event and all aspects of its resolution as an aid to management and training for future response situations, SPCC Plan improvements, and facility needs.

WRITTEN REPORT TO EPA REGIONAL ADMMINSTRATOR SUMMARY

1. Name of the facility.
2. Name of the owner or operator of the facility.
3. Location of the facility.
4. Date and year of initial facility operations.
5. Maximum storage or handling capacity of the facility and normal daily use.

6. Description of the facility, including maps, flow diagrams, and topographical maps.
7. A complete copy of the facility SPCC PLAN and amendments.
8. The cause of such spill, including a failure analysis of the system or subsystem in which the failure occurred.
9. The correcte actions and or/countermeasures taken, including adequate description of equipment repairs and/or replacements.
10. Additional preventate measure(s) taken or contemplated to minimize the possibility of recurrence.
11. Any additional information as considered appropriate by Regional Administration pertinent of the SPCC Plan or spill event.
    Should a written report to the EPA Regional Administration be required, duplicate copies of all information submitted shall be sent to the Florida Department of Environmental Protection Agency.

SPILL TEAM RESPONSIBILITY, TRAINING, AND QUALIFICATION

Organization

It is the responsibility of the Plant Manager to act as the facility's Spill Team Coordinator (STC) and to become familiar with the contents of the SPCC Plan. The Shift Supervisor shall organize and maintain a Spill Control Team (SC).

Spill Team Coordinator

The STC will be notified at the time the spill is discovered. The STC will go directly to the spill and will provide direction for the SC Team. The STC will then oversee and control all actities required to manage the spill and its subsequent cleanup. The STC is authorized to use any means necessary (engineering, maintenance, contractors, or consultants) to stop, minimize, cleanup and analyze spill damage.

Spill Team Coordinator Responsibilities

- Assure preparation and update of the SPCC Plan as required by law. This Plan will be updated every three years or when a change occurs in the facility.
- Respond to all spills, evaluate the environmental impact and advise management personnel.
- Communicate with regulatory agencies.
- Participate on countermeasure committee to develop and initiate further prevention plans.
- Prepare required reports.
- Conduct periodic training sessions to ensure the SC Team members are familiar with the SPCC Plan and the techniques described therein.
- Conduct a quarterly inspection of the facility to ensure that all parts of the plan are functional.
- Accompany regulatory officials on inspection tours.
- Inform management of any exceptions or deficiencies in the SPCC Plan or facilities.
- Maintain necessary inventory of spill control equipment and supplies at the facility site.
- Maintain a current list of contractors available to aid in the control, cleanup, and disposal of spills.

- If the facility has discharged more than 1,000 gallons of oil in a single spill or a harmful quantity of oil (as defined in the regulations) in two spill events within a twelve month period, the STC is responsible for submitting a report containing information as designated in the regulations, to the EPA Regional Administrator and the appropriate State agencies.

Spill Team Coordinator Qualifications

- Must be thoroughly familiar with all aspects of this Plan, all operations and actities at this location and characteristics of materials handled, the location of all associated records within the facility layout.
- Must have the authority to commit the resources needed to carryout the Emergency Response Plan.
- Must be trained in the use of all emergency control and safety equipment.

Spill Team Member Responsibilities

- Undergo periodic training to acquire and maintain proficiency in the practices and procedures for handling oil spills.
- Leave normal assigned job immediately (if the task at hand may safely be set aside) upon alert of a spill, proceed to the spill location, and take up assigned position.
- Use appropriate equipment to assist in stopping, containing, removing and disposing of the spilled material as directed.

Spill Control Member Qualifications

- Must be trained in response procedures and in the use of the necessary control and safety equipment.
- Must be familiar with the potential dangers or hazards of oil spills.
- Must be familiar with each potential spill area and its daily management as described in this plan.

Personnel Training

All facility personnel involved in the daily management practices and emergency procedures described in this plan shall be instructed in the procedures to follow as written in this plan. They shall be continuously updated with any new information regarding the procedures and techniques outlined in this plan. In addition to the procedures described herein, training will include appropriate discussion on general rules and regulations, security, and safety practices which comply with both FRS corporate policy and regulatory statutes. Additionally, should spills occur, their causes will be analyzed and discussed along with new spill prevention and abatement technologies and techniques.

Local Emergency Response Agencies

After determining the severity of a spill or emergency event, the STC may decide to request assistance from the local emergency agencies. When notifying the local response agency, the STC shall provide them with the best route to the site and all other information or assistance needed.

The following is a list of local response agencies and their emergency telephone numbers:

Fire Department 911
Police Department 911

SPILL PREVENTION CONTROL AND COUNTERMEASURE PROCEDURES

The prompt containment of a spill as well as the safe cleanup and disposal of spill contaminated materials, depends on the successful implementation of the SPCC Plan.

In order to provide a comprehense and effecte SPCC Plan, a description of the facility's potential spill areas, probable spill routes and characteristics and related hazards of the potential spill materials is required.

The FRS facility has two areas where a spill potential exists:

Loading area for oil & oily water
Unloading for oil & oily water

Potential Releases:

Possible sources of materials release in the bulk storage areas include:

Failure of trailer valves.

Catastrophic Failure

In the event of a catastrophic failure, the site shall be inspected by the Shift Supervisor prior to the commencement of cleanup actities. This inspection shall be conducted to determine if the containment system has been breached resulting in a spill outside the confines of the facility. In the event material escapes the containment system, appropriate notification and response procedures will be implemented.

Although the probability of a catastrophic tank failure within a well-maintained facility is low, there are three potential scenarios for oil to escape the facility via catastrophic tank failure:

1. A wave of oil might splash the secondary containment wall, possibly sloshing outside.

2. A portion of the tank itself (and its contents) might fall over the side of the secondary containment wall.

3. Tank explosion objects might be thrown outside the confines of the facility.

In any of these cases, appropriate control measures shall be immediately be brought to bear depending on the magnitude of the spill. Return of released material to an appropriate storage vessel shall proceed at the discretion of the STC, or in his absence, the STC's designee or the Shift Supervisor.

Spills of oil via catastrophic tank failure would be primarily (if not entirely) contained within the secondary containment system. Once the STC has deemed the area safe for workers, cleanup efforts would begin using the submersible sump pump at the low point of the yard. Depending on the amount and physical consistency of the spill, other means of cleanup such as the use of portable pumps and the facility's vacuum truck could be used to transfer could be used to transfer the material to a suitable storage vessel.

Leaks

If a leak is detected the tank the pipe, pump or valve will be immediately voided and taken out of service until it can be repaired. Any leaks from tanks or ancillary equipment are primarily contained by concrete moats and curbs secondarily contained by the concrete slab and perimeter barrier.

Operator Error

The potential exists for accidental overflow of tanks and /or failure to close valves resulting in a release of oil or wastewater. Oil storage tanks are equipped with gauges for determining the exact amount of material in the tank (alarms or indicators). In the event of an overflow or release from a valve, the material is primarily contained by moats and curbs and secondarily by concrete slab and perimeter barrier.

Potential Releases

The greatest potential for a spill in is during off-loading operations or lading operations from tanker trucks to the storage tanks and the loading/off-loading of tankers at the loading/unloading area. Potential types of material released are oily wastewater and oil. All loading and off-loading operations will take place strictly in the designated areas where drainage flows into the facility catch basin. A facility representate is present during a; loading/off-loading operations. Employee safety is of paramount concern; leaks must be immediately stopped or otherwise controlled, but never at the risk of employee safety.

Trucks engaged in the loading/unloading operations shall be moved only after the unloading attendant has completed a walk-around inspection to insure all connections have been secured and that all outlets have been examined for leakage. If necessary, such outlets should be tightened, adjusted or replaced to prevent leakage while in transit. Warning signs are posted in unloading areas to remind personnel to execute the above procedure.

The loading dock area is surrounded by a containment curb and the area drains to a sump within the plant.

Response to a Spill Event

Besides minor amounts of material which drip or are spilled within the containment curbs in the loading/unloading area during normal operations, the most likely potential cause of a spill event at the loading/unloading area is operator error. Failure to properly close valves, disconnect hoses, and secure hatches can result in spills of varying degrees of severity. Another potential cause of spills at the loading/unloading area is equipment failure (fittings, hoses, valves, and pumps). Should this type of spill occur at the loading/unloading area, employees, who are not necessarily members of the STC Team, will take appropriate steps to stop or control the spill. If immediate measures to control the leak or spill are not successful, the STC, his designee or the Shift Supervisor shall be notified without delay. In any case, the STC shall ultimately be notified of the incident.

Spilled material will begin to accumulate within the containment curb and unloading basin until its capacity has been reached. Should the unloading containment system be overwhelmed, oil would flow toward the retention ponds of the facility. In this unlikely event, the following will be implemented.

1. Immediate containment of the spilled material using sand, sand bags, absorbent clay, or sorbent booms and pads.

2. If material begins to drain toward the retention pond shovels should be employed to dig a berm, preventing any material from draining into the retention pond.

3. Cleanup of the spilled material will begin immediately under the direction of the STC.

Security

Facility Security

The perimeter of the FRS facility is fenced and gates are posted with signs prohibiting entry of unauthorized personnel. Employees of FRS are present on a 16 hour per day basis. Yard security lights are operational during all hours of darkness, providing sufficient light to deter vandalism and allowing yard personnel to observe spills should they occur. Twenty Four (24) hour video surveillance is used throughout the plant.

Equipment

All master flow and drain valves and any other valves that permit direct outward flow of a tank's contents are securely locked in the closed position when not operating or in non-standby status. Starter controls on all oil pumps are either in the locked position or only accessible by authorized personnel when the pumps are not operating or in non-standby status. The loading/unloading connections of oil pipelines are securely capped or blank flanged when not in service for an extended time.

FACILITY INSPECTION AND PROCEDURES

Weekly Inspection

A formal inspection of tanks, piping systems and oil loading/unloading facilities will be conducted on a weekly basis. The results of the visual inspection will be recorded on the Inspection Report Log. The indidual performing the inspections will be designated by the Plant Manager. The designated inspector will observe and document the following:

1. Oil leaks or potential oil leaks from:
   - Tank Shells
   - Valves
   - Flanges
   - Pipe Joints
2. Unlocked valves, pump/valve electrical starter controls.
3. Open ended/uncapped pipes and open valves.
4. Malfunctioning equipment, level and temperature indicators, valves, pumps etc.
5. Condition of containment systems.
6. Quantity (inventory) and condition of equipment and or materials necessary to properly control oil spills in accordance with the Spec Plan.
7. Warning signs and other safety- related items.

The inspector will complete, date, sign, and submit the weekly inspection report form to the Plant Manager, who shall determine appropriate correcte action.

Periodic Inspections

Periodic Inspections of the facility will be conducted at least once a month or more often as deemed necessary by the Plant Manager.

The inspector shall examine the following:

1. External condition of tanks, pumps, piping etc.
2. Internal tank inspections as necessary (pitting, corrosion, etc.)
3. Defects or flaws in support structures.
4. Condition of external protecte coatings.
5. Tank wall thickness shall be measured as deemed necessary.

The inspector shall complete, date, and sign the Periodic Inspection Report and submit it to the Plant Operations Manager who shall then make a timely report of performance to the records file.

TESTER

A hydrostatic pressure test, interior visual inspection, ultrasonic wall test or other relevant measure of tank integrity will be determined by the Plant Manager and inspector.

Records

Records of all Weekly Inspection Reports, Periodic Inspection Reports and related records shall be retained on file for a minimum of three years.

FACILITY CONFORMANCE WITH 40 CFR PART 112

This section lists principles which have been adopted by FRS, Inc. To insure facility conformance with the requirements of 40 CRR part 112.

Facility Drainage

- Plant drainage systems from outside the containment areas will flow into containment systems designed to retain oil or return to the facility.
- Where drainage waters are treated in more than one treatment unit, natural hydraulic flow is used whenever possible.
- Drainage systems will be adequately engineered to prevent oil from reaching retention areas.

Bulk Storage Tanks

- No tank will be used for storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure, temperature, etc.
- All bulk storage tanks will be constructed so that a secondary means of containment is provided for the entire contents of the largest single tank plus sufficiently impervious to contain spilled oil.
- Aboveground tanks will be subject to periodic integrity testing, taking into account tank design and using such techniques as hydrostatic testing, visual inspection or a system of non-destructe shell thickness testing.
- Comparison records will be kept, where appropriate, and tank supports and foundations included in inspections. The outside of tanks will be frequently observed by operating personnel for signs of deterioration, leaks that might cause a spill, or accumulation of oil.
- New and old tank instillations will, as far as is practical, be fail – safe engineered or updated to avoid spills. There will be direct audible or code signal communication between the tank and gauges and pumping station.
- Liquid transfer operations will be monitored by audible alarms and a high liquid pump cut-off device will be set to stop flow at predetermined content level.
- Liquid level sensing devices will be regularly inspected to insure proper operations.
- Visible oil leaks which result in loss of oil from tank seams, bolts, or gaskets large enough to cause accumulation of oil will be promptly repaired.

Facility Piping 2:

- Pipeline out of service or on standby for an extended period will be capped or blank flanged and marked as to origin.
- Pipe support will be properly designed to minimize abrasion and allow for expansion and contraction.
- All aboveground valves and pipelines will be subjected to regular examinations by operation personnel at which time the general condition will be assessed. Additionally, periodic pressure testing may be performed for piping in areas where failure might lead to a spill.
- Vehicular traffic granted into the facility will be warned verbally or by appropriate signs to insure it will not endanger aboveground piping.

Truck Loading/Unloading

- Loading/unloading procedures will meet the minimum requirements established by DOT.
- Unloading Area drainage will flow into treatment facility via a catch basin.
- A physical barrier system or warning signs will be provided in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed transfer lines.
- Prior to departure of any tank truck, the lower most drain and all outlets of vehicles will be closely examined for leakage and tightened or adjusted to prevent liquid leakage while in transit.

FACILITY LOCATION MAP SEE
c

INSPECTION AND REPORTING FORMS

SPCC ANNUAL INSPECTION LOG

EQUIPMENT	INSPECTION	YES	NO
TANKS	EXTERNAL CONDITION SATISFACTORY		
PUMPS			
PIPING			
TANK	INTERNAL INSPECTION CONDUCTED		
SUPPORT STRUCTURES	DEFECT OR FLAW FREE		
EXTERNAL PROTECTE COATINGS	GOOD CONDITION		
TANK WALL THICKNESS	ADEQUATE		
TANK TESTING REQUIRED	TANK NUMBERS TYPE TEST		
INSPECTOR	DATE		
SUBMITTED TO PLANT MANAGER			

SPCC Monthly Spill Contingency Inventory

Minimum Count	Item	Actual Count
100	Sorbent Pads	
100	Pounds of Kitty Litter	
6	Pair of Tyvek Coveralls	
6	Pair of Splash Goggles	
6	Pair of PVC Gloves	
1	Pair of Large Over Shoes	
10	Poly Bags	
20	Filled Sand Bags	
10	Hazardous Waste Labels	
2	Squeegees	
2	Shovels	
2	Rakes	
1	Box of Rags	
1	Bung Wrench	
1	Roll of Plastic	
50	Pounds of Soda Ash	
1	85 Gallon Overpack	
2	Fe Gallon Pails	
1	Pair of Channel Lock Pliers	
1	Roll of pH Paper	
1	Roll of Barricade Tape	
2	Danger Signs	
1	Roll of Duct Tape	
10	Blank Copies of this Inventory	
5	Flashlights	
	Month:	
	Date:	

SPCC WEEKLY INSPECTION LOG LEAK FREE VALVES

EQUIPMENT	INSPECTION	YES	NO
OVERFILL/SPILL PROTECTION	SECURED		
CONTAINMENT	FUNCTIONING		
SPILL CONTROL EQUIPMENT	INTACT AND IMPERMEABLE		
INSPECTOR:	IN PLACE AND IN ADEQUATE SUPPLY		
SUBMITTED TO OPERATIONS MANAGER	DATE:		

SPILL REPORT FORM

Date: _____ Time: _____ Quantity: _____

Material Released: _____

Where was it Released? _____

Containment When: _____ Where: _____

How was it contained? _____

Emergency Actions: _____

Chemical Hazards:

Impact to human health or environment _____

Weather Conditions: Temperature_____ Precipitation _____
Wind Speed _____ Wind Direction _____

Agency notified (note time of call and all person(s) contacted):_____
_____

Cleanup action: _____

Additional Comments: _____

Completed by: _____ Signature: _____

Date Completed: _____

APPENDIX A
ROSTER OF PERSONNEL

NAME	*TITLE*	*HOME PHONE*	*CELL PHONE*	ADDRESS

- Primary Emergency Response Coordinator

APPENDIX B

40 CFR PART 279 CONTINGENCY PLAN

TABLE OF CONTENTS

SECTION B-I INTRODUCTION

INTRODUCTION

The purpose of this appendix to the FRS SPCC plan is to satisfy the requirements under 40 CFI Part 279 that used oil processing and re-finishing facilities develop a contingency plan that will address only those used oil management provisions not already addressed in the SPCC plan.

SECTION B – II

FIRE RESPONSE PROCEDURES

The potential for a fire hazard exists at the FRS facility due to the treatment and storage of certain flammable and ignitable wastes containing petroleum solvents, xylene, and gasoline. Explosion is also a potential hazard when organic vapors come in contact with heat or an ignition source.

Small fires may be immediately extinguished by selecting and using the appropriate fire extinguisher. New FRS personnel working in the plant recee instruction on the proper selection and application of fire extinguishers within the facility. This is supplemented with periodic hands- on training in Section , page 16 lists for FRS fire extinguishers.

The positions of these fire extinguishers are represented diagrammatically in Section B-VII, Facility Site Plan.

Potential hazards from chemical spills exist from the storage, transfer and usage of a variety of chemicals in the plant. In the event of a fire at FRS facility the following procedure will be followed:

The fire alarm will be actated indicating evacuation within the compound of the plant. The fire alarm is located in the loading/unloading area.
Upon actation of the fire alarm the fired department will be contacted from a telephone by dialing 911. In the event the fire alarm inside the plant compound is not accessible, then the internal paging system which will be actated from any telephone notifying employees to evacuate immediately and the fire department will be contacted from the telephone by dialing 911

All personnel will evacuate the plant area via the described evacuation routes shown in Section BVI, Page 46, Facility Evacuation Route Plan. The diagram indicates several evacuation routes in the event that one route may be blocked. After plant evacuation, The Emergency Shift Supervisor will ensure all personnel are accounted for and out of the endangered area.

In the event contracted emergency response teams or state emergency response teams assistance is required, the Shift Supervisor will coordinate their assistance from a telephone located in the administrate or sales office.

Local authorities arring at the scene will recee a copy of this Plan and be advised on the current situation by the Shift Supervisor.

SECTION B-III

SPILL RESPONSE PROCEDURES

Oil spill response procedures are gen in Section , Page 17 of the SPCC plan.

SECTION B-

EXPLOSION RESPONSE PROCEDURES

An explosion at the FRS facility would constitute a major event requiring immediate evacuation of the facility. In the event of an explosion the FRS Evacuation Plan will be immediately put into effect (refer to Section B- VI of this plan for a description of the FRS Evacuation Plan). In the case of an explosion at the FRS facility emergency responders will be immediately contacted by dialing 911. After assessing the situation, the Shift Supervisor will notify the appropriate agencies as required by the nature and scope of the incident.

SECTION B- V

HANDLING CONTAMINATED MEDIA AND RESIDUES

Depending on an assessment by the Shift Supervisor, and based upon the type(s) and amount of materials involved, contaminated media and residues from emergency response actions to spills, fire, or explosions will be containerized in drums or roll-offs.

Unless oil-contaminated media has been designated to be managed by burning for energy recovery, it will be properly disposed. Such media will be analyzed by laboratory testing as specified by the receing disposal facility. In most cases this will involve TCLP metals and volatiles, pH, and flash point at minimum although different facilities may have more stringent analytical requirements depending on the ultimate fate of the disposed material (incineration, land filling, etc.)

Residues from emergency response actions may comprise fire fighting foam chemicals, tank bottom residues or other materials which may have become involved in emergency incident and are not simply contaminated with used oil. Such material will be containerized in drums or roll-offs depending on its physical nature and volume, and properly disposed. Analytical testing requirements vary from one disposal facility to another, but in most cases will involve at a minimum, TCLP metals and volatiles, pH, and flash point.

Should analytical testing of contaminated media residues reveal that the material is a hazardous waste; the material will be transported from the point of generation to an appropriate disposal facility within ninety days.

If it can be cleaned effectely, soiled personal protecte equipment, tools, and spill control equipment will be washed with mild detergent and returned to service. Wash water from this decontamination process will be treated in the wastewater portion of the facility to meet the City of Lakeland discharge standards and will be cleaned containerized, analytically tested and properly disposed,

SECTION B-VI

EVACUATIONPLAN

- Potential emergencies which may require evacuation from FRS are limited primarily to fire hazards from the storage or spillage or ignitable or flammable materials and large scale chemical spills. Evacuation routes from the FRS facility are shown in Section B-VII. Copies of the site plan with evacuation routes identified are posted in the following locations:
- Shed
- Supervisors Office
- Main Office.

The criteria for implementing a facility evacuation are fires, potential explosion hazards and chemical spills that may be immediately dangerous to life or health or are potentially dangerous to human health.

Fires

All FRS employees have been trained and authorized to actate fire alarms in the event of an emergency. In the event of a fire, the following events will occur.

1. The fire alarm will be actated indicating plant evacuation is necessary. The fire alarm is located within the plant next to the unloading unit and the triggering of this alarm will alert all employees within the compounds of the plant to evacuate immediately. Upon actation of the fire alarm, the fire department will be contacted from a telephone by dialing 911. In the event the fire alarm inside the plant compound is not accessible then the internal paging system which will be actated from any telephone notifying employees to evacuate immediately, and the fire department will be contacted from the telephone by dialing 911.
2. All personnel will evacuate the plant area via the described evacuation routes detailed in the diagram located in Section B-VII of this plan. The diagram indicates evacuation routes in the event that one route may be blocked by release of hazardous waste fires.
3. After plant evacuation, the Emergency Coordinator will ensure all personnel are accounted for and out of the endangered area.

4. In the event contracted emergency response teams or state emergency response teams assistance is required, the Emergency Coordinator will coordinate their assistance from a telephone located in the administrate office or sales office.

5. Local authorities arring at the scene will recee a copy of this Emergency Plan and be advised on the current situation by the emergency Coordinator.

Explosions

In the event of an explosion, the following events will occur:

1. If it can be safely actated, the fire alarm will be triggered indicating plant evacuation is necessary. The fire alarm is located within the plant next to the unloading dock. The triggering of this alarm will alert all employees within the compounds of the plant to evacuate immediately. Upon actation of the fire alarm, the fire department will be contacted from a telephone by dialing 911. In the event the fire alarm inside the plant compound is not accessible then the internal paging system which will be actated from any telephone notifying employees to evacuate immediately, and the fire department contacted from the telephone dialing 911.
2. All personnel will evacuate the plant area via the described evacuation routes detailed in the diagram located in Section B-VII of this plan. The diagram indicates several evacuation routes in the event that one route may be blocked by releases of hazardous waste or fires.
3. After plant evacuation the Shift Supervisor will ensure all personnel are accounted for and out of the endangered area.
4. In the event contracted emergency response teams or state emergency response teams assistance is required the Shift Supervisor will coordinate their assistance from a telephone located in the administrate office or sales office.
5. Local authorities arring at the scene will recee a copy of this Plan and be advised on the current situation by the Shift Supervisor.

Chemical Spills

In the event of a chemical spill in quantities which may require an evacuation, the Emergency Coordinator will actate the internal alarm system and order an evacuation until the type and amounts of material spilled can be assessed. If more than one type of

chemical is involved, situations may arise regarding incompatibilities. In the event this occurs the Plant Manager will be contacted to asses the situation.

If the spill can be handled safely by the FRS spill team, clean up procedures will be implemented. In the event the situation cannot be accurately assessed and safely handled by the FRS spill team, the Shift Supervisor will contact the fire department and outside emergency response contractors for immediate response. During an assessment or actual response to spill with potential exposure hazards present, all spill team personnel will be required to don the appropriate personal protection equipment to prevent the exposure to hazardous materials. The command post is the FRS main office.

FACILITY EVACUATION ROUTE PLAN

Follows this page (See attached a)

Section B- VII

FACILITY SITE PLAN FOLLOWS THIS PAGE.

(See Attachment b)

FACILITY LOCATION PLAN

(See Attachment c)

SECTION B- VIII

ARRANGEMENTS WITH LOCAL AUTHORITIES

The following local authorities and businesses have receed copies of the FRS SPCC Plan and Appendices:

1. SWS Environmental;

2. State Emergency Planning Council;

3. Local Emergency Planning Committee;

4. Lakeland Regional Medical Center.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTINEZ CENTER
2600 BLAIR STONE ROAD MS 4548
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

February 6, 2015

Via e-mail: mszellars@acelkd.com

Mr. Mike Zellars
General Manager
Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, Florida 33881

Re: FLR 000 034 033 – Florida Recycling Solutions, LLC

Dear Mr. Zellars:

A review of the documentation submitted to demonstrate financial assurance for the above referenced facility finds it is in order. SunTrust Bank letter of credit amendment number 6, dated February 4, 2015 increases the credit amount of letter of credit number F854419 to $169,232.03. This amount covers the Department approved closing cost estimate dated January 26, 2015. In addition, your standby trust fund agreement with SunTrust Bank remains in good standing. Therefore, the Florida Recycling Solutions, LLC used oil facility is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-701.630, Florida Administrative Code, at this time.

Please contact me at (850) 245-8740 if you have any questions.

Sincerely,

SJ Eldredge

Susan Eldredge
Environmental Specialist
Solid Waste Section

cc: Solid Waste Financial Coordinator, DEP/Tallahassee
Bheem Kothur, DEP/Used Oil Program

Attachment VII

Attachment VIII

LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter the "lease" or "Lease Agreement") is made effective as of the 1st day of January , 2012 ("Effective Date") by and between AQUA CLEAN ENVIRONMENTAL CO., INC., a Florida corporation and qualified subchapter S subsidiary of Virginia American Industries, Inc., having an address 3210 Whitten Road, Lakeland, Florida 33811 (hereinafter "Lessor") and FLORIDA RECYCLING SOLUTIONS, LLC, a Florida limited liability company, having an address of 3210 Whitten Road, Lakeland, Florida 33811 (hereinafter "Lessee").

1. Agreement to Lease. The lessor hereby leases to the Lessee, and the Lessee hereby leases from the Lessor, for the rent specified below, the equipment and trucks described on Exhibit A (the "Leased Property"), to be used by the Lessee only for the business of processing used oil (the "Business") and receiving used oil from Lessee's commercial customers. The parties acknowledge that portions of the Leased Property are surrounded by land and improvements owned and used by Lessor and that this lease grants Lessee a right of ingress and egress over such property to and from such portions of the Leased Property.
2. Term of Lease. The term of this Lease Agreement shall commence on January 1, 2012 and shall end on the last day of the sixtieth (60th) month following such commencement date (the "Term" or "Lease Term); provided, however, that the Term shall be extended and renewed for twelve months annually thereafter unless either party gives the other party notice of nonrenewal no later than October 31 of the preceding year; and provided further that for each truck described on Exhibit A, this Lease does not apply until the date designated for the truck on Exhibit A .
3. Rent. Lessee hereby covenants and agrees to pay rent to the Lessor in the total annual amount of **$86,692** (the "Rent"), of which **$35,490** is allocable to the equipment described on Exhibit A and **$51,202** is allocable to the trucks; provided, however, that the portion of the Rent allocable to a truck, as set forth on Exhibit A, does not begin until the date designated for the truck on Exhibit A. The rent for the calendar year 2012 and January-February 2013, a total of **$75,888, will be due and payable on March 1, 2013**. Thereafter, **total monthly rent of $7,224.33 will be due and payable on the last day of each calendar month, beginning March 31, 2013**. With each rent payment, Lessee shall also pay any applicable sales or use tax thereon, all without any deductions or offsets whatsoever, at 3210 Whitten Road, Lakeland, Florida 33811. Lessee further agrees to pay Lessor a late charge equal to five percent (5%) of the amount of Rent which is not paid within five (5) business days after its due date.
4. Acceptance of Leased Property. Subject to Lessor's covenants and representations contained herein, Lessee warrants and represents that it has inspected the Leased Property and accepts the same in "as is "condition.
5. Lessee's Covenants. Lessee covenants and agrees as follows:
    a. To use the Leased Property in a careful, lawful and proper manner for those uses described in paragraph one (1) above; not conduct or permit to be conducted with

the Leased Property any business, or commit or permit any act that is a nuisance (whether public or private) or causes disruptive noises or odors, or is or may be contrary to or in violation of any federal, state or local law, statute, regulation, rule or ordinance; to surrender the Leased Property on the expiration or termination of the Term in substantially the same condition, ordinary wear and tear excepted, as the condition of the Leased Property on the Commencement Date.

b. To keep and maintain at all times during the Term of this Lease Agreement, at Lessee's cost, a comprehensive public liability insurance policy including personal injury and property damage with a single combined liability limit of not less than $2,000,000 for bodily injury, property damage and personal injury. Such coverage shall insure against all liability of Lessee and its authorized representatives, employees, contractors, guests and invitees, arising out of or in connection with Lessee's use of the Leased Property.

c. To indemnify, save and hold Lessor harmless from all cost, loss, damage, liability, expense, penalty and fine whatsoever that may arise from or be claimed against Lessor by any person or persons for any injury to person or property or damage of whatever kind or character pursuant to or arising from the use of the Leased Property by Lessee, or consequent to or arising from any neglect or fault of Lessee or the agents, invitees, contractors, guests and employees of Lessee in the use of the Leased Property, or consequent to or arising from any breach by Lessee of Lessee's obligations under this Lease Agreement or arising from any failure by Lessee to comply and conform with all laws, statutes, ordinances, and regulations of any governmental body or agency (including, but not limited to, environmental laws, statutes, ordinances, and regulations) now or hereafter in force.

d. To perform all maintenance or repair required to keep the Leased Property in good condition during the Term of this Lease Agreement.

e. To refrain from altering, modifying or improving the Leased Property without the prior written consent of Lessor, which consent may not be unreasonably withheld, conditioned or delayed. If approved in writing by Lessor, any such alteration, modification or improvement shall be performed by Lessee in compliance with all ordinances and governmental regulations pertaining to the same. Lessee shall obtain all necessary governmental permits for any such alteration, modification or improvement. Lessee shall indemnify, save and hold Lessor harmless from and against all expenses, liens, claims, fines and damages to either property or person that may or might arise by reason of any such alternation, modification or improvement. The interest of the Lessor in the Leased Property shall not be subject to liens for improvements made by Lessee.

f. To permit Lessor to inspect and perform such tests and, if not performed by Lessee after requested by Lessor, repairs to the Leased Property as Lessor may reasonably desire at all reasonable times after providing reasonable notice and in compliance with any and all applicable environmental or other local, state or federal laws, rules or regulations.

g. To pay all taxes, if any, levied against Lessee's interest in the Leased Property.

6. Lessor's Covenants. Lessor covenants and agrees as follows:
   a. It is the owner of the Leased Property and has the full and unrestricted right to execute this Lease Agreement and lease the Leased Property to Lessee. The Leased Property is free from liens, leases, encumbrances or defects in title affecting the Leased Property or any rights granted Lessee in this Lease Agreement.
   b. Lessor shall indemnify, save and hold Lessee harmless from all cost, loss, damage, liability, expense, penalty and fine whatsoever that may arise from or be claimed against Lessee by any person or persons for any injury to person or property or damage of whatever kind or character pursuant to or arising from the use by Lessor of the Leased Property prior to the date of this Lease Agreement, or consequent to or arising from any neglect or fault of Lessor or the agents, invitees, contractors, guests and employees of Lessor, or consequent to or arising from any breach by Lessor of Lessor's obligations under this Lease Agreement or arising from any failure by Lessor to comply and conform with all laws, statutes, ordinances, and regulations of any governmental body or agency, now or hereafter in force with respect to the Leased Property.
   c. Lessor shall pay when due all property taxes on the Leased Property and all charges for electrical service, water, and any other utilities serving the Leased Property. In addition, Lessor shall keep and maintain, at Lessor's cost, hazard insurance on the Leased Property.
7. Lessor's Right of Inspection. Lessor shall have the right to inspect the Leased Property at any time during normal business hours. Lessor's election to conduct such inspections shall not be construed as approval of Lessee's use of the Leased Property or any activities conducted therewith, and shall in no way constitute an assumption by Lessor of any responsibility whatsoever for Lessee's use of the Leased Property or Lessee's use or storage of any materials or substances.
8. Election Not Exclusive. The failure of either party to this Lease Agreement in one or more instances to insist on strict performance or observation of one or more of the covenants or conditions of this Lease Agreement, or to exercise any remedy, privilege or option conferred by this Lease Agreement on or reserved to said party, shall not operate or be construed as a relinquishment or waiver for the future of the covenant or condition or the right to enforce it or to exercise that privilege, option or remedy, but that right shall continue in full force and effect.
9. Assignment and Subletting. Lessee may not assign this Lease Agreement or sublet all or part of the Leased Property without the prior written consent of Lessor. Any assignment or subletting shall in no way relieve the Lessee from any obligations hereunder for the payment of rent or for the performance of the conditions, covenants and provisions of this Lease Agreement.
10. Addresses for Payments and Notices. All notices to a party hereunder shall be delivered by personal or hand delivery as follows:

To Lessor:	To Lessee:
Aqua Clean Environmental Co., Inc. 3210 Whitten Road Lakeland, Florida 33811	Florida Recycling Solutions, LLC 3210 Whitten Road Lakeland, Florida 33811

Either party hereto may change its notice address by providing written notice of the same to the other party in accordance with the terms of this paragraph.

11. Lessee's Right to Cancel Lease Without Cause. Notwithstanding anything to the contrary elsewhere contained herein, Lessee, upon not less than ninety (90) days' prior written notice to Lessor, may unilaterally cancel and terminate this Lease Agreement during the Lease Term without cause. The written notice shall include the effective date for termination of this Lease Agreement.
12. Applicable Law. The construction, validity, and performance of this Lease Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties expressly waive its choice of law rules.
13. Successors and Assigns. All terms, provisions, covenants, and conditions to be observed and performed by either party hereto shall be applicable to and binding upon its successors and assigns, subject, however, to the restrictions as to assignment or subletting as provided in this Lease Agreement.
14. Entire Agreement. This Lease Agreement embodies the entire agreement of the parties hereto, and this Lease Agreement shall not be altered, changed, or modified in any respect, except by a written instrument executed by each of the parties.
15. Severability. If any term, covenant, condition, or provision of this Lease Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provision hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Agreement to be executed on the date indicated below but effective as of the Effective Date.

LESSOR	LESSEE
Aqua Clean Environmental Co., Inc.	Florida Recycling Solutions, LLC
By: Robert C Coursey	By: R Kenneth Hesketh
Print Name: ROBERT C. COURSEY JR	Print Name: R Kenneth Hesketh
Title: President	Title: MANAGER
Date: 2/28/13	Date: 2/28/13

EXHIBIT A

EQUIPMENT (ALL LOCATED AT 3210 WHITTEN ROAD, LAKELAND, FLORIDA AND COMPRISING A USED OIL PLANT):

Two 30,000 gallon insulated steel tanks identified as tanks #6 and 7
One 30,000 gallon steel tank identified as tank #8
One 9,200 gallon tank for boiler fuel storage identified as tank #9
One 275 gallon process tank
One boiler
One plate and frame heat exchanger
One filter crusher
All related components (gear pumps, electrical, power supply, insulated piping, radar transmitter, drum tilter, pallet truck, and meters and gauges)

TRUCKS:

2012 International 4300 used oil truck ($1649.17 per month, beginning 1-1-2012)
Peterbilt 2007 used oil truck ($924.67 per month, beginning 10-1-2012)
2013 International 4300 used oil truck ($1,692.75 per month, beginning 11-1-2012)

C. **CERTIFICATION BY APPLICANT AND ENGINEER OR PUBLIC OFFICER**

1. Applicant:

The undersigned applicant or authorized representative of Florida Recycling Solutions, LLC is aware that statements made in this form and attached information are an application for a Solid Waste _____ Permit from the Florida Department of Environmental Protection and certifies that the information in this application is true, correct and complete to the best of his/her knowledge and belief. Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules and regulations of the Department. It is understood that the Permit is not transferable, and the Department will be notified prior to the sale or legal transfer of the permitted facility.

_____
Signature of Applicant or Agent

Mike Zellars, Vice President
Name and Title (please type)

mszellars@acelkd.com
E-Mail address (if available)

3210 Whitten Rd
Mailing Address

Lakeland, FL 33811
City, State, Zip Code

(863) 644-0665
Telephone Number

03/10/2015
Date

Attach letter of authorization if agent is not a governmental official, owner, or corporate officer.

2. Professional Engineer registered in Florida (or Public Officer if authorized under Sections 403.707 and 403.7075, Florida Statutes):

This is to certify that the engineering features of this waste processing facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgment, this facility, when properly maintained and operated, will comply with all applicable statutes of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the applicant with a set of instructions of proper maintenance and operation of the facility.

_____
Signature

William A. Thornton III, Senior Engineer
Name and Title (please type)

56382
Florida Registration Number
(please affix seal)

1080 Brookshire Court
Mailing Address

Bogart, GA 30622
City, State, Zip Code

thornton_creek@msn.com
E-Mail address (if available)

(404) 550-2878
Telephone Number

March 9, 2015
Date