

PETROLEUM MANAGEMENT, INC.

(954) 581-4455
2191 SW 115 TERRACE
DAVIE, FL 33325

BANK OF AMERICA
ACH R/T 083100277

63-4-630

DATE

67536

67536
AMOUNT

\$

Memo: OGC File #07-0283

PAY
TO THE Five Thousand Five Hundred and 00/100 Dollars
ORDER
OF:

Dept of Environmental Protection
400 N. Congress Avenue
Suite 200
West Palm Beach, FL 33401

Oct 2, 2007

***\$5,500.00

Deana L. Poulos

602961

67536

Check Number: 67536
Check Date: Oct 2, 2007

Vendor: Dept of Environmental
Protection

Check Amount: \$5,500.00

Item to be Paid - Description

Discount Taken Amount Paid

Ecosystems Mgmt & Restoration Trust Fund OGC #07-0283 5,500.00

Kathy Winston
HW
Karen
Kantor

RECEIVED

OCT 05 2007

DEPT OF ENV PROTECTION
WEST PALM BEACH

CHECKS UNLIMITED™ • EXECUTIVE GRAY • TO REORDER: 1-800-667-2439 • www.ChecksUnlimited.com

FILE COPY

Legal Case Tracking System - Case Record (Part 1) 04/03/2007 09:23:15

Case Record (Part 1)

OGC Number * District * County *

Status Mode * Desc

Style of Case * Alias Name Site Name

Lead Attorney * Supervisor Initials

2nd Attorney Supervisor Initials

Primary Program Area *		Date *	Code *	OGC Case Activity
<input type="text" value="HW"/>	<input type="text" value="HAZARDOUS WASTE"/>	<input type="text" value="02/19/2007"/>	<input type="text" value="DMO"/>	<input type="text" value="CASE OPENED IN DISTRICT WITH MODEL COI"/>
		<input type="text" value="02/19/2007"/>	<input type="text" value="ACO"/>	<input type="text" value="ADMNL CASE OPENED IN OGC"/>

Secondary Program Areas:

Case Origin Case in Litigation ?

ATTORNEY
REASSIGNMENT

03/08/2007 12:29:13

Case Record (Part 1)

OGC Number * District * County *

Status Mode * Desc

Style of Case *

Alias Name:

Site Name:

Lead Attorney * Supervisor Initials

2nd Attorney Supervisor Initials

Primary Program Area *		Date *	Code *	OGC Case Activity
<input type="text" value="HW"/>	<input type="text" value="HAZARDOUS WASTE"/>	<input type="text" value="02/19/2007"/>	<input type="text" value="DMO"/>	<input type="text" value="CASE OPENED IN DISTRICT WITH MODEL COI"/>
		<input type="text" value="02/19/2007"/>	<input type="text" value="ACO"/>	<input type="text" value="ADMIN. CASE OPENED IN OGC"/>

Secondary Program Areas

Case Origin Case in Litigation ?

RECEIVED

MAR 12 2007

Dept of Env Protection
West Palm Beach

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS
Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- 1) Send photo showing all universal waste drums labelled properly
- 2) Please cleanup started and behind three sided cement wall down storage area.
- 3) Please provide your waste analysis plan
- 4) Please provide a comprehensive acceptance + delivery log for used oil
- 5) Please provide job descriptions for employees handling used oil + hazardous waste.
- 6) Contingency Plan - please provide info on your closest fire + police station and hospital - Name or city + phone #
These updates need to be made to the Plan - add map that has evacuation routes + location of emergency equipment
Provide explanation of how will respond to explosion per 279.52(6)(c)
When all updates completed, send to appropriate authorities + send Dept. certified mail return receipts.


OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 21 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as "INSPECTOR", Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within ___ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: _____ at (561) 681-6600.

"INSPECTOR" (signature): _____ Date: _____

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: 	PRINTED NAME: JUD D GILBERT
TITLE: Environmental Operations	DATE: 2/12/08

Activity

Activity Details Violation Entry Violation Link Staff Assigned Hide Tabs

Activity RETURN TO COMPLIANCE LETTER Inspection

Date Done Response/Action: Due Completed

Eval Results Permit #

QGC # Condition #

Link	SEQ	Citation	Type	Date Determined	Date Scheduled	Date Complete	Date Done	Comments
<input checked="" type="checkbox"/>	38	279.52(b)	279.F	02/12/2008	02/29/2008	03/06/2008	02/12/2008	EVACUATION RTES AND LOCAT
<input checked="" type="checkbox"/>	37	266.230(b)(1)-(5)	266.H	02/12/2008	02/29/2008	03/06/2008	02/12/2008	NO JOB DESCRIPTIONS WITH TR
<input checked="" type="checkbox"/>	36	279.46(a)(1)	279.E	02/12/2008	02/29/2008	03/06/2008	02/12/2008	USED OIL TRANSPORTERS MUS
<input checked="" type="checkbox"/>	35	279.55(b)	279.F	02/12/2008	02/29/2008	02/22/2008	02/12/2008	IF 279.72 ON-SPECIFICATION US
<input checked="" type="checkbox"/>	34	279.22(d)(3)	279.C	02/12/2008	02/29/2008	02/22/2008	02/12/2008	CLEAN UP AND PROPERLY MAN
<input checked="" type="checkbox"/>	33	82-737.400(5)(b)(1)	XXS	02/12/2008	02/29/2008	02/22/2008	02/12/2008	Containers not labeled for me

EPA# FLD 980709075

Truck#

NAME		CHEM KLEAN Corp.	
ADDRESS		P.D. BOX 821263	
PENGROKE FIVES FL		PH. NO.	DATE
(305) 803-7807		(305) 803-7807	5/15/07
SOLD BY	CASH	C.O.D.	CHARGE ON ACCT.
MM			MOSE RETD
QTY.	DESCRIPTION		PRICE
	DISPOSED OF (2) 30 gal HAZ LIQUID (PERL)		AMOUNT
	AND (2) 30 gal HAZ SOLIDS (PERL/FILTERS)		
SNIFF TEST: PASS		FAIL	TAX
RECEIVED BY			TOTAL
X			

No. 015181

ALL CLAIMS AND RETURNED GOODS
MUST BE ACCOMPANIED BY THIS BILL

GP-151-C
PRINTED IN U.S.A.

Thank You

ALL CLAIMS AND RETURNED GOODS
MUST BE ACCOMPANIED BY THIS BILL

Please print or type. (Form designed for use on size 12-inch typewriter)

Form Approved OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number FLA001001111	2. Page 1 of 1	3. Emergency Response Phone 800-424-9330	4. Manifest Tracking Number 002771737 JJK
5. Generator's Name and Mailing Address GENT CLEAN CORPORATION 100 EAST 8 TH AVENUE TAMPA, FL 33619					
6. Generator's Phone 813-613-5463		7. Transporter's Name PETROLEUM MANAGEMENT, INC.		8. Transporter's Phone 954-585-4411	
9. Designated Facility Name and Site Address FLORIDA, INC. 100 EAST 8 TH AVENUE TAMPA, FL 33619		10. Designated Facility Phone 813-613-5463		11. Manifest Tracking Number FLD98199144	
12. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group if any)			13. Containers No. Type	14. Total Quantity	15. U.S. DOT Hazard Class
1. UN 1993 POIS FLAMMABLE LIQUID			1	30	
2. UN 1993 POIS FLAMMABLE LIQUID			1	30	
16. Special Handling Instructions and Additional Information NONE					
17. Signature of Generator's Representative [Signature] Date 5/15/07					
18. Signature of Transporter's Representative [Signature] Date 5/15/07					
19. Signature of Designated Facility's Representative [Signature] Date 5/15/07					
20. Designated Facility's Name and Address FLORIDA, INC. 100 EAST 8 TH AVENUE TAMPA, FL 33619					
21. Designated Facility's Phone 813-613-5463					
22. Designated Facility's U.S. DOT Hazard Class NONE					
23. Designated Facility's U.S. DOT Hazard Class NONE					
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99. Designated Facility's U.S. DOT Hazard Class NONE					
100. Designated Facility's U.S. DOT Hazard Class NONE					

[illegible]

Please print or type. (Form designed for use on 112-pitch typewriter)

UNIFORM HAZARDOUS WASTE REPORT

1. Generator's Name and Mailing Address
CALTECH RELEASE
1200 EAST 17TH ST
SANTA ANA, CA 92705

2. Transporter's Name and Mailing Address
COSTA ALLEN
10000 4TH ST
SANTA ANA, CA 92705

3. Date of Report
05/15/92

4. U.S. EPA ID Number
U.S. EPA ID Number
U.S. EPA ID Number

5. Facility's Name
CALTECH RELEASE
1200 EAST 17TH ST
SANTA ANA, CA 92705

6. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ST Number, and Packing Group if any)

No.	U.S. DOT Description (including Proper Shipping Name, Hazard Class, ST Number, and Packing Group if any)	10. Containers		11. Total Quantity	12. U.S. EPA ID Number	13. Waste Codes
		No.	Type			
1	HAZARDOUS WASTE FLAMMABLE LIQUID N.O.S.	1	DRUM	30		
2	HAZARDOUS WASTE FLAMMABLE LIQUID N.O.S.	1	DRUM	30		

14. Specific Handling Instructions and Additional Information
ATTENTION: HAZARDOUS WASTE
ATTENTION: HAZARDOUS WASTE

15. GENERATOR'S CERTIFICATION: I hereby certify that the contents of this report are true and accurately described above to the proper shipping name, and are marked, packaged, and labeled in accordance with the requirements of applicable international and national governmental regulations. I warrant that the contents of this report are true and accurately described above to the proper shipping name, and are marked, packaged, and labeled in accordance with the requirements of applicable international and national governmental regulations. I warrant that the contents of this report are true and accurately described above to the proper shipping name, and are marked, packaged, and labeled in accordance with the requirements of applicable international and national governmental regulations.

16. Signature of Generator's Representative
X FICKY ALGER
15/15/92

17. Signature of Transporter's Representative
D. PARSONS
15/15/92

18. Signature of Facility's Representative
Rick Stevens
15/15/92

19. Description of Facility
No. Description of Facility
No. Description of Facility
No. Description of Facility

20. Designated Facility (Owner or Operator) Contribution of amount of hazardous waste received by the facility except as noted in Item 19b

21. Designated Facility (Owner or Operator) Contribution of amount of hazardous waste received by the facility except as noted in Item 19b

22. Designated Facility (Owner or Operator) Contribution of amount of hazardous waste received by the facility except as noted in Item 19b

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)		21. Generator ID Number FL0001351825	22. Page 1 of 2	23. Manifest Tracking Number 003771733	
24. Generator's Name CALUSA CLEANERS 7914 S.W. 104 TH STREET MIAMI, FLORIDA					
25. Transporter 3 Company Name EL FLORIDA, INC		U.S. EPA ID Number FLD981932494			
26. Transporter Company Name		U.S. EPA ID Number			
27a. Hbl	27b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	28. Containers No. Type		29. Total Quantity	30. Unit Vol./Wt.
	REG WASTE TETRACHLOROETHYLENE G. 1 UN 1897 PG III ERG #160	1	DM	30	6
	REG HAZARDOUS WASTE SOLID N.O.S. NA 3077 PG III (TETRACHLOROETHYLENE) ERG #171	1	DM	30	6
32. Special Handling Instructions and Additional Information					
TRANSPORTER	33. Transporter Acknowledgment of Receipt of Materials Printed/Typed Name Erick Brown				
	Signature Erick Brown				
DESIGNATED FACILITY	34. Transporter Acknowledgment of Receipt of Materials Printed/Typed Name				
	Signature				
35. Discrepancy					
36. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, storage, and recycling systems)					

Please print or type (Form designed for pen or scribe (12-point) typewriter)

Form Approved OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number 812-8117602		2. Page 1 of 2		3. Emergency Response Phone 800-454-6000		4. Manifest Tracking Number 002771741 JJK	
5. Generator's Name and Mailing Address WILSON ELECTRIC 1000 WILSON AVE TAMPA FL 33619		6. Generator's Site Address (if different from mailing address)							
7. Transporter 1 Company Name WILSON ELECTRIC CORPORATION		8. U.S. EPA ID Number 33-000-000-000							
9. Transporter 2 Company Name WILSON ELECTRIC MANAGEMENT LLC		10. U.S. EPA ID Number 33-000-000-000							
11. Designated Facility Name and Site Address WILSON ELECTRIC 1000 WILSON AVE TAMPA FL 33619		12. U.S. EPA ID Number 33-000-000-000							
13. Hazardous Waste Manifest Table	13a. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		13b. Quantity		13c. Unit		13d. Waste Code		
14. Special Handling Instructions and Additional Information									
15. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this manifest are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. I accept shipment and I am the Primary Signatory. I certify that the contents of this manifest conform to the terms of the attached EPA Acknowledgment of Receipt. I certify that the waste information statement identified in 40 CFR 261.27(a)(2) is (a) a large quantity generator or (b) a small quantity generator if true.									
16. Generator's Signature J. E. PARRILLA		17. Transporter Signature D. F. ANDERSON		18. Designated Facility Signature MARK ALKESON		19. Date 15/16/07			
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted to have this									
21. Designated Facility Owner or Operator JULIE SAUERMAN		22. Signature Julie Sauerman		23. Date 10/21/07					

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:43 AM
To: Kantor, Karen E.
Subject: PMI photos

Karen,

Here is the first batch of pictures.

Mark Nickerson
Project Coordinator
Petroleum Management, Inc.

See what's free at AOL.com.

7/6/2007

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:48 AM
To: Kantor, Karen E.
Subject: more photos

Karen,

More photos.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

7/6/2007

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:50 AM
To: Kantor, Karen E.
Subject: more photos

Karen,

More photos

Mark Nickerson
P.M.I.

See what's free at AOL.com.

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:53 AM
To: Kantor, Karen E.
Subject: more photos

Karen,

More photos.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:55 AM
To: Kantor, Karen E.
Subject: more photos

Karen,

Even more photos.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:57 AM
To: Kantor, Karen E.
Subject: photos

Karen,

More photos.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 10:59 AM
To: Kantor, Karen E.
Subject: photos

Karen,

Photos.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 11:01 AM
To: Kantor, Karen E.
Subject: last pictures

Karen,

Last set of photos, I promise.

Mark Nickerson
P.M.I.

See what's free at AOL.com.

7/6/2007









































WASTE MANAGEMENT

305-471-4444

954-974-7500

www.wm.com

5050 08

USED
OILY SOLIDS



Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Thursday, July 05, 2007 11:10 AM
To: Kantor, Karen E.
Subject: Please see attached

**A copy of our Used Oil Training and Contingency
Plan and Emergency Procedures for Spill Prevention
Controls and Counter Measures**

See what's free at AOL.com.

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

January 19, 2007

USED OIL TRAINING AND CONTINGENCY PLAN AND EMERGENCY PROCEDURES FOR SPILL PREVENTION CONTROLS AND COUNTER MEASURES

Training Sign-in Sheet:

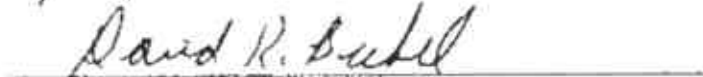
Judd Gilbert



Mark Nickerson



Dave Buble



Rick Stevens



Erick Garner



Kenneth Harrah



Alfonso Young



PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

PROCEDURES FOR HALIDE DETECTION AND DEXSIL TESTING OF USED OIL

1. Check the halide detector each morning in the office Petroleum Management, Inc. using the 900 ppm standard oil sample prepared by K.S.A. Laboratory.
2. Check the tip of the detector and keep clean of oil or grease.
3. Check the batteries.
4. Never place the tip of the detector in any liquid or oil.
5. Report non-working detectors to the office.

CHECKING OIL AT GENERATOR SITE

1. Open the cap from the tanks or drums.
2. Place the detector quickly over the opening about 3 to 5 inches from the container.
3. Always check the oil with no wind present, shield the opening in the tank from wind or fans.
4. A steady fast beep will indicate the possibility of some form of halogenated product.
4. If the detector immediately slows down to normal, the oil should fine. If so, pump oil and check off "PASS" on preprinted section of the ticket.
6. Sometimes gas or diesel will beep faster than normal until the fumes dissipate.
7. If unsure of the reading, pull a sample of oil from the container and place it into a closed glass bottle, then retest from the bottle.
8. If the detector continues to beep fast, proceed to the Dexsil 4000 test.
9. Follow the instructions for the Dexsil 4000 test.
10. If over 1,000 ppm, reject the oil, give the customer a rejection ticket with "Do Not Load" written in.
11. If under 1,000 ppm, proceed to pump the oil.
12. Give the customer a ticket with the Dexsil 4000 results printed in the pre-marked section of ticket.

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

CHECKING LOADED TRUCK PRIOR TO UNLOADING

1. Follow preceding procedures.
2. Open the truck manway; place the detector approximately 3 to 5 inches from the oil.
3. If okay, check ticket "PASS" in the preprinted section.
4. If the detector indicator beeps fast, proceed to the Dexsil 4000 kit.
5. If over 1,000 ppm, report the load to management; management will request a lab test to confirm results.
6. Petroleum Management, Inc.'s management will have a rebuttal lab test run to check the load, and truck will be out of service until cleared.
7. If load is hazardous, Petroleum Management, Inc.'s management will arrange to ship the hazardous waste to a permitted hazardous waste facility.

**Contingency Plan and Emergency Procedures
for Spill Prevention Controls
and Countermeasures**

**Prepared For:
PETROLEUM MANAGEMENT, INC.
2191 S.W. 115th Terrace
Davie, Florida 33325**

CURRENT AS OF MAY 21, 2007

EMERGENCY TELEPHONE NUMBERS

TYPE OF FACILITY: Waste Oil Bulk Storage

NAME OF FACILITY: Petroleum Management, Inc.

LOCATION OF FACILITY: 3650 S.W. 47th Avenue
Davie, Florida 33314

NAME AND ADDRESS OF
PARENT CORPORATION: 2191 S.W. 115th Terrace
Davie, Florida 33325

COMPANY EMERGENCY
PHONE NUMBERS: Plant Manager: Mark Nickerson
Cell Phone: 954-658-2336
Operations Manager: Judd Gilbert
Corporate Office: Judd Gilbert
Office: 954-581-4455
Cell Phone: 954-650-7623

CONSULTANT: GeoTech Environmental, Inc.
Neil Lakhani: 954-347-8686

EMERGENCY PHONE
NUMBERS (2 people
in authority): Judd Gilbert: 954-581-4455
Cell Phone: 954-650-7623
Mark Nickerson: 954-658-2336

EMERGENCY RESPONSE
AGENCIES:

<u>DEPARTMENT</u>	<u>COUNTY</u>
Sheriff	911
Police	911
Fire	911
Ambulance	911
Hospital	911

National Response Center: (800) 424-8802

Environmental Protection Agency: (707) 347-3016

Florida Department of
Environmental Regulation
State Warning Point: (850) 413-9911

Department of Planning and
Environmental Protection: (954) 519-1400

TABLE 5. LOCATION OF SPILL SOURCES

TANK LOCATION	GROUND ELEVATION	A.S.T. TANK PLACEMENT	TANK SIZE (GALLONS)	TANK CONTENTS
FRONT	ABOVE	VERTICAL	20,000	USED OIL
BACK	ABOVE	VERTICAL	20,000	USED OIL
FRONT	ABOVE	VERTICAL	13,000	USED OIL
BACK	ABOVE	VERTICAL	13,000	USED OIL
FRONT	ABOVE	VERTICAL	10,000	USED OIL
BACK	ABOVE	VERTICAL	10,000	USED OIL
FRONT	ABOVE	VERTICAL	8,000	USED OIL
BACK	ABOVE	VERTICAL	8,000	USED OIL
FRONT	ABOVE	VERTICAL	4,000	USED OIL
BACK	ABOVE	VERTICAL	4,000	USED OIL
FRONT	ABOVE	VERTICAL	30,000	USED OIL
FRONT	ABOVE	VERTICAL	30,000	USED OIL
BACK	ABOVE	HORIZONTAL	4,700	USED OIL
BACK	ABOVE	VERTICAL	20,000	USED OIL

NOTES: ALL TANKS ARE STEEL WITH BITUMASTIC COATING
TYPE OF POTENTIAL FAILURE THE SAME FOR ALL TANKS:

- (1). VALVE FAILURE
- (2). PIPING FAILURE
- (3). TANK OVERFILL
- (4). TANK RUPTURE
- (5). HOSE RUPTURE

DESCRIPTION OF FACILITY OPERATIONS

The primary operation of the facility consists of the dispatching of vehicles and equipment for waste oil pickup services. The facility buys used or waste oil directly from facilities that generate it and facilities that do not generate it such as collectors, processors, brokers and distributors. The land is presently used as a tank farm for the handling and storage of waste oils. The oils include and are limited to: automotive crankcase oil, diesel, other crankcase oil, hydraulic fluid and virgin oils. It specifically excludes solvents, metal working oils, industrial lubricants, transformer oils, rolling oils, and sludges and tank bottoms from tank cleaning. These oils are provided both as supply to other facilities and sold as fuel. None is burned at this facility.

SUMMARY OF OPERATIONS

Petroleum Management collects, transports, receives and stores waste oils according to State and Federal regulations as a bulk storage facility. It then blends the oil to Clients specifications on site. It thereby recycles the waste oil as burner fuel.

PROCESSING AND BULK STORAGE TANKS

All tanks are welded steel construction. In the past, all tanks were inspected at least every five years and repaired as needed to prevent rupture or other failure. In the future, they will be tested and inspected annually.

All tanks and tank to tank connections are hard piped. Adequate valving provides isolation of tanks in case of repairs, maintenance or leaking. All tank valves are closed except when in service for oil transfer.

The areas around the above ground tanks are diked to contain any releases that could occur as a result of overflow. Table 5 lists potential release points, accident type, control and tank size. The volumetric capacity of each contained area for above ground storage is sufficiently large to contain the entire contents of the largest tank located in the respective area as well as to provide at least 10-12 inch freeboard (more than 10% excess). The 10-12 inch freeboard allows for an abnormally heavy rainfall (25 year design rain) that could conceivably occur coincidentally. The freeboard is adequate to also protect releases from any wind and wave action. The dike height is 18" above grade. The diked area surrounds all above ground tanks.

The base underlying the above ground tanks is concrete free from cracks with a 24" high cement block wall surrounding the pad and is sufficient to contain all discharges and accumulated precipitation until the collected material is detected, processed and removed.

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PROCESS FLOW OUTLINE

Oil is collected from approximately 2,000 locations, such as service stations, trucking terminals, auto dealerships, airports, etc. It is unloaded into receiving day tanks. It is processed, then stored in master batches until it is sold or transferred to other facilities. The oil collected during each day by our trucks is delivered to the plant usually after 3:00 p.m. daily. The oil collected is pumped from each truck into receiving tanks. The daily deliverable capacity of the receiving tanks seldom exceeds 20,000 gallons. The combined volume of these tanks is 200,000 gallons. This is more than adequate for day to day operation. This facility has annual sales of approximately two million gallons per year. The collected oil is allowed to settle in the receiving tanks, water that has settled out of the oil is pumped from the bottom of the receiving tanks. The remaining oil is then transferred to finished oils storage in the farm for batch blending according to its specifications. As it accumulates, the finished product is pumped into storage tanks transferred to transports and shipped. Accumulated water is shipped to Permafix, Gainesville, FL. or Cliff Berry, Inc. Ft Lauderdale, FL.

TRANSFER OPERATIONS

The operating design of the facility provides a closed hardline tank to tank and overflow system. Thus, discharges are virtually limited to tank leakage, operating piping or hose ruptures, and tank overflows

TRUCK UNLOADING

Truck unloading into tanks is conducted via hose to hardline and then into the respective tanks. The tanks are provided with an interconnecting overflow line. Daily oil inventories are maintained so tank free volumes are easily calculated.

Before oils are transferred into the receiving tanks, the tanks are stuck with a calibration stick to be sure adequate space is available prior to any releases. Consequently, overflow spills are not ever expected to occur.

Incidental releases during making or breaking of the hose connections to the trucks is controlled by drip troughs and/or containers positioned at the truck discharge site. Additionally, a discharge hose line fitting is provided to permit air displacement of the liquid in the hose line following emptying of the truck and closure of the truck discharge valve.

Truck unloading is also continuously monitored by a plant operator in addition to a tanker driver) to forestall any unexpected event that could result in an accidental release.

The base of the truck unloading area around the fill pipes of the tanks is concrete free of cracks or gaps. It is sloped to drain into a sump and operated to drain and remove any liquids resulting from leaks, spills or precipitation. The sump has sufficient capacity to contain the volume of the unloading hose. All spilled or leaked material and accumulated precipitation is removed in a timely fashion as is necessary to prevent overflow.

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OPERATING MAINTENANCE PROCEDURES

All valves permitting flow to or from the internal plant system are in the closed position while not specifically used for oil transfer operations.

Furthermore, all the final outlets and hose connections are covered by dust caps which remain in place. It is mandatory for discharge free operation that all of the above valves and lines are immediately closed when no longer in service.

All material transfers or product movement operations are continuously monitored by the plant operators or other appropriately trained personnel until such transfers or operations are completed.

When unloading, all tank trucks are positioned so that the tank discharge valve is always over a drip-trough. This procedure catches any drippage when the dust covers are removed prior to connecting the hose to the tank truck outlet.

The drip-trough accumulations are never allowed to remain overnight. Unless required earlier, the pump of the last truck each day is used to empty the drip-trough accumulation during the time the truck is being transferred.

Upon completing the removal of oil from each truck, the truck discharge valve is closed and the air bleed valve on the suction line opened. The hose is then allowed to continue draining for several minutes to completely empty the hose and pipe lines of any liquid transferred. Then the appropriate discharge valves are closed.

Complete inspection of all visible fluid transfer lines and valves are made daily by the plant operators. Any indication of leakage at joints, valve bonnets, packing glands, etc. is corrected immediately.

EMERGENCY COORDINATOR

For the purposes of this Contingency Plan, the plant manager is designated as the Chief Emergency Coordinator. In his absence, and to assure 24-hour coordination, other personnel are designated as Deputy Emergency Coordinators (Exhibit 1). Whenever practical, the Deputy Emergency Coordinator on duty at the time of any emergency shall attempt to contact the Chief Emergency Coordinator (off site). In any event, the responsibility for coordinating all emergency response measures will be with the Chief or Deputy Emergency Coordinator on duty at the time of the emergency. The emergency Coordinator on duty at the time of the emergency is authorized to direct all plant personnel in responding to an emergency situation and making the necessary decisions for appropriate response and action. A list of emergency phone numbers is in the front of this document. A list is also posted in Plant Office to shorten response time in case of an emergency.

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WASTE GENERATION

Wastes that are generated at the facility are the result of precipitation and residual water dropped from oil lots. Occasionally the interior of a tank trailer may be washed, the resulting water is collected by our vacuum truck for storage and disposed with other non-hazardous waste water. In all cases, the identity of material is known. Characteristics of the waste water are known on the basis of waste source sampling and on the basis of manifests which accompany the transportation of the materials.

WASTE ANALYSIS PLAN

Each lot of material considered by **PETROLEUM MANAGEMENT, INC.** is checked with a halide sniffer with a chlor d test kit whether it is accepted or not. Further each lot disposed of by the facility is sniffed and tested. Special analysis are done by commercial laboratories as needed. A summary of test methods occurs in Table 1.

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The coordinators shall be thoroughly familiar with all aspects of this contingency plan, all operations at the plant site, the location and characteristics of all wastes which are handled and stored, the location and contents of product storage areas, the locations of manifests and other records, and the locations and use of all fire control equipment, decontamination equipment, first aid and emergency equipment, vehicles and motorized equipment.

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EMERGENCY EQUIPMENT

Portable UL approved ABC fire extinguisher are strategically located throughout the site as designated and approved by the Fire Insurance Underwriters Association. The operations manager is responsible for ensuring that all extinguisher are inspected and maintained in accordance with standards safety guidelines and that the locations and maintenance are in accordance with requirements of Fire Control Codes.

The facilities telephone are to be used for an alarm and communications system.

Clean-up equipment and decontamination equipment including vehicle-mounted pumps and tanks, vacuum trucks, loading and excavation equipment, and other items are available on short notice. Oil sorbents are always kept on the site.

SAFETY SHOWERS, EYE BATHS AND FIRST AID

A first aid station is maintained at the Plant Office Building. A change room and showers are also located on site. The Plant Manager is responsible for training all plant personnel in the use of safety devices and first aid. The Safety Committee meets at least once a quarter to review safety matters and procedures throughout the plant.

The Plant Manager maintains an inventory of personnel protective equipment including, but not limited to the following:

- A. Respirators, both cartridge and air
- B. Safety glasses and safety shields
- C. Hard hats
- D. Protective clothing
- E. Rubber boots and gloves

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EQUIPMENT AND MATERIALS ON HAND

SEE ATTACHED

EXTERNALLY AVAILABLE EQUIPMENT AND MATERIALS

Various 2,000 and 3,000 gallon vacuum trucks are available from various sources, such as septic tank cleaning companies, in the Broward area. Numerous excavation and hauling services which can supply bulldozers, dump trucks, and other earth moving equipment are available within the area. Several equipment rental firms are also available to supply pumping equipment and hand tools. Labor can be borrowed from neighboring plants if needed.

RESPONSE AND RECOVERY

Whenever there is an imminent or actual emergency situation such as a fire, explosion or discharge or release of petroleum products which have the potential for damaging human health or the environment, Emergency Procedures shall immediately be activated and the Emergency Coordinator notified.

Where applicable, The Emergency Coordinator shall activate the internal communications system to notify all personnel of the actual emergency situation, utilizing a periodically reviewed emergency list of personnel to be notified as appropriate.

The Emergency Coordinator will immediately assess the nature of the emergency and direct the appropriate response of the Emergency Response Team. He will dispatch personnel and equipment to the scene of the emergency and direct all emergency response activities.

At his discretion, the Emergency Coordinator shall determine what additional assistance may be required and shall notify appropriate State, Federal, and local agencies should an emergency at the site present a potential threat to surrounding areas.

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PETROLEUM MANAGEMENT, INC.

AVAILABLE EQUIPMENT FOR OPERATIONS

VEHICLES:	1 - 3208-GALLON CAPACITY PUMP TRUCK 1 - 3169-GALLON CAPACITY PUMP TRUCK 2 - 8500-GALLON TANK TRAILERS 1 - STIRLING TRACTOR 5 - CELLULAR PHONES 2 - JOBSITE PICKUP TRUCKS
SUPPLIES:	20 ROLLS OF VISQUEEN 10 BAGS (APPROXIMATELY) OIL DRY 6 BALES (APPROXIMATELY - 200 EACH) ABSORBENT PADS 4 BALES (APPROXIMATELY) OF 4' X 10' BOOM - 160' 100 POUNDS (APPROXIMATELY) OF FLANNEL RAGS 5 BAGS (APPROXIMATELY) OF VERMICULITE
PROTECTIVE CLOTHING/ EQUIPMENT:	1 SUPPLIED AIR RESPIRATOR CAPABLE OF SUPPLYING TWO MEN 4 SUPPLIED AIR FULL-FACE RESPIRATORS 4 FULL-FACE FILTER RESPIRATORS 2 CASES TYVEK SUITS 2 CASES SARANEX FULL SUITS PVC BOOTS HARD HATS CHEMICAL GOGGLES
EQUIPMENT:	2" DIAPHRAGM PUMP WITH HOSE AND FITTINGS 1 STEAM CLEANER 2 PRESSURE WASHERS 2 BLOWERS 2 POWER CUT-OFF SAWS SHOVELS, NON-SPARKING AND METAL, BROOMS 3 - 6-LB. ABC FIRE EXTINGUISHERS 16 - 10-LB. ABC FIRE EXTINGUISHERS 1 - 8-LB. ABC FIRE EXTINGUISHERS 6 - 2.5-LB. ABC FIRE EXTINGUISHERS GASTECH VAPOR AND O ₂ METER TRAFFIC CONES POLYPROPYLENE SCOOP 3 EMERGENCY YELLOW FLASHING LIGHTS 6 BARRICADES

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EQUIPMENT:

MANHOLE COVER HOOKS
2 - 14' MANHOLE LADDERS
100 (APPROXIMATELY) 55-GALLON D.O.T. 17-H DRUMS
10 (APPROXIMATELY) D.O.T. OVERPACKS
DRUM SLINGS
DRUM LINERS (FOR ACID SPILLS)

**HEAVY
EQUIPMENT:**

ALSO AVAILABLE ON A 24-HOUR/DAY BASIS:

1 BACKHOE
1 FORKLIFT

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In the event of a discharge or release of petroleum products, the Emergency Coordinator will determine the character, amount, and the extent of any released materials. He will do this by observation, on the basis of his personal knowledge of the materials and their source or on the basis of his review of records and manifests. If necessary, he will communicate with designated environmental consultants employed by PETROLEUM MANAGEMENT, INC. for suggested precautions.

Concurrently, the Emergency Coordinator will assess the possible hazards to human health of the environment that may result from the fire, explosion or release. He must consider both direct and indirect effects of the emergency and, in cooperation with appropriate authorities, he shall assess the possible imminent hazard to local communities associated with a discharge. This assessment shall include consideration of indirect effects, such as toxic, irritating, or asphyxiating gases, hazardous surface runoff due to water or chemical agents used to control fire, and heat-induced explosions.

The Emergency Coordinator will determine whether evacuation of local areas is advisable and, if so, he will immediately notify local authorities and, in cooperation with them, assist in the evacuation.

The Emergency Coordinator must take all reasonable measures to ensure that the emergency situation does not reoccur or spread to other areas. These measures shall include the cessation of all operations during the emergency, removal or isolation of the source from other containers, vehicles, tanks, tank trailers, etc.

The Emergency Coordinator will provide for the proper handling and disposal of recovered material resulting from the emergency. This includes contaminated soil, waste contaminated water, or other material. The recovered material, contaminated soil or contaminated water will be considered a hazardous waste to be disposed at a permitted off-site disposal facility.

The Emergency Coordinator is responsible for the proper handling and segregation of incompatible materials and ignitable materials.

All equipment clean-up and decontamination activities will be supervised by the Emergency Coordinator. All equipment items will be restored to pre-accident condition, inspected, and returned to their respective locations.

Following the emergency situation, the Emergency Coordinator or his designee will inspect tanks, valves, pipelines, couplings, and/or other equipment to monitor for potential ruptures, leaks, pressure buildups, or gas generation, wherever it is appropriate.

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A preliminary written report of the emergency shall be prepared by the Emergency Coordinator and sent to the Regional Administrator, Region IV, Environmental Protection Agency. The report is to be written with the assistance of Company Management, on Company Stationary, and is to include the following:

1. The name, address and telephone number of the operator of the facility and the location of the facility where the incident occurred.
2. Date, time and type of incident (fire, explosion or release or discharge).
3. Name and quantity of material or materials involved.
4. The extent of injuries, if any.
5. An assessment of actual or potential hazards to human health or the environmental, where this is applicable.
6. The estimated quantity and disposition of recovered material that resulted from the incident.

The facility management and company representatives will review the circumstances of the emergency, recommend, and implement the necessary adjustments in plant operations to minimize the potential for additional emergencies.

CONTROL PROCEDURE FOR FIRE, EXPLOSION OR RELEASE

In the unlikely event that a fire and/or explosion should occur thereby releasing oil, the tanks are physically located far enough apart to prevent spreading of fire from one tank to another by movement of the released oil or explosion of the oil. If oil has to be removed from tanks in near proximity during an emergency it will be either pumped to tankage on the other side of the property or to truck tankers available to the facility by local transporters and stored on opposite side of property from the danger area.

CONTROL PROCEDURE IN CASE OF FLOOD

Even though the property is not in the 100 year flood plan, flood potential has been considered. In the extremely unlikely event of a flood, water will be pumped into the above ground tanks. The water at the bottom of the tanks will keep the tanks from tearing loose from their supports and floating off or releasing petroleum products. Once the flood is over and activity on the site can resume, the water can be separated from the oil.

MANAGEMENT

It is the Operation Manager's responsibility, in coordinating with other plant and company personnel, to identify needs and elements of the contingency plan and other emergency response procedures. Records are to be maintained to provide immediate assessments of personnel training, condition of plant operations and emergency equipment, and maintenance requirements. The Operation's Manager must also maintain inspection reports, safety meeting minutes, and lists of applicable numbers.

All safety and emergency equipment is to be inspected once each month. The Emergency Coordinator will file a monthly report stating the condition of the equipment and whether any repairs or replacements are needed.

All fences and other security devices, pumps, curbed areas and tanks associated with the petroleum product storage area, and the active facilities area are to be inspected daily to determine the presence of leaks, or other circumstances which necessitate immediate attention.

EMPLOYEE TRAINING

The primary intent of this contingency plan is to minimize hazards to health or environment by familiarizing appropriate facility personnel with a planned course of action should an emergency develop. The contingency plan is not intended to replace the regularly scheduled Safety Training Program, but rather is intended to supplement the current program of continuous safety preparedness and management.

In the interest of personnel familiarization, the Emergency Coordinator shall be responsible for a thorough review of this plan with all appropriate facility employees on a quarterly basis.

All appropriate employees receive adequate training in plant operations, safety and occupational health procedures, first aid practices, and fire control and emergency procedures. Office personnel receive instruction for evacuation plans or support services that might be provided in the event of an emergency.

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Training will be initiated upon employment and will be a continuous process. All appropriate new employees will receive orientation training from the Safety Director. The training will consist of an introduction to plant operations, the use and location of equipment, the use and location of showers, eye baths, respirators, fire control equipment, first aid devices, etc.

Demonstrations and practice sessions will be important methods of instruction.

Specific information conveyed to employees during the training program will include, but not be limited to, the following:

1. A comprehensive review of the location and proper operation of all emergency equipment including fire extinguishers, water connections, communications system, alarm system, and safety showers.
2. A review of evacuation routes leaving the facility and leaving the area.
3. A review of the procedure for notification of the Emergency Coordinator on duty.
4. A review of the proper voice alarm which will be sounded immediately upon discovery of an emergency.
5. General group discussions (during quarterly meetings) concerning potential emergency situations, necessary immediate actions, and hypothetical emergency situations and responses for employees.

EVACUATION

Should an emergency occur, it may be necessary to evacuate employees from the facility. The Emergency Coordinator on duty shall decide upon and direct the evacuation of appropriate areas of the facility. Should the emergency be severe enough to necessitate an evacuation, the Emergency Coordinator will coordinate with the Emergency Response Agencies to determine the necessity of evacuating nearby residents and proceed under their direction.

While the methods specified for handling the materials at this facility minimize the possibility for any severe emergency to occur, it is the responsibility of the Emergency Coordinator to provide a copy of this plan, including the evacuation route to the appropriate Emergency Response Agency in charge after consulting with the facility Emergency Coordinator to determine the full extent of the emergency. It is not the intent of this plan to cause unwarranted alarm by providing an evacuation plan, but rather to be prepared for any and all emergencies as the direct result of storing petroleum products on site.

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ARRANGEMENTS WITH LOCAL AUTHORITIES

Arrangements are to be made to inform representatives of local fire and police departments of plant layout, location of possible hazards, emergency location and operation, the evacuation plan and route, and other critical information.

Arrangements should also be made to familiarize hospitals with the types of injuries or illnesses which could result from fires, explosions or releases at the facility.

Where State or Local authorities decline to cooperate or enter into such arrangements, the Plant Manager is to document their refusal.

POST EMERGENCY EQUIPMENT MAINTENANCE

All equipment used and/or involved either superficially or directly with the emergency must be cleaned and gone through to ensure its fitness for its intended use before normal facility operations are resumed. All solvents, protective clothing and equipment used or damaged as the result of the emergency must be replaced or fixed within two weeks in order to assure adequate response to future mishaps.

SECURITY PLAN

Introduction

The security measures for the plant site must provide security and control of access to deny unauthorized ingress or egress, except by willful entry and prevent entry by domestic livestock.

The Operations Manager is responsible for administering all security measures.

External Security

The following measures are employed to restrict entrances and exits at the site:

The integrity of the chain link fence surrounding the site will be maintained; it is to be inspected each shift.

Entry control at the gate will consist of the following measures:

1. All vehicles must stop for permission to enter.
2. All visitors must register and must be accompanied by company personnel while on the premises.
3. During shutdown, the gate is securely locked.

Warning signs forbidding unauthorized entry are posted at the entry gate and along the perimeter fence.

Lighting is utilized for security purposes.

Internal Security

The following measures will be employed to protect the health of employees and visitors.

1. Plant management personnel will prescribe the necessary personal protective equipment for all employees and authorized visitors and will identify to site employees and authorized visitors the safety procedures to be utilized at all points on site. Failure by a site employee to use the required protective clothing and equipment, or to observe necessary safety precautions in any site activity constitutes basis for dismissal.
2. Access to facilities at the plant is restricted to employees actively engaged in execution of their job duties or to visitors accompanied by an authorized representative of Petroleum Management, Inc.
3. Appropriate safety equipment is to be stationed at strategic locations.
4. All areas of the site in which operations may occur during periods of darkness are to be well lighted.
5. All site employees are to receive job training in the handling of hazardous waste material and the operation of site emergency equipment.
6. Signs warning of areas of possible human contact with hazardous wastes or materials are to be posted near all waste handling facilities. Signs are to be posted showing the location of personnel decontamination equipment and emergency response equipment.
7. To prevent on-site collisions, the speed limit within the site is 5 MPH.
8. A "No Smoking" rule is to be enforced at designated areas.

SPILL COUNTERMEASURES

Two types of spills could occur on the site. First, a rupture or failure of a bulk tank could occur with the resulting spill occurring inside the diked area or in the ground. The second type of spill could result from a tank truck accident on the grounds.

BULK STORAGE TANK SPILL

1. If the unloading operation is in progress, cease operation.
2. Close appropriate valves.
3. Clear area of personnel and equipment.
4. Make sure there is nothing in the vicinity that could ignite the fuel. Make especially sure there is no smoking in the area.

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5. Call County Fire Department (Station 1) 911. Inform them there has been a tank failure at Petroleum Management, Inc. at 3650 S.W. 47th Avenue, Davie, FL and used oil is being contained. The Fire Department should be present with foam extinguishers to protect against fire.
6. Notify the County Sheriff's Department at 911.
7. Secure the portable pump from the maintenance building.
8. Set the equipment at least 25 feet away from the spill area to avoid any possible electrical ignition of the spilled fuel.
9. Position as many empty tankers as necessary to pump the fuel out of the dike and into the tanker. The tankers should be parked by the loading rack if possible to handle any tanker overflow. (Could require 3 to 5 tankers depending on the size of the tanker and the quantity of fuel in the storage tank).
10. As each tanker is filled, move it to a remote area of the property.
11. After pumping as much fuel as possible, spray the area with foam (if that has not already been done) and follow clean-up instructions from Emergency Coordinator.
12. Call the F.D.E.P. State Warning Point (850) 413-9911.
13. Call the Environmental Protection Agency in Atlanta, Georgia at (707) 347-3016.

TANK TRUCK SPILL

1. If unloading operation is in progress, cease operation.
2. Quickly check the tanker to see if the fuel discharge is due to an open valve or leak that can be quickly plugged. Stop the flow if possible.
3. Make sure that there is nothing in the vicinity that could ignite the fuel. Make especially sure there is no smoking.
4. Clear the areas of all personnel and equipment.
5. Notify Judd Gilbert: 954-581-4455
Mark Nickerson: 954-658-2336
6. Call the County Fire Department (Station D) at 911. Inform them that a tanker has ruptured at Petroleum Management, Inc. facility located at 3650 S.W. 47th Avenue, Davie, Florida and used oil is being released. The Fire Department should be present with foam extinguishers to protect against fire.

7. Notify the County Sheriff's Department 911.
8. Totally dike the area with boom.
9. Secure the portable pump from the maintenance building.
10. Set the equipment at least 25.0 feet away from the dike, in order to avoid any possible electrical ignition of the spilled fuel.
11. Position an empty vacuum tanker in a convenient place and pump the fuel into the tanker.
12. After pumping as much as possible, follow cleanup instructions from Emergency Coordinator.
13. Move the tanker to a remote site on the property.
14. Call the F.D.E.P. State Warning Point (850) 413-9911
15. Call the Environmental Protection Agency in Atlanta, Georgia, at (707) 347-3016.

RESPONSE ACTIONS

Response activities begin the moment someone becomes aware that there is a problem. While an explosion may be hard to miss, a slow leak from the bottom of a tank isn't. There are two overwhelmingly important things to keep in mind in any emergency situation:

1. Safety comes first.
2. Nobody's going to come help if they don't know that there is a problem.

These two points must be explained and emphasized to every person at the plant. The first two things to do are to attend to health and safety, and notify the Emergency Coordinator.

It always comes down to people making judgement calls and taking actions. "Use Appropriate Protective Equipment" means that appropriate personnel have been taught what type of equipment to use with what materials, and how to use it. The same thing applied to the use of fire extinguishers- personnel must be taught the capabilities (and limitation) of their equipment.

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Response activities can be roughly divided into the following steps, not all of which will apply to every incident.

1. Recognition of the incident by SOMEONE ON THE SCENE.
2. Notification of the Emergency Coordinator.
3. Activation of internal alarms.
4. Evacuation of the facility or immediate area of the incident of all non-involved personnel
5. Evaluation of the incident-what is happening to how much of what material, and what are the possible consequences.
6. Notification of appropriate outside agencies, from the fire department to the National Response Center.
7. Containment or control of the spill, fire or explosion.
8. Cleanup of materials and equipment, including disposal of hazardous waste.
9. Paperwork form written reports to the State or Federal E.P.A., to a critique of the contingency plan.
10. Contaminated, disposable items should be placed in a D.O.T. 17-Hdrum before leaving the job site- this includes gloves, protective suits, respirator filters, polyethylene sheeting, etc. non-disposable items, such as shovels, pumps and recoverable fittings must be thoroughly rinsed in Kerosene before removal from the site. This kerosene should be added to one of the waste drums of liquid for recovery or disposal.

FIRES AND EXPLOSIONS

These will be discussed together due to their close relationship.

1. Personnel at the scene-immediately clear the area and report to a designated location.
2. The fire department should be summoned whenever there is any fire or explosion, however small, in case the incident spreads and their assistance is required. Fire Department-911.

A. Name and telephone number of caller.

B. Name and address of facility:

Petroleum Management, Inc.
3650 S.W. 47th Avenue
Davie, FL 33314

C. Time and type of incident.

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- D. Name and quantity of material (s) involved, if known.
 - E. Extent of any injuries, if any.
 - F. Possible hazards to human health of the environment outside the facility, if applicable.
3. The Emergency Coordinator is informed immediately. Report caller's name, exact location of incident, type and quantity of materials involved, if known, and a brief description of the incident and hazards involved.
4. If the Emergency Coordinator determines that the fire or explosion, and any subsequent release of hazardous materials could threaten human health or the environment, outside the facility, he must immediately:
- A. Notify local authorities and help them determine whether surrounding areas should be evacuated.
- | | |
|----------------------|-----|
| Fire Department | 911 |
| Sheriff's Department | 911 |
5. ONLY if a fire is small and well contained will plant personnel wear protective clothing and attempt suppression with hand extinguishers.
6. ONLY through the Emergency Coordinator and his designated personnel will give any information be given to fire fighters, i.e., nature of materials and associated hazards. ONLY under the direction of the fire department will facility personnel become involved in fire suppression.
7. Run-off of water or released wastes must be controlled (as for any other discharge) by use of dikes, berms or absorbent. All storm drains, sewers, streams and surface water must be protected, if at all possible, by use of bags of vermiculite and soil. These activities should be concurrent with the activities of fire suppression.
8. When the immediate problem of fire or explosion is controlled, cleanup and decontamination activities shall be conducted as for a discharge.
9. Written reports must be prepared, as described in the follow-up section in this plan.

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SPILLS, LEAKS, UNPLANNED RELEASES

1. The Emergency Coordinator must be informed immediately. This initial report should include caller's name, exact location of the incident, type and quantity of material (s) involved, if known, and a brief description of the incident.
2. If appropriate, the Emergency Coordinator order the area around the spill (or even the entire facility) evacuated of noninvolved personnel.
3. The Emergency Coordinator must assess the situation, confirming as much as possible, the exact identity, source and amount of material (s) involved and determine the hazards associated with the incident.
 - A. Determine the container contents (above ground, below, transport, etc.) via inspection or review of the shipping manifest.
 - B. Determine chemical hazardous presented and the type of protective equipment required for responding personnel, including choice of glove type, respiratory protection and protective clothing/material.
4. As dictated by the actual hazard (s) presented, the following precautions may be taken:
 - A. Response personnel should don appropriate protective clothing.
 - B. Impervious material such as plastic sheeting is spread under the trailer to prevent ground contamination.
 - C. Isolation of the leaking container from uninvolved personnel and other areas of the facility.
 - D. If ignitable materials are involved, appropriate fire extinguishers should be brought to the scene and the fire department informed that they may be needed.
 - E. Partitioning off the work area via ropes and/or warning signs.
 - F. (Flammable and Combustible materials) Prevention of smoking, sparks and open flames in the vicinity of the affected area.
 - G. During inclement weather, the work area may be moved under cover, or inside trailers, etc.
5. If the Emergency Coordinator determines that the incident could threaten human health of the environment outside of the facility, he/she must immediately:
 - A. Notify local authorities and help them determine whether surrounding areas should be evacuated.

April 21, 1998

Page 24

Rev. #2

Fire Department 911
Sheriff's Department 911

B. Contact the National Response Center (1-800-424-8802)

C. Contact the F.D.E.P. Warning Point (850) 413-9911
and report:

a. Name and telephone number of caller.

b. Name and address of facility:

Petroleum Management, Inc.
3650 S.W. 47th Avenue
Davie, FL 33314

c. Time and type of incident.

d. Name and quantity of material (s) involved, if known.

e. Extent of any injuries.

f. Possible hazards to human health or the environment outside facility.

6. Containment of discharged material should be accomplished by:

A. Diking or berming on firm impervious surfaces, using straw, vermiculite, oil dri, soil and/or hazorb pillows, taking special care that materials do not escape to storm drains, sewers, etc.

B. Ditching around discharge onto soil using shovels.

C. An attempt is made to stop the leak in the container via plugs, bolts, duct tape or harnesses as appropriate. If the tank is small enough, it may also be rotated so leak is uppermost.

D. Contents of leaking containers may be transferred to sound containers, or the damaged container, like a 55 gallon drum, may be overpacked. Small containers can be placed in open head drums, larger ones in 85 gallon Recovery Drums. Overpacks may be lined with 4 mil polyethylene liners and all void spaces in the overpack filled with vermiculite or other inert absorbent.

E. Unleaked drum contents may be transferred via a spark free pump into a compatible D.O.T. shipping container.

7. Cleanup operations may include the following steps:
 - A. Free standing liquids pumped into suitable containers
 - B. Nonpumpable liquids absorbed with vermiculite, Oil Dri, Hazorb pillows or other absorbent.
 - C. Solids, semisolids, absorbents, etc. shoveled or swept up should be placed in appropriate containers (usually 17-H open head drums) and properly disposed of.
 - D. Residual materials on the ground may be removed by:
 1. Appropriate solvents if the surface is hard and impenetrable.
 2. Digging up contaminated soil, or even concrete if necessary.
8. Decontamination of area:
 - A. The Emergency Coordinator may choose to determine the extent of any potential pollution or contamination by sampling and analysis of soil, water, vegetation, etc.
The sampling necessity may be determined by:
 1. Nature of incident.
 2. Quantities involved.
 3. Types of surfaces exposed.
 4. Hazardous associated with materials including such factors as toxicity and environmental persistence.

After this is determined, each incident will require specific decontamination procedures based on analytical results.
 - B. All disposable contaminated items such as gloves, clothing, respirators and hand tools are placed in appropriate shipping containers.
 - C. Nondisposable equipment is decontaminated on-site using appropriate solvents and techniques, and debris from this decontamination placed in appropriate containers.
9. Area is checked for any damage which may have caused the leak, such as corrosion, etc.
10. All drums are manifested, sealed and labeled per state, E.P.A. and D.O.T. guidelines and transported to and E.P.A. permitted T/S/D facility for final disposition (secure landfill, incineration, etc.)

March 11, 1998

Page 26

Rev. #1

11. All appropriate notifications/reports are filed as required
(i.e. Hazardous Substance Discharge Notification (E.P.A.), Hazardous
Materials Incident Report (D.O.T.) etc.
12. Medical evaluation of the responding personnel as dictated
by the material (s) involved (if applicable).

Kantor, Karen E.

From: pmicorporation@aol.com
Sent: Thursday, September 27, 2007 9:38 AM
To: Kantor, Karen E.
Subject: Re: Inspection dated 5/17/07
Attachments: letters.pdf

Karen,

Please see attached copies of the letters sent to local authorities.
Note the certified mail receipts.

Best Regards,
Judd Gilbert, President
Petroleum Management, Inc.

-----Original Message-----

From: Kantor, Karen E. <Karen.E.Kantor@dep.state.fl.us>
To: PMICorporation@aol.com
Sent: Tue, 25 Sep 2007 1:06 pm
Subject: Inspection dated 5/17/07

Judd/Mark:

I noticed in the submittal of your Contingency Plan (CP) updates that you updated what appears to be the March 11, 1998 version of your CP. I reviewed your last permit renewal application which included a version of your CP dated February 2, 2004. It appears you made the updates to the emergency coordinators as required on the appropriate pages in the submittal you sent me, and they match-up to the pages in the more recent 2004 CP version that is in our records. However, I am concerned that the 2004 version of your CP has not been updated; this version should supercede the 1998 version and should be current onsite. In addition, there was a page in the CP section of your 2004 permit application labeled (but not numbered) as "Exhibit I" which lists your emergency coordinators; this page should be updated as well (it may not have been present in the 1998 version of your CP).

Please report in writing that the most current version of your CP is present onsite with the applicable updates in place that were required at the inspection exit interview. Also, provide copies of the certified mail receipts indicating that your CP updates (or entire current version with updates) has been issued to the local authorities; this item was missing from your submittal.

Thank you.

Karen Kantor, P.G.
Professional Geologist I
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

July 3, 2007

Davie Town Hall
6591 Orange Drive
Davie, Florida 33314

ATTN: Tom Truex, Mayor

Dear Mr. Truex,

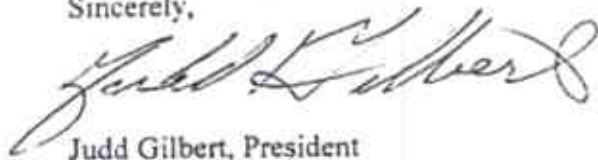
Petroleum Management, Inc. is a recycling facility located at 3650 S.W. 47TH Avenue in Davie, Florida. We have been at this location since 1983.

Please find enclosed a copy of our updated "Contingency Plan and Emergency Procedures for Spill Prevention Controls and Countermeasures."

If there should be an emergency at our facility, the enclosed plan will guide responders as to our responses.

Please call if you have any questions or concerns.

Sincerely,



Judd Gilbert, President
Petroleum Management, Inc.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
Postage	\$ 14.70	0277
Certified Fee	\$ 2.70	118
Return Receipt Fee (Endorsement Required)	\$ 1.50	
Restricted Delivery Fee (Endorsement Required)	\$ 1.50	
Total Postage & Fees	\$ 14.70	07/03/2007

7000 0520 0014 8929 3851

DAVIE, FLA. JUL 3 2007

Recipient's Name (Please Print Clearly) (To be completed by mailer)
MR. Tom TRUEX, MAYOR
Street, Apt. No., or PO Box No.
Davie Town Hall, 6591 Orange Drive
City, State, ZIP+4
Davie, Florida 33314

PS Form 3800, February 2000 See Reverse for Instructions

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

July 3, 2007

Plantation General Hospital
401 N.W. 42ND Avenue
Plantation, Florida 33317

ATTN: Mr. Russ Schilling.
Director of Plant Operations

Dear Mr. Schilling,

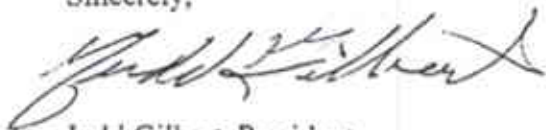
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If there should be an emergency at our facility, the enclosed plan will guide responders as to our responses.

Please call if you have any questions or concerns.

Sincerely,



Judd Gilbert, President
Petroleum Management, Inc.

7000 0520 0014 8929 3868

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only: No Insurance Coverage Provided)	
Postage	\$ 12.15
Certified Fee	\$ 1.00
Return Receipt Fee (Endorsement Required)	\$ 1.00
Restricted Delivery Fee (Endorsement Required)	\$ 1.00
Total Postage & Fees	\$ 15.15

7/3/07

Recipient's Name (Please Print Clearly) (To be completed by mailer)
MR. RUSS SCHILLING
Street, Apt. No., or PO Box No.
Plantation Gen. Hosp., 401 N.W. 42nd Avenue
City, State, ZIP+4
Plantation, FL 33317

PS Form 3800, February 2000 See Reverse for Instructions

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

July 3, 2007

Town of Davie Police Department
1230 South Nob Hill Road
Davie, Florida 33324

ATTN: John George, Chief of Police

Dear Mr. George,

Petroleum Management, Inc. is a recycling facility located at 3650 S.W. 47th Avenue in Davie, Florida. We have been at this location since 1983.

Please find enclosed a copy of our updated "Contingency Plan and Emergency Procedures for Spill Prevention Controls and Countermeasures."

If there should be an emergency at our facility, the enclosed plan will guide responders as to our responses.

Please call if you have any questions or concerns.

Sincerely,



Judd Gilbert, President
Petroleum Management, Inc.

7000 0520 0014 8929 3844

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Postage	\$ 15.12
Certified Fee	\$ 2.15
Return Receipt Fee (Endorsement Required)	\$ 2.15
Restricted Delivery Fee (Endorsement Required)	\$ 2.15
Total Postage & Fees	\$ 19.57

07/03/2007

DAVIE, FLORIDA 33324

MR. JOHN GEORGE, POLICE CHIEF
Street, Apt. No., or PO Box No.
Town of Davie Police Dept., 1230 So. Nob Hill Rd.
City, State, ZIP+4
Davie, Florida 33324

PS Form 3800, February 2000 See Reverse for Instructions

PETROLEUM MANAGEMENT, INC.

2191 S.W. 115TH TERRACE • DAVIE, FLORIDA 33325 • 954-581-4455 • FAX: 954-583-0252

July 3, 2007

Town of Davie Fire-Rescue Department
6901 Orange Drive
Davie, Florida 33314

ATTN: Don DiPetrillo, Fire Chief

Dear Mr. DiPetrillo,

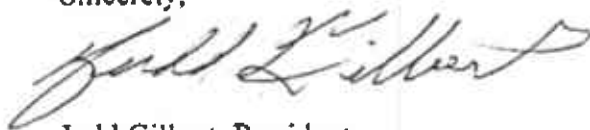
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If there should be an emergency at our facility, the enclosed plan will guide responders as to our responses.

Please call if you have any questions or concerns.

Sincerely,



Judd Gilbert, President
Petroleum Management, Inc.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
POST LAUDERDALE FL 33314	
Postage	\$ 12.25
Certified Fee	\$ 2.25
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 14.50
Recipient's Name (Please Print Clearly) (To be completed by mailer) MR. DON DIPETRILLO, FIRE CHIEF	
Street, Apt. No., or PO Box No. Town of Davie Fire-Rescue Dept., 6901 Orange Drive	
City, State, ZIP+4 Davie, Florida 33314	

518E 6268 40014 0020 0520 0007
PS Form 3800, February 2000 See Reverse for Instructions

Jones Ecosystem Management
10200 USA Today Way
Miramar, Florida 33025

**Jones Ecosystem
Management**

Fax

To: MARGARET HOLLADAY From: John Jones
Fax: (850) 245-8810 Pages: _____
Phone: _____ Date: _____
Re: _____ CC: BHEEM KOTHUR

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

THIS NOTIFICATION IS FOR A PERMIT TRANSFER
CHANGE FOR PETROLEUM MANAGEMENT INC
TO WORLD PETROLEUM. BHEEM IS
WORKING ON THIS ONE.

John Jones

PLEASE CALL ME AT (479) 353-1368
IF YOU HAVE QUESTIONS.

**8700-12FL - FLORIDA NOTIFICATION OF
REGULATED WASTE ACTIVITY**DEP Waste Management Division-HWRS, MS4560
2600 Blair Stone Rd. Tallahassee, FL 32399-2400
(850) 245-8760Date Received
(for FDEP Official Use Only)

JAN 03 2008

EPA ID

FLD980709075

MIS

RCRA1010

**1. Reason for
Submittal**Check correct
box:

- ☐ To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities).
- ☒ To provide subsequent notification (to update status and facility identification information).

2. Facility or Business Name

World Petroleum Corp

3. Facility Operator
(List additional
Operators in the
comments section).

Name of Operator:

World Petroleum Corp

☒ New OperatorDate became Operator: 12 / 07 / 2007
mm dd yyyy

Street or P.O. Box:

3650 SW 47th Avenue

Phone Number:

(954) 581-4455

City or Town:

Davie

State: FL

Zip Code:

33329

Operator Type: ☒ Private☐ Federal☐ Municipal☐ State☐ Other**4. Facility Physical
Location
Information**

Physical Street Address:

3650 SW 47th Avenue

City or Town:

Davie

State: FL

Zip Code:

County:

Broward

Land Type: ☒ Private☐ Federal☐ Municipal☐ State ☐ OtherLatitude: 26.4243
dd mm ss.ssssLongitude: 81.1236
dd mm ss.ssssMethod: GPS
Datum:**5. Facility North American Industry
Classification System (NAICS)
Code(s)**

A.

324191

B.

C.

D.

**6. Facility Mailing
Address**

Street Address or P.O. Box:

3650 SW 47th Avenue

City or Town:

Davie

State: FL

Zip Code:

33329

**7. Facility Contact
Person**

First Name:

Eric

Last Name:

Miranda

Title:

Owner

Phone Number:

(954) 581-4455

Extension:

E-Mail:

Street or P.O. Box:

3650 SW 47th Avenue

City or Town:

Davie

State: FL

Zip Code:

33329

**8. Real Property
Owner of the
Facility's
Physical Location**
(List additional
real property owners
in the comments
section.)

Name of Real Property Owner:

Eric Miranda

☒ New OwnerDate became Owner: 12 / 07 / 2007
mm dd yyyy

Street or P.O. Box:

3650 SW 47th Avenue

Phone Number:

(954) 581-4455

City or Town:

Davie

State: FL

Zip Code:

33329

Owner Type: ☒ Private☐ Federal☐ Municipal☐ State☐ Other

9. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes):**A. Hazardous Waste Activities:**

For Items 2 through 7, check all that apply.

1. Generator of Hazardous Waste

(Choose only one of the following three categories.)

- ☐ a. Large Quantity Generator (LQG):
Generates in any calendar month 1,000 kilograms or greater per month (kg/mo) (2,200 lbs.) of *non-acute* hazardous waste; or Greater than 1 kg (2.2 lbs) of *acute* hazardous waste
- ☐ b. Small Quantity Generator (SQG):
Generates in any calendar month greater than 100kg/mo but less than 1,000 kg/mo (>220 to <2,200 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste
- ☒ c. Conditionally Exempt SQG (CESQG):
Generates in any calendar month 100 kg/mo or less (220 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste

In addition, indicate other generator activities (that apply).

- ☐ d. United States Importer of hazardous waste
- ☐ e. Mixed Waste (hazardous and radioactive) Generator

- ☐ 2. **Treater, Storer, or Disposer of Hazardous Waste** (at your facility) Note: A hazardous waste permit may be required for this activity.

- ☐ 3. **Recycler of Hazardous Waste** (at your facility)
Specify: ☐ Commercial; ☐ Non-Commercial.
Note: A hazardous waste permit may be required for this activity.

- ☐ 4. **Exempt Boiler and/or Industrial Furnace**
☐ a. Small Quantity On-site Burner Exemption
☐ b. Smelting, Melting, and Refining Furnace Exemption

- ☐ 5. **Person Authorized to Manage Conditionally Exempt Waste generated at other facilities** - Check this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP.

- ☐ 6. **Underground Injection Control**

- ☐ 7. **Transporter of Hazardous Waste** Note: A Certificate of Liability Insurance is required along with this registration. Registration must be renewed annually. ☐ a. For own waste only; ☐ b. For Commercial Purposes

c. Hazardous Waste Transporter Insurance Information:

Insurance Company _____

Address _____

Contact: _____

Telephone: _____

Policy Number: _____

Expiration date: _____

- d. Transportation Mode: ☐ Air; ☐ Rail; ☐ Highway; ☐ Water; ☐ Other - specify _____

- e. ☐ **Hazardous Waste Transfer Facility:** Storage Volume _____

B. Universal Waste (UW) Activities:

- 1. Indicate types of UW generated and/or accumulated at your facility (includes destination facilities). (check all boxes that apply)**

	<u>Generate/ Accumulate</u>	<u>Transport</u>
a. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
c. Mercury Containing Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
d. Mercury Containing Lamps	<input type="checkbox"/>	<input type="checkbox"/>
e. Mercury Containing Devices	<input type="checkbox"/>	<input type="checkbox"/>
f. Pharmaceuticals	<input type="checkbox"/>	<input type="checkbox"/>
g. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

- 2. Maximum quantity of UW handled/transported at any time**

- ☐ a. 5,000 kg or more; Large Quantity Handler (LQH)
- ☐ b. More than 1 kg of acutely hazardous pharmaceutical waste ("P-listed") (LQH)
- ☐ c. Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

- ☐ 3. **Destination Facility for UW**

Note: For this activity, a facility must treat, dispose or recycle a UW. A facility must either have a hazardous waste permit or recycle the UW without storing it.

- ☐ 4. **Transporter of UW**

9. Type of Regulated Waste Activity - continued (Mark 'X' in the appropriate boxes):**C. Used Oil Activities:****1. Used Oil Transporter - Indicate type(s) of activity(ies)**

- ☒ a. Transporter
☐ b. Transfer Facility

2. Used Oil Processor and/or Re-refiner - Indicate type(s) of activity(ies)

- ☒ a. Processor
☐ b. Re-refiner

3. ☐ Off-Specification Used Oil Burner**4. Used Oil Fuel Marketer - Indicate type(s) of activity(ies)**

- ☐ a. Marketer who directs shipment of off-specification used oil to off-specification used oil burner
☒ b. Marketer who first claims the used oil meets the specifications

5. ☐ Used Oil Generator**D. Other State Regulated Waste Activities:****1. ☒ Used Oil Filter Handler****2. ☒ PCW Handler**

These activities may require additional submissions.

10. Waste Codes for Federally Regulated Hazardous Wastes: List the waste codes of the Federal hazardous wastes handled at your facility. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112).

Hazardous waste transporters list codes **routinely** or **usually** transported. Use an additional page if more spaces are needed.

1 D001	2 D007	3 D008	4 D018	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

11. Other Status Changes (Mark 'X' in the appropriate boxes):**A. Non-Handler of Regulated Waste at this facility**

- ☐ 1. Business no longer generates, transports, treats, stores, or disposes of hazardous waste.
☐ 2. Waste generated by business has been delisted.
☐ 3. Other (explain) _____

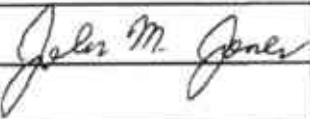
B. Facility Closed

- ☐ 1. Closed at this location and **moved or moving** to another - submit a new 8700-12FL for the new location if you will be handling regulated waste there.
- ☐ 2. Out of Business - Business closed on _____ (Date). Please provide a contact person, mailing address, and phone number where you can be reached after closing.
 Contact _____ Phone _____
 Address _____
 City, State, Zip _____

☐ **C. Property Tax Default**☐ **D. Petition for Bankruptcy Protection****12. Comments:**

Waste codes are based on possible characteristics of tank cleaning sludge.

13. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of owner, operator, or an authorized representative	Name and official title (type or print) of owner, operator, or an authorized representative	Date Signed (mm-dd-yyyy)
	John M. Jones, Professional Engineer	12/27/2007

14. Additional Comments

or optionally, include a map or sketch of the facility boundaries to aid in establishing an accurate Latitude/Longitude for your facility:

Kim
Thursby

Digitally signed by Kim Thursby
DN: c=us, o=Thursby, ou=FDEP,
ou=HWS, email=Kim.Thursby@dep.state.fl.us, cn=Kim Thursby
Reason: I attest to the accuracy
and integrity of this document.
Date: 2008.02.06 10:11:34
-05'00'

Thursby, Kim

From: Kothur, Bheem
Sent: Wednesday, February 06, 2008 9:43 AM
To: Thursby, Kim
Cc: Prusty, Rabin
Subject: FW: 1-16-08-Petroleum Management, Inc.- PMI-Permit transfer application

Hi Kim:

Here is the response received from their consultant on January 16, 2008. Please see below.

Please let me know if you need any other information.

Thanks.

Bheem Kothur, P.E., DEE
Hazardous Waste Regulations Section
Florida Department of Environmental Protection
MS# 4560, 2600 Blair Stone Road
Tallahassee, Florida 32399-2400
850-245-8781, Suncom: 205-8781, FAX: 850-245-8810
Email: Bheem.Kothur@dep.state.fl.us

From: John Jones [mailto:johnmjonespe@sbcglobal.net]
Sent: Wednesday, January 16, 2008 2:27 PM
To: Kothur, Bheem
Subject: Permit transfer application

I received the letter from the DEP. I did not know that PMI had changed their name until recently. I will file a minor permit modification. What form do I use? The Used Oil Processor Permit application? The only change will be the name, so what parts do I fill out? I don't want to redo all the permit requirements. Remember, we will be doing a permit renewal as World Petroleum Corp after the permit transfer is done.

Thursby, Kim

From: Epost HWRS
Sent: Wednesday, January 16, 2008 12:57 PM
To: pmicorporation@aol.com
Cc: Kantor, Karen E.; Winston, Kathy; Posner, Augusta; Raoul.Clarke@dep.state.fl.us; Wick, Fred; Bejnar, Tor; Redig, Michael; johnmjonespe@sbcglobal.net; emiranda@wpcorp.net; dvanlandingham@broward.org; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Petroleum Management, Inc. (PMI) to World Petroleum Corp (WPC),FLD 980 709 075;54228-HO-002
Attachments: 1-16-08-Petroleum Management, Inc.-Transfer Letter Comments.pdf

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. 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

Tracking:

Recipient**Read**

pmicorporation@aol.com

Kantor, Karen E.

Winston, Kathy

Posner, Augusta

Raoul Clarke@dep.state.fl.us

Wick, Fred

Bejnar, Tor

Read: 1/18/2008 2:12 PM

Redig, Michael

johnmjonespe@sbcglobal.net

emiranda@wpcorp.net

dvanlandingham@broward.org

Bahr, Tim

Kothur, Bheem

Tripp, Anthony



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 16, 2008

SENT VIA E-MAIL
pmicorporation@aol.com

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 SW 115th Terrace
Davie, Florida 33325

RE: Application for Transfer of Permit
Petroleum Management, Inc. (PMI) to World Petroleum Corp (WPC)
PMI Name Change
EPA I.D. Number: FLD 980 709 075
Existing Permit Number 54228-HO-002
Broward County

Dear Mr. Gilbert:

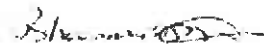
The Florida Department of Environmental Protection (the Department) has received your facility's Application for Transfer of Permit dated December 13, 2007. Upon review, the Department has the following comments:

1. The Department understands that PMI has undergone a name change to Petro-Serve, Inc. by Corporate Amendment effective December 7, 2007. The Department was not notified of this, and the Application for Transfer of Permit uses the old name, PMI.
2. The permit will not be transferred to WPC until PMI requests a minor permit modification to change the name of the Permittee to Petro-Serve, Inc.
3. It is the Department's understanding that Petro-Serve, Inc. will retain responsibility for the on-going cleanup of the facility at 3650 SW 47th Avenue, Davie, Florida 33329 even after the permit is transferred to WPC.
4. Since Petro-Serve will no longer have a permit that requires corrective action for spills and releases, the Department expects Petro-Serve, Inc. to enter a Consent Order with the Department for completion of the remediation.

Mr. Judd Gilbert, President
January 16, 2008
Page Two

Please respond to this letter within 30 days upon receipt of this letter. If you have any questions or like to arrange a meeting to discuss these issues, please contact me at (850) 245-8781 or via email: bheem.kothur@dep.state.fl.us.

Sincerely,



Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

cc: Karen Kantor, DEP/West Palm Beach, karen.e.kantor@dep.state.fl.us
Kathy Winston, DEP/West Palm Beach, kathy.winston@dep.state.fl.us
Agusta Posner, DEP/Tallahassee, augusta.posner@dep.state.fl.us
Raoul Clarke, DEP/Tallahassee, raoul.clarke@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Tor Bejnar, DEP/Tallahassee, tor.bejnar@dep.state.fl.us
Michael Redig, michael.redig@dep.state.fl.us
John Jones/Jones Ecosystem Management, johnmjonespe@sbcglobal.net
Eric Miranda, emiranda@wpcorp.net
David Vanlandingham, dvanlandingham@broward.org

Kim
Thursby

Digitally signed by Kim Thursby
DN: c=US, o=Thursby, email=Kim.Thursby@dep.state.fl.us, cn=Kim Thursby
Reason I attest to the accuracy
and integrity of this document
Date: 2008.02.19 10:04:17 -0500

Thursby, Kim

From: Kothur, Bheem
Sent: Tuesday, February 19, 2008 8:57 AM
To: Tripp, Anthony; Thursby, Kim; Prusty, Rabin
Subject: FW: FW: Petro-Serve, Inc. f/k/a Petroleum Management, Inc. (PMI) to World Petroleum Corp (WPC);FLD 980 709 075;54228-HO-002;Application for Transfer of Permit

FYI

Bheem Kothur, P.E., DEE
Hazardous Waste Regulations Section
Florida Department of Environmental Protection
MS# 4560, 2600 Blair Stone Road
Tallahassee, Florida 32399-2400
850-245-8781, Suncom: 205-8781, FAX: 850-245-8810
Email: Bheem.Kothur@dep.state.fl.us

From: John Jones [mailto:johnmjonespe@sbcglobal.net]
Sent: Tuesday, February 19, 2008 8:13 AM
To: Kothur, Bheem
Cc: emiranda@wpcorp.net
Subject: Re: FW: Petro-Serve, Inc. f/k/a Petroleum Management, Inc. (PMI) to World Petroleum Corp (WPC);FLD 980 709 075;54228-HO-002;Application for Transfer of Permit

We have received the permit transfer letter. Thank you for all your assistance.

"Kothur, Bheem" <Bheem.Kothur@dep.state.fl.us> wrote:

Hello John, Jud, or Erick:

Please respond to this email that you have received you're the permit transfer letter dated January 28, 2008 ASAP. Kim Thursby is waiting for your acknowledgement. I appreciate to your quick response.
Thanks.

Bheem Kothur, P.E., DEE
Hazardous Waste Regulations Section
Florida Department of Environmental Protection
MS# 4560, 2600 Blair Stone Road
Tallahassee, Florida 32399-2400
850-245-8781, Suncom: 205-8781, FAX: 850-245-8810
Email: Bheem.Kothur@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: Epost HWRS
Sent: Monday, January 28, 2008 12:55 PM
To: pmi@wpcorp.net

Cc: Kantor, Karen E.; Winston, Kathy; Posner, Augusta; Clarke, Raoul; Wick, Fred; Bejnar, Tor; Redig, Michael; johnmjonespe@sbcglobal.net; emiranda@wpcorp.net; dvanlandingham@broward.org; rick.neves@dep.state.fl.us; Bahr, Tim; Prusty, Rabin; Kothur, Bheem

Subject: Petro-Serve, Inc. f/k/a Petroleum Management, Inc. (PMI) to World Petroleum Corp (WPC);FLD 980 709 075;54228-HO-002;Application for Transfer of 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. 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



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 28, 2008

SENT VIA E-MAIL
pmi@wpcorp.net

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 SW 115th Terrace
Davie, Florida 33325

RE: Application for Transfer of Permit
Petro-Serve, Inc. f/k/a Petroleum Management, Inc. (PMI)
to World Petroleum Corp (WPC)
EPA I.D. Number: FLD 980 709 075
Existing Permit Number 54228-HO-002
Broward County

Dear Mr. Gilbert:

The Florida Department of Environmental Protection (the Department) has completed its review of Petroleum Management, Inc. (PMI) request to transfer the above-referenced permit to World Petroleum Corp. (WPC). The following documentation was provided by PMI or WPC:

1. Request to transfer Used Oil Processing Permit dated December 13, 2007.
2. Application for Transfer of Permit Form 62-1.201(1) dated December 10, 2007 and January 16, 2008.
3. 8700-12FL Notification Forms dated and signed December 27, 2007.
4. Cost Estimate Forms 62-710.901(7) received January 11, 2008.
5. Name change Form 62-701.900(8) to change name from Petroleum Management, Inc. to Petro-Serve, Inc., effective December 7, 2007.

By letter dated January 17, 2008, the Department acknowledged the Permittee's name change from Petroleum Management, Inc. to Petro-Serve, Inc.

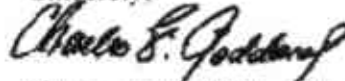
The Department hereby approves the permit transfer from Petro-Serve, Inc. to World Petroleum Corp. World Petroleum Corp is now the Permittee. In all other respects the permit remains unchanged. Please attach this letter to the permit. This letter will become part of the permit.

Mr. Judd Gilbert, President
January 28, 2008
Page Two

Issues concerning financial assurance established by PMI/Petro-Serve will be addressed in a separate letter.

If you have any questions, please contact Rabin Prusty at (850) 245-8780 or via e-mail: rabin.prusty@dep.state.fl.us.

Sincerely,



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

CFG/rp

cc: Karen Kantor, DEP/West Palm Beach, karen.e.kantor@dep.state.fl.us
Kathy Winston, DEP/West Palm Beach, kathy.winston@dep.state.fl.us
Agusta Posner, DEP/Tallahassee, augusta.posner@dep.state.fl.us
Raoul Clarke, DEP/Tallahassee, raoul.clarke@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Tor Bejnar, DEP/Tallahassee, tor.bejnar@dep.state.fl.us
Michael Redig, michael.redig@dep.state.fl.us
John Jones/Jones Ecosystem Management, johnmjonespe@sbcglobal.net
Eric Miranda, emiranda@wpcorp.net
David Vanlandingham, dvanlandingham@broward.org
Rick Neves, DEP/Tallahassee, rick.neves@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

FILED

On this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

January 28, 2008
Date



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

02/06/2008

Eric Miranda, President
World Petroleum Corp
4717 Orange Dr
Davie, FL 33314-

DEP/EPA ID: **FLD980709075**
LOCATION: **3650 SW 47th Ave, Davie.**

Based on information supplied by you, we have processed and accepted your request for the facility identified with the above DEP/EPA Identification number to receive the following name change under RCRA:

World Petroleum Corp

The status of your facility is:


HW Transporter, Non-handler, Used Oil Handler

Please notify us in writing if there is any change in your operations which would affect your status. For further assistance, please call the Hazardous Waste Notification Coordinator at (850)245-8760 or (850)245-8772.

Sincerely,

Michael X. Redig
Environmental Manager
Hazardous Waste Regulation Section

ME ID: 50795
Email Address: emiranda@wpcorp.net
Previous Facility Name: Petroleum Management Inc

		8700-12FL - FLORIDA NOTIFICATION OF REGULATED WASTE ACTIVITY DEP Waste Management Division-HWRS, MS4560 2600 Blair Stone Rd Tallahassee, FL 32399-2400 (850) 245-8760				
EPA ID		FLD 980 709 075				
1. Reason for Submittal		Check correct box: <input type="checkbox"/> To provide <u>initial notification</u> (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities). <input checked="" type="checkbox"/> To provide <u>subsequent notification</u> (to update status and facility identification information).				
2. Facility or Business Name WORLD PETROLEUM CORP.						
3. Facility Operator (List additional Operators in the comments section).		Name of Operator: WORLD PETROLEUM CORP.		<input checked="" type="checkbox"/> New Operator Date became Operator: <u>12</u> / <u>7</u> / <u>2007</u> <small>mm dd yy</small>		
		Street or P.O. Box: 4717 ORANGE DRIVE		Phone Number: (954) 327-0724		
		City or Town: DAVIE		State: FL	Zip Code: 33314	
		Operator Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other				
4. Facility Physical Location Information		Physical Street Address: 3650 SW 47 AVENUE				
		City or Town: DAVIE		State: FL	Zip Code: 33344	
		County: Broward		Land Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		
		Latitude: <u>26</u> <u>04</u> <u>30</u> N Longitude: <u>80</u> <u>12</u> <u>03</u> W Method: <small>dd mm ss. ssss dd mm ss. ssss Datnm:</small>				
5. Facility North American Industry Classification System (NAICS) Code(s)		A. 562910		B.		
		C.		D.		
6. Facility Mailing Address		Street Address or P.O. Box: POST OFFICE BOX 291197 City or Town: DAVIE State: FL Zip Code: 33329				
7. Facility Contact Person		First Name: ERIC		Last Name: MIRANDA		
		Phone Number: (954) 327-0724		E-Mail: emiranda@wpcorp.net		
		Street or P.O. Box: 4717 ORANGE DRIVE				
		City or Town: DAVIE		State: FL	Zip Code: 33314	
8. Real Property Owner of the Facility's Physical Location (List additional real property owners in the comments section.)		Name of Real Property Owner: ERIC MIRANDA		<input checked="" type="checkbox"/> New Owner Date became Owner: <u>12</u> / <u>7</u> / <u>2007</u> <small>mm dd yy</small>		
		Street or P.O. Box: 4717 ORANGE DRIVE		Phone Number: (954) 327-0724		
		City or Town: DAVIE		State: FL	Zip Code: 33314	
		Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other				

EPA ID No.

FLD 980 709 075

9. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes):

A. Hazardous Waste Activities:

For Items 2 through 7, check all that apply.

1. Generator of Hazardous Waste

(Choose only one of the following three categories.)

- ☐ a. Large Quantity Generator (LQG):
Generates in any calendar month 1,000 kilograms or greater per month (kg/mo) (2,200 lbs.) of *non-acute* hazardous waste; or Greater than 1 kg (2.2 lbs) of *acute* hazardous waste
- ☐ b. Small Quantity Generator (SQG):
Generates in any calendar month greater than 100kg/mo but less than 1,000 kg/mo (>220 to <2,200 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste
- ☐ c. Conditionally Exempt SQG (CESQG):
Generates in any calendar month 100 kg/mo or less (220 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste

In addition, indicate other generator activities (that apply).

- ☐ d. United States Importer of hazardous waste
- ☐ e. Mixed Waste (hazardous and radioactive) Generator

2. ☐ Treater, Storer, or Disposer of Hazardous Waste (at your facility) Note: A hazardous waste permit may be required for this activity.

3. ☐ Recycler of Hazardous Waste (at your facility)
Specify: ☐ Commercial; ☐ Non-Commercial.
Note: A hazardous waste permit may be required for this activity.

4. ☐ Exempt Boiler and/or Industrial Furnace
☐ a. Small Quantity On-site Burner Exemption
☐ b. Smelting, Melting, and Refining Furnace Exemption

5. ☐ Person Authorized to Manage Conditionally Exempt Waste generated at other facilities - Check this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP.

6. ☐ Underground Injection Control

7. ☒ **Transporter of Hazardous Waste** Note: A Certificate of Liability Insurance is required along with this registration. Registration must be renewed annually. ☐ a. For own waste only; ☒ b. For Commercial Purposes

c. Hazardous Waste Transporter Insurance Information:

Insurance Company GREENWICH INSURANCE CO. / AGENT SEITLIN INSURANCEAddress 6700 NORTH ANDREWS AVENUE, SUITE 300
FORT LAUDERDALE, FLORIDA 33309Contact: JEFF HORSKORD Telephone: 954-267-8606Policy Number: AEC0023573 Expiration date: 7/7/08

- d. Transportation Mode: ☐ Air; ☐ Rail; ☒ Highway; ☐ Water; ☐ Other - specify _____

- e. ☐ Hazardous Waste Transfer Facility: Storage Volume _____

B. Universal Waste (UW) Activities:

1. Indicate types of UW generated and/or accumulated at your facility (includes destination facilities). (check all boxes that apply)

	Generate/ Accumulate	Transport
a. Batteries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
c. Mercury Containing Thermostats	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Mercury Containing Lamps	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Mercury Containing Devices	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Pharmaceuticals	<input type="checkbox"/>	<input type="checkbox"/>
g. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

2. Maximum quantity of UW handled/transported at any time

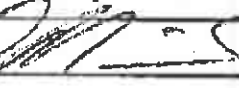
- ☐ a. 5,000 kg or more; Large Quantity Handler (LQH)
- ☐ b. More than 1 kg of acutely hazardous pharmaceutical waste ("P-listed") (LQH)
- ☒ c. Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

3. ☐ Destination Facility for UW

Note: For this activity, a facility must treat, dispose or recycle a UW. A facility must either have a hazardous waste permit or recycle the UW without storing it.

4. ☐ Transporter of UW

EPA ID No. FLD 980 709 075						
9. Type of Regulated Waste Activity - continued (Mark 'X' in the appropriate boxes):						
C. Used Oil Activities:						
1. Used Oil Transporter - Indicate type(s) of activity(ies) <input checked="" type="checkbox"/> a. Transporter <input checked="" type="checkbox"/> b. Transfer Facility 2. Used Oil Processor and/or Re-refiner - Indicate type(s) of activity(ies) <input checked="" type="checkbox"/> a. Processor <input type="checkbox"/> b. Re-refiner 3. <input type="checkbox"/> Off-Specification Used Oil Burner	4. Used Oil Fuel Marketer - Indicate type(s) of activity(ies) <input type="checkbox"/> a. Marketer who directs shipment of off-specification used oil to off-specification used oil burner <input checked="" type="checkbox"/> b. Marketer who first claims the used oil meets the specifications 5. <input type="checkbox"/> Used Oil Generator					
D. Other State Regulated Waste Activities:						
These activities may require additional submissions. 1. <input type="checkbox"/> Used Oil Filter Handler 2. <input checked="" type="checkbox"/> PCW Handler						
10. Waste Codes for Federally Regulated Hazardous Wastes: List the waste codes of the Federal hazardous wastes handled at your facility. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Hazardous waste transporters list codes routinely or usually transported. Use an additional page if more spaces are needed.						
1 D001	2 D002	3 D011	4 F001	5 F003	6 F005	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
11. Other Status Changes (Mark 'X' in the appropriate boxes):						
A. Non-Handler of Regulated Waste at this facility <input type="checkbox"/> 1. Business no longer generates, transports, treats, stores, or disposes of hazardous waste. <input type="checkbox"/> 2. Waste generated by business has been delisted. <input type="checkbox"/> 3. Other (explain) _____						
B. Facility Closed <input type="checkbox"/> 1. Closed at this location and moved or moving to another - submit a new 8700-12FL for the new location if you will be handling regulated waste there. <input type="checkbox"/> 2. Out of Business - Business closed on _____ (Date). Please provide a contact person, mailing address, and phone number where you can be reached after closing. Contact _____ Phone _____ Address _____ City, State, Zip _____						
<input type="checkbox"/> C. Property Tax Default <input type="checkbox"/> D. Petition for Bankruptcy Protection						
12. Comments: 						

EPA ID No.		FLD 980 709 075
<p>13. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</p>		
Signature of owner, operator, or an authorized representative	Name and official title (type or print) of owner, operator, or an authorized representative	Date Signed (mm-dd-yyyy)
	ERIC MIRANDA	1-9-08
<p>14. Additional Comments or optionally, include a map or sketch of the facility boundaries to aid in establishing an accurate Latitude/Longitude for your facility:</p>		



[Click Here to Return to our Homepage](#)
[Click here to see instructions for use](#)

☒ Home ☒ Map ☒ Layers ☒ Search ☒ Print ☒ Full Screen ☒ Help

☒ Owner ☒ Address ☒ Folio



SELECTED PROPERTY-FOLIO: 504125230010
© Copyright 2003 Broward County Property Appraiser
2008 AERIALS
0 40 ft

Layers
☒ Highways
☒ Major Roads
☐ Two-Ring-Sec
☒ Municipalities
☐ City Limits
☐ Zip Codes
☐ CRA Boundaries
☐ City Zoning Codes
☐ County Land Use
☐ Subdivisions
☐ No Sales
☐ Streets
☒ Parcels
Aerials (2008)
☒ County Boundary

Details

FOLIO: 504125230010
OWNER: WP REAL ESTATE INVESTMENTS LLC
MAILING ADDRESS: 4717 ORANGE DR DAVIE FL 33314
LEGAL: J.A.G. NO 1 148-10 B PARCEL A
MILLAGE CODE: 2413
USE CODE: 40
LAND VALUE: \$1,033,340
BUILDING VALUE: \$0
OTHER VALUE: \$0
TOTAL VALUE: \$1,033,340
SOH CAPPED VALUE: \$1,033,340
HOMESTEAD EXEMPTION AMOUNT: \$0
WVD EXEMPTION AMOUNT: \$0
OTHER EXEMPTION AMOUNT: \$0
TAXABLE VALUE: \$1,033,340
SALE DATE 1: 12/7/2007
SALE PRICE 1: \$1,250,000
DEED TYPE 1: WD
SALE DATE 2:
SALE PRICE 2: \$0
DEED TYPE 2:

LAND CALCULATIONS		
Price	Factor	Type
2370	43601	SF
ADJ BLDG S.F.: 0		





MANIFEST INSPECTION LOG

T₂ EA FLORIDA INC
FLO981932494

TSD

FACILITY NAME		DATE					
PMI		5/17/07					
EPA ID # - FL							
DATE	MAN. - #	CONTENTS	QUAN.	CONTAIN.	VOL / #	SIGNED	LDR
4/26/07 4/27/07	1214057	Waste Paint (MD DEEM FLO980844047)	55g	POOL, F003, F003		✓	
4/19/07 4/20/07	1214055	Waste Ammoniac Solutions (MCCNCEA FLO004132726)	110g	POOL2			
4/26/07 4/27/07	1214058	Waste FLAM LIQ WAX-MLK (Coca Cola)	55g	POOL3		✓	
4/19/07 4/20/07	1214056	FLAMMABLE ANTIQUE OIL (ESQ6)	15g	POOL2			
5/15/07	2771733	Perc Perc Filters (Calsonic Cleaners FLO00351825)	30g 30g	F002, F003 F002, F003			
5/15/07	2771737	Perc Perc Filters (OCEANIA Extreme Oil Containers)	30g 30g	F002, F003			
4/25/07	015349	Filters TO WPC	22 drums				

Photo

24
m18

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number FLR000086173	2. Page 1 of 1	3. Emergency Response Phone 800-424-9300	4. Manifest Tracking Number 002771737 JJK				
5. Generator's Name and Mailing Address 15 EDWARDS BLVD N MIAMI FL 33137		Generator's Site Address (if different than mailing address)							
Generator's Phone: 305-949-1111									
6. Transporter 1 Company Name CHEM ALLEY CORPORATION		305-863-7807		U.S. EPA ID Number FLR000086173					
7. Transporter 2 Company Name PETROLEUM MANAGEMENT, INC.		954-583-4433		U.S. EPA ID Number FLD980709073					
8. Designated Facility Name and Site Address EQ FLORIDA, INC. 202 EAST 8TH AVENUE TAMPA, FL 33619		813-623-5463		U.S. EPA ID Number FLD981932494					
Facility's Phone:									
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
				No.	Type				
		UN 1897 PG III (F002D035)	1	DM	30	G			
		HAZARDOUS WASTE SOLID, N.O.S.	1	DM	30	G			
		NA 3077 PG II (F002D035) (ERG#11) TETRACHLOROETHYLENE							
	3.								
	4.								
14. Special Handling Instructions and Additional Information REFUSAL # OEC002 REFUSAL # OEC001									
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.									
Generator's/Officer's Printed/Typed Name X Claudia Ornelas		Signature X [Signature]		Month 15		Day 15		Year 07	
TRANSPORTER	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. <input type="checkbox"/> Part of entry/exit: <input type="checkbox"/> Date leaving U.S.:								
	17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name D. PARSLOW Signature [Signature] Month 15 Day 15 Year 07 Transporter 2 Printed/Typed Name Rick STEVENS Signature [Signature] Month 15 Day 15 Year 07								
DESIGNATED FACILITY	18. Discrepancy								
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection								
	Manifest Reference Number:								
	18b. Alternate Facility (or Generator) U.S. EPA ID Number								
Facility's Phone:									
18c. Signature of Alternate Facility (or Generator)									
Month Day Year									
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)									
1.		2.		3.		4.			
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a									
Printed/Typed Name		Signature		Month		Day		Year	

Form Approved. OMB No. 2050-0039

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number FL0000000000	2. Page 1 of 1	3. Emergency Response Phone 305-424-0000	4. Manifest Tracking Number 002771733 JJK			
5. Generator's Name and Mailing Address GALISA CLEANERS 114 SW 104 ST MIAMI, FL 33135		Generator's Site Address (if different than mailing address)						
Generator's Phone:		6. Transporter 1 Company Name ORION ALLIANCE CORPORATION 313-480-7807			U.S. EPA ID Number FL0000000000			
		7. Transporter 2 Company Name			U.S. EPA ID Number			
8. Designated Facility Name and Site Address TODD EAST 111 AVENUE TAMPA, FL 33618		Facility's Phone: 313-420-0400			U.S. EPA ID Number FL0000000000			
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
			No.	Type				
	1. FL WASTE TETRACHLOROETHYLENE 61 UN 1837 PG III (G001,D039) (RQ3=150)		1	DM	30	G	R002,D039	
	2. FL HAZARDOUS WASTE SOLID, N.O.S. 9 NA 3077 PG III (G001,D039)(RQ3=171) (TETRACHLOROETHYLENE)		1	DM	30	G	R002,D039	
	3.							
4.								
14. Special Handling Instructions and Additional Information APPROVAL # 0A01001 APPROVAL # 0A01002								
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.								
Generator's/Officer's Printed/Typed Name X RICKY ACTER		Signature IX [Signature]		Month Day Year 15/15/07				
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of origin/exit Date leaving U.S.						
17. Transporter Acknowledgment of Receipt of Materials		Signature		Month Day Year				
Transporter 1 Printed/Typed Name O. PAREAS		Signature		15/15/07				
Transporter 2 Printed/Typed Name Rick Stevens		Signature		15/15/07				
18. Discrepancy								
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection		Manifest Reference Number						
18b. Alternate Facility (or Generator)		U.S. EPA ID Number						
Facility's Phone:								
18c. Signature of Alternate Facility (or Generator)								
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)								
1.		2.		3.		4.		
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a.								
Printed/Typed Name		Signature						

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS

Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- (1) PROPERLY STORE/DISPOSE USED BATTERIES OBSERVED IN DRUM CONTAINMENT AREA (2 UNITS) & NEXT TO TRAILER STORAGE AREA (1 UNIT); SEND PHOTOS AND DOCUMENTATION.
- (2) ^{USED OIL} ~~THE~~ "FILTERS" AND "OILY SOLID WASTE" ROLLOFFS MUST BE LABELED & COVERED; SEND PHOTOS.
- (3) PROPERLY LABEL (A) 5-GAL "USED OIL" CONTAINER IN LAB; (B) "OILY SOLID WASTE" DRUM IN USED OIL PROCESSOR STORAGE AREA; (C) 5-GAL BUCKET OF "USED OIL" USED TO HOLD HOSE END (NEXT TO TRANSFER PUMP AREA); (D) "OILY SOLID WASTE" DRUM NEXT TO TRANSFER PUMP OUTSIDE THE TANK FARM CONTAINMENT; (E) UNIVERSAL WASTES. SEND PHOTOS; * ALL USED OIL-CONTAINING CONTAINERS MUST BE COVERED & W/ 2nd CONTAINMENT WITH PROPER LABELS * (F) B-13 "USED OIL" LABEL
- (4) CONTAINERIZE Hg-LAMPS & LABEL; SEND PHOTO.
- (5) PROVIDE TRAINING DOCUMENTATION (HAZ WASTE & HALOGEN SCREENING)
- (6) UPDATE CONTINGENCY PLAN; PROVIDE COPIES/UPDATES TO DEP & LOCAL AUTHORITIES; DOCUMENT SUCH (COPIES OF CERTIFICATION RECEIPTS)
- (7) RECORD EPA ID #'S (IF APPLICABLE) OF USED OIL GENERATORS ON PICK UP RECORDS.

OWNER/OPERATOR COMMENTS:

- * (8) PROVIDE COPIES OF HW MANIFESTS & PHOTOS DEMONSTRATING PICK UP OF HW DRUMS (4) ASAP ON SITE. > 24 HRS

The owner/operator is hereby requested to submit in writing, within ³⁰ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as **"INSPECTOR"**, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within ³⁰ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: KAREN KANTER at (561) 681-⁶⁷²⁰6600.

"INSPECTOR" (signature): Karen Kanter Date: _____

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: <u>Judd Gilbert</u>	PRINTED NAME: <u>JUDD GILBERT</u>
TITLE: <u>Pres.</u>	DATE: <u>5/17/07</u>

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME Petroleum Management Inc.		TYPE OF INSPECTION: CAV: <input type="checkbox"/> CEI: <input checked="" type="checkbox"/> CI: <input type="checkbox"/> OTHER: <input type="checkbox"/>	
ADDRESS 3650 SW 47TH Ave	CITY Davie	STATE FL	ZIP CODE 33314
EPA ID NUMBER FLD980709075	DATE OF INSPECTION 5-17-07	PAGE 1	OF 2
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following potential items of non-compliance were identified by the inspector(s). **This is not a formal enforcement action and may not be a complete listing of all items of non-compliance which exist at the time of this inspection.**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☒ Training records § 262.34
- ☒ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

USED OIL VIOLATIONS:

- ☒ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|---|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA Managing Used Oil | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA Understanding the Hazardous Waste Rules | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA Notification of Regulated Waste Activity | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input checked="" type="checkbox"/> Other: <u>UW Labels</u> |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

PRECISION PETROLEUM LABS, INC.

5915 Star Lane Houston, TX. 77057
Ph. 713-680-9425 Fax: 713-680-9564

CERTIFICATE OF ANALYSIS

COMPANY: WORLD PETROLEUM CORP
INVOICE# 33142
LAB REFERENCE No.: 2007-02-607
PRODUCT ID: 4054 02-26-07
DATE RECEIVED: 02-27-2007
AUTHORIZED BY: ERIC MIRANDA

	<u>TEST METHOD</u>	<u>PREPARATION METHOD</u>	<u>REPORTING LIMIT</u>	<u>TEST RESULT</u>
Total halogen, PPM	S.W.9075		100	245.7
Organic halogen, PPM	S.W.9075		100	231.0
Inorganic halogens, PPM	CALCULATION		100	BRL
Gravity API @ 60°F	D-287		---	28.5
Heat of combustion, BTU/Gal D-240			2,150	143,604
Viscosity SUS @ 100°F	D-445		10	52
Flash point, °F	S.W. 1010		-10°F	> 230
Ash, Wt%	D-482		0.001	0.010
PCB's, PPM	S.W. 8082		0.05	BRL
Sulfur, Wt%	D-4294		0.001	0.0533
Water by distillation, Vol%	D-95		0.05	< 0.05

TOTAL HEAVY METALS, PPM

Arsenic	EPA-6010	EPA-3040/3050	0.50	BRL
Cadmium	EPA-6010	EPA-3040/3050	0.10	BRL
Chromium	EPA-6010	EPA-3040/3050	0.15	BRL
Lead	EPA-6010	EPA-3040/3050	0.39	BRL
Silicon	EPA-6010	EPA-3040/3050	0.28	67.00


DANIEL ZABIHI
LAB MANAGER

BRL: BELOW REPORTING LIMIT

PREPARATION METHOD: EPA-3040 FOR ORGANICS, EPA-3050 FOR ALL OTHER MATRICES

PRECISION PETROLEUM LABS, INC.'S RESPONSIBILITY FOR THE ABOVE ANALYSIS,
OPINIONS OR INTERPRETATIONS IS LIMITED TO THE INVOICE AMOUNT.

PRECISION PETROLEUM LABS, INC.

5915 Star Lane Houston, TX. 77057
Ph. 713-680-9425 Fax: 713-680-9564

CERTIFICATE OF ANALYSIS

COMPANY: WORLD PETROLEUM
INVOICE# 33002
LAB REFERENCE No.: 2007-02-285
PRODUCT ID: 4053 2-12-07
DATE RECEIVED: 02-13-2007
AUTHORIZED BY: ERIC MIRANDA

	<u>TEST METHOD</u>	<u>PREPARATION METHOD</u>	<u>REPORTING LIMIT</u>	<u>TEST RESULT</u>
Total halogen, PPM	S.W.9075		100	BRL
Organic halogen, PPM	S.W.9075		100	BRL
Inorganic halogens, PPM	CALCULATION		100	BRL
Gravity API @ 60°F	D-287		----	27.8
Heat of combustion, BTU/Gal	D-240		2,150	143,961
Viscosity SUS @ 100°F	D-445		10	58
Flash point, °F	S.W. 1010		-10°F	> 230
Ash, Wt%	D-482		0.001	0.013
PCB's, PPM	S.W. 8082		0.05	BRL
Sulfur, Wt%	D-4294		0.001	0.0529
Water by distillation, Vol%	D-95		0.05	< 0.05

TOTAL HEAVY METALS, PPM

Arsenic	EPA-6010	EPA-3040/3050	0.50	BRL
Cadmium	EPA-6010	EPA-3040/3050	0.10	BRL
Chromium	EPA-6010	EPA-3040/3050	0.15	BRL
Lead	EPA-6010	EPA-3040/3050	0.39	BRL
Silicon	EPA-6010	EPA-3040/3050	0.28	35.19


DANIEL ZABIHI
LAB MANAGER

BRL: BELOW REPORTING LIMIT

PREPARATION METHOD: EPA-3040 FOR ORGANICS, EPA-3050 FOR ALL OTHER MATRICES



SUMMIT

ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

LABORATORY REPORT

February 02, 2007

1/1

Client: World Petroleum Corp.
Address: 2269 S. University Dr.
Davie, FL 33324

Date Collected: 1/31/2007
Date Received: 2/1/2007
Project #: In House Fuel Sample
Client ID #: 4051
Laboratory ID #: 0701139-01
Matrix: Liquid

<u>Parameter</u>	<u>Method</u>	<u>Results</u>	<u>Date of Analysis</u>
% Water	ASTM D95	<0.33%	2/1/2007
Arsenic	6010	<1.0ppm	2/2/2007
Ash	D482-02	0.28%	2/1/2007
BTU/gal	D-240-76	141620/gal	2/1/2007
Cadmium	6010	<0.05ppm	2/2/2007
Chromium	6010	<4.0ppm	2/2/2007
Flash Point	1010	>200°F	2/1/2007
Inorganic Halogens	Calculation	<200ppm	2/1/2007
Lead	6010	<0.5ppm	2/2/2007
Organic Halogens	9075	<200ppm	2/1/2007
PCB	8082	<1.0ppm	2/1/2007
Silicon	6010	2000ppm	2/2/2007
Specific Gravity (API)	D-287	0.8899	2/1/2007
Sulfur, Wt%	D-4294	0.0968%	2/1/2007
Total Halogen, PPM	9075	<200ppm	2/1/2007
Viscosity SUS@100F	D-445	60.9	2/2/2007

Laboratory Manager: 

"Analytical Integrity" - A2LA Accreditation #0724.01 - NELAP Certified
595 East Tallmadge Avenue • Akron, Ohio 44310 • Phone: 330-253-8211 • Fax: 330-253-4489
Web Site: www.settek.com



SUMMIT

ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

LABORATORY REPORT

1/1

February 05, 2007

Client: World Petroleum Corp.
Address: 2269 S. University Dr.
Davie, FL 33324

Date Collected: 1/31/2007
Date Received: 2/1/2007
Project #: In House Fuel Sample
Client ID #: 4051
Laboratory ID #: 0701139-01
Matrix: Liquid

<u>Parameter</u>	<u>Method</u>	<u>Results</u>	<u>Date of Analysis</u>
% Water	ASTM D95	<0.33%	2/1/2007
Arsenic	6010	<1.0ppm	2/2/2007
Ash	D482-02	0.28%	2/1/2007
BTU/gal	D-240-76	141620/gal	2/1/2007
Cadmium	6010	<0.05ppm	2/2/2007
Chromium	6010	<4.0ppm	2/2/2007
Flash Point	1010	>200°F	2/1/2007
Inorganic Halogens	Calculation	<200ppm	2/1/2007
Lead	6010	<0.5ppm	2/2/2007
Organic Halogens	9075	<200ppm	2/1/2007
PCB	8082	<1.0ppm	2/1/2007
Silicon	6010	20000ppm	2/2/2007
Specific Gravity (API)	D-287	0.8899	2/1/2007
Sulfur, Wt%	D-4294	0.0968%	2/1/2007
Total Halogen, PPM	9075	<200ppm	2/1/2007
Viscosity SUS@100F	D-445	60.9	2/2/2007

Revised report

Laboratory Manager: _____

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Web Site: www.settek.com



SUMMIT

ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

January 30, 2007

LABORATORY REPORT

1/1

Client: World Petroleum
Address: 4717 Orange Dr
Davie, FL 33314

Date Collected: 1/27/2007
Date Received: 1/29/2007
Project #: In House Fuel
Client ID #: CP12607
Laboratory ID #: 0700989-01
Matrix: Liquid

<u>Parameter</u>	<u>Method</u>	<u>Results</u>	<u>Date of Analysis</u>
% Water	ASTM D95	6.0%	1/30/2007
Arsenic	6010	<1.0ppm	1/29/2007
Ash	D482-02	0.67%	1/30/2007
BTU/gal	D-240-76	128709/gal	1/29/2007
Cadmium	6010	<0.05ppm	1/29/2007
Chromium	6010	<4.0ppm	1/29/2007
Flash Point	1010	115°F	1/29/2007
Inorganic Halogens	Calculation	485ppm	1/30/2007
Lead	6010	12.0ppm	1/29/2007
Organic Halogens	9075	533ppm	1/30/2007
PCB	8082	<1.0ppm	1/30/2007
Silicon	6010	44.0ppm	1/29/2007
Specific Gravity (API)	D-287	0.8762	1/29/2007
Sulfur, Wt% (a)	D-4294	0.2820%	1/29/2007
Total Halogen, PPM	9075	1018ppm	1/29/2007
Viscosity SUS@100F	D-445	96.6	1/29/2007

Laboratory Manager: _____

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Web Site: www.settek.com

**SUMMIT**

ENVIRONMENTAL TECHNOLOGIES, INC.

Analytical Laboratories

LABORATORY REPORT

April 27, 2007

1/1

Client: World Petroleum Corp.
Address: 2269 S. University Dr.
Davie, FL 33324

Date Collected: 4/25/2007
Date Received: 4/26/2007
Project #: In House Fuel Analysis
Client ID #: 4.25.07
Laboratory ID #: 0704494-01
Matrix: Liquid

<u>Parameter</u>	<u>Method</u>	<u>Results</u>	<u>Date of Analysis</u>
% Water	ASTM D6304	0.59%	4/27/2007
Arsenic	6010	<1.0ppm	4/26/2007
Ash	D482-02	<0.1%	4/26/2007
BTU/gal	D-240-76	142536/gal	4/27/2007
Cadmium	6010	0.10ppm	4/26/2007
Chromium	6010	<4.0ppm	4/26/2007
Flash Point	1010	174°F	4/27/2007
Inorganic Halogens	Calculation	<200ppm	4/27/2007
Lead	6010	7.3ppm	4/26/2007
Organic Halogens	9075	530.0ppm	4/26/2007
PCB	8082	<1.0ppm	4/27/2007
Silicon	6010	70.0ppm	4/26/2007
Specific Gravity (API)	D-287	0.8888	4/27/2007
Sulfur, Wt%	D-4294	0.4507%	4/27/2007
Total Halogen, PPM	9075	574ppm	4/27/2007
Viscosity SUS@100F	D-445	To follow	

Laboratory Manager:

"Analytical Integrity" • A2LA Accreditation #0724.01 • NELAP Certified

595 East Tallmadge Avenue • Akron, Ohio 44310 • Phone: 330-253-8211 • Fax: 330-253-4489

Web Site: www.settek.com

[*]

February 2, 2004

ABOVEGROUND STORAGE TANK INFORMATION

PETROLEUM MANAGEMENT, INC.
3650 S.W. 47TH AVENUE
DAVIE, FLORIDA 33314

TANK #	VOLUME (GALLONS)	MATERIAL STORED IN TANK	INSTALLATION DATE
F-13 <i>WPC</i>	13,000	USED OIL	1/83
B-13 <i>WPC</i>	13,000	USED OIL	1/83
F-20 <i>WPC</i>	20,000	USED OIL	1/83
B-20 <i>WPC</i>	20,000	USED OIL <i>WATER</i>	1/83
F-10 <i>WPC</i>	10,000	USED OIL	1/83
B-10 <i>WPC</i>	10,000	USED OIL	1/83
F-4	4,000	USED OIL	1/83
B-4	4,000	USED OIL	1/83
F-8	8,000	USED OIL/OILY WATER	1/83
B-8	8,000	USED OIL/OILY WATER	1/83
F-30	30,000	USED OIL/OILY WATER	9/94
F-30B	30,000	USED OIL/OILY WATER	9/94
B-20B	20,000	USED OIL/OILY WATER	9/94
OVERFLOW	4,700	USED OIL/OILY WATER	9/94
PROCESS VESSEL	30,000	NOT FOR STORAGE	3/03



USED OIL PROCESSOR CHECKLIST

Facility Name: KAREN KANDOR Date: 5/17/07
 Facility Representative: _____ Facility ID: _____
 Inspector: _____ Registration #: _____

40 CFR 279 Subpart F -- Processor Standards

1. Is the facility exempt under any of the following? (279.50(a)) Y N ✓
 Transporter or burner processing incidental to normal course of operations? Y N ✓
 Processors who also generate, transport, market, dispose or burn used oil must comply with the applicable Subparts of Part 279.
2. Does the processor have an EPA ID Number? (279.51(a)) Y ✓ N
3. Is the processor Registered? (62-710.500(1)(b)) Y ✓ N
4. Does the processor have a general permit? 62-710.800(1)) Y ✓ N
5. For new facilities, was the notification of intent to use the general permit submitted 30 days prior to beginning operation? For existing facilities, was the notification for renewal submitted 30 days prior to expiration of the general permit? (62-710.800(2)) Y N

Oil Filter Processing Standards-- 62-710.850 F.A.C.

1. Does the facility process used oil filters by removing oil, draining, crushing or element separation? Describe in narrative. Generators who process their own filters are not regulated provided the filters are not disposed of in a landfill but are managed by a registered processor. Y ✓ N
 Is the facility a registered used oil filter processor? (62-710.850) Y ✓ N
2. Are the filters stored in above ground containers which are: (62-710.850(6))
 In good condition? Y ✓ N
 Closed or otherwise protected from weather? Y N ✓
 Labeled "Used Oil Filters"? Y N ✓
 Stored on an oil impervious surface? Y ✓ N
3. Are records maintained on DEP Form 62-710.900(2) or equivalent that include: (62-710.850(5)(a)) NO RECORDS; WPC taking filters to US Courthouse
 Destination or end use of the processed filters? Y ✓ N
 Name and street address of each destination or end user? Y ✓ N
 Are copies kept at the facility's street address for 3 years? (62-710.850(5)(b)) Y N
4. Is an Annual Report submitted by March 1 for the previous calendar year summarizing the above records? (62-710.850(5)(c)) Y N

Facility Name: _____

Date: _____

Oil Management Standards - 279.54

1. Is used oil stored only in tanks or containers? (Circle applicable units) Y ☒ N ☐
2. If the facility has tanks, do they comply with 62.761 and 62.762 F. A. C. rules?
(Applicable to USTs over 100 g and ASTs over 550 gallons. Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.) Y ☒ N ☐

Is secondary containment consisting of a floor and dike which are impervious to oil provided for ASTs? Applies to all ASTs regardless of size per 279.54(d & e) Y ☐ N ☐
3. Are containers and tanks in good condition and not leaking? (279.54(b)) Y ☒ N ☐
4. Are containers provided with secondary containment consisting of walls and floor at a minimum? (279.54(c)) Y ☒ N ☐

Is the containment system impervious to oil so as to prevent migration? Y ☒ N ☐
5. Are ASTs, UST tank fill lines and containers labeled "used oil"? (279.54(f)) Y ☒ N ☐
6. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? (279.54(g)) Y ☒ N ☐

General Facility Standards - 279.52

1. Is the facility maintained and operated to prevent a fire, explosion or planned or unplanned release of used oil to the air, soil, or water which could threaten human health or the environment? (279.52(a)(1)) Y ☒ N ☐
2. Does the facility have an internal communication or alarm system capable of giving immediate emergency instruction to facility personnel? (279.52(a)) Y ☒ N ☐
3. Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance from local fire departments? (279.52(a)(2)(iii)) *nextel* Y ☒ N ☐

Is there immediate access to this equipment by all personnel who are engaged in pouring, mixing, spreading or otherwise handled, either directly or by voice or visual contact with another employee? (279.52(a)(4)) Y ☐ N ☐
4. Describe fire control equipment. Is it adequate? (279.52(a)(2)(iii)) Y ☒ N ☐
5. Is spill control and decontamination equipment present? (279.52(a)(2)(iii)) Y ☒ N ☐
6. If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (279.52(a)(2)(iii)) Y ☒ N ☐ *fire hydrant in paper*
7. Is the emergency equipment inspected and tested periodically? Frequency? _____ Y ☒ N ☐

Facility Name: _____

Date: _____

8. Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (279.52(a)(5i)) Y _____ N ☒

9. Has the facility made emergency response arrangements with the following: (279.52(a)(6))

Fire Department: DANIE Y ☒ N _____

Police: DANIE Y ☒ N _____

Hospital: BROWARD GENERAL Y ☒ N _____

Emergency Response Contractor: PME (SLY) OMRP/CBT Y ☒ N _____

10. If not, has the facility attempted to do so and is the refusal documented? Y _____ N _____

Contingency Plans and Emergency Response -- 279.52(b)

1. Does the facility have a contingency plan? Y ☒ N _____

2. Is it at the facility and easily available? Y ☒ N _____

3. Does the plan include:

Fire Response Procedure: (compare to 279.52(b)(6)) N/A _____ Y ☒ N _____

Spill Response Procedures: " N/A _____ Y ☒ N _____

Explosion Response Procedures: " N/A _____ Y ☒ N _____

Instructions for handling contaminated materials & residues Y ☒ N _____

A description of arrangements with local authorities: N/A _____ Y ☒ N _____

* Emergency Coordinators: (Name) NEEDS UPDATE Y ☒ N ☒

Addresses and telephone numbers of Emergency Coordinators: Y _____ N ☒

Emergency equipment list: Y ☒ N _____

Specifications and capabilities of emergency equipment: Y ☒ N _____

Locations of emergency equipment: Y ☒ N _____

An evacuation plan and routes: Y ☒ N _____

Evacuation/alarm signals: Y ☒ N _____

External reporting procedures: Y ☒ N _____

Internal recordkeeping requirements: Y ☒ N _____

4. Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision? (279.52(b)(4)) Y _____ N ☒

5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (279.52(b)(3)) Y _____ N ☒

6. Is the emergency coordinator authorized to commit funds for incident response? Y _____ N _____

7. Has the processor noted in the operating record any incidents requiring implementation of the contingency plan? (279.52(b)(6)(ix)) Y _____ N _____

9. Were written reports made within 15 days to the DEP? (279.52(b)(6)(ix)) Y _____ N _____

Facility Name: _____

Date: _____

Rebuttable Presumption and Analysis Plan -- 279.53, 279.55

1. Does the processor have a written analysis plan to determine whether used oil stored at the facility has a total halogen content above or below 1,000 ppm and whether the facility's used oil fuel meets the used oil specification? (279.55)(a)) Y____N____
2. Is the 1,000 ppm halogen determination made by testing? Y ☒ N____
- If so, does the analysis plan cover: (279.55(a)(2))
- Sampling methods? Y ☒ N____
- Frequency of sampling? Y ☒ N____
- Analytical Methods? Y ☒ N____
- Is the 1,000 ppm halogen determination made by process knowledge? Y____N____
- If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(a)(3)) Y____N____
3. Have any analyses showed exceedances of the 1,000 ppm level? Y____N____
- If so, was the oil managed as hazardous waste? Y____N____
- If not, was the oil exempt? Describe basis for presumption rebuttal in narrative. (ex. analysis, refrigerant oil, etc.) N/A____Y____N____
4. Is the used oil fuel specification determination made by testing? *yes* Y____N____
- If so, does the analysis plan cover: (279.55(b)(2))
- Sampling methods? Y____N____
- Whether the oil will be tested before or after processing? Y____N____
- Frequency of sampling? Y____N____
- Analytical Methods? Y____N____
- Is the used oil fuel specification determination made by process knowledge? Y____N____
- If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(b)(3)) Y____N____
5. Are all oil processing residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? (279.59) N/A____Y____N____
- If not, has the processor conducted a hazardous waste determination? (279.10(e)) N/A____Y____N____
6. Are test records or copies of records providing basis for determinations kept for 3 years? Y____N____

Facility Name: _____
Date: _____

Recordkeeping and Reporting -- 279.57, 62-710.510-520 F.A.C.

1. Do used oil acceptance records include: (279.56(a))

Name & address of the generator or off site source of the used oil?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
EPA ID # of oil provider (if applicable)?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Name & Address of the transporter delivering the oil to the facility?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
EPA ID # of the transporter delivering the oil	Y <input type="checkbox"/>	N <input type="checkbox"/>
Quantity of oil shipped?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Type of oil received (62-710.510(1)(c))	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Date of shipment?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

2. Do used oil delivery records include: (279.56(b), also check marketer requirements)

Name & Address of receiving facility? (burner, processor or disposal site)	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
EPA ID # of receiving facility?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Name & Address of transporter delivering the oil?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
EPA ID # of transporter?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Quantity of oil delivered?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
End Use of the oil? (62-710.510(1)(e))	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/> processed
Date of delivery?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

3. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1))

Y ☐ N ☐

4. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520)

Y ☐ N ☐

If not, is the facility an electric utility processing only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)?

Y ☐ N ☐

5. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2))

Y ☐ N ☐

Closure -- 62-710.800(3) F.A.C. and 279.54(h)

1. Has the facility submitted a written closure plan? (62-710.800(3)(a))

Y ☒ N ☐

2. Does the plan include procedures for removing containers of oil and residues?

Y ☐ N ☐

Cleaning and decontaminating tanks and ancillary equipment?

Y ☐ N ☐

Removing contaminated soils?

Y ☐ N ☐

Eliminating the need for further maintenance?

Y ☐ N ☐

If the facility operated tank systems, and not all contaminated soils can be practicably removed, the owner or operator must close the facility as a hazardous waste landfill.

USED OIL TRANSPORTER CHECKLIST

Facility Name: _____ Date: _____
Facility Representative: _____ Facility ID #: _____
Inspector: _____ Registration #: _____

40 CFR 279 Subpart E -- Transporter Standards

1. Is the facility exempt under any of the following? (279.40(a)) Y _____ N ✓
On site transport?
Generator transporting < 55 g /time to a collection center?
Transporter of < 55 g /time from generator to aggregation point owned by same generator ?

2. If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous) Y _____ N ✓

3. Does the transporter process used oil incidental to transport? (279.41) Y _____ N ✓

Are any residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? N/A _____ Y _____ N _____

If not, has the transporter conducted a hazardous waste determination? (279.10(e)) N/A _____ Y _____ N _____

4. Has the facility notified of used oil activities? Check EPA form 8700-12 Y ✓ N _____

5. Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID Numbers, or to on-specification oil burners? (279.43(a)) Y ✓ N _____

6. Does the transporter comply with DOT requirements? (279.43(b)) Y ✓ N _____

7. If any oil is discharged during transport, does the transporter: (279.43(c))
Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable? Y _____ N _____
Report to DOT in writing per 49 CFR 171.16? Y _____ N _____
Clean up any discharges until the discharge poses no threat? Y _____ N _____

8. Does the facility also transport used oil filters? Y ✓ N _____

If so, are the filters stored in above ground containers which are: (62-710.850(6))
In good condition? Y _____ N _____
Closed or otherwise protected from weather? Y _____ N _____
Labeled "Used Oil Filters"? Y _____ N _____
Stored on an oil impervious surface? Y ✓ N _____

Facility Name: _____
Date: _____

Transporter Recordkeeping - 279.46

1. Do used oil acceptance records include: (279.46(a))

Name & Address of facility providing the oil for transport?

Y ☒ N ☐

EPA ID # of oil provider (if applicable)?

Y ☐ N ☒

Quantity of oil shipped?

Y ☒ N ☐

Date of shipment?

Y ☒ N ☐

Signature of oil provider, dated upon receipt?

Y ☒ N ☐

2. Do used oil delivery records include: (279.46(b))

Name & Address of receiving facility or transporter?

Y ☒ N ☐

EPA ID # of receiving facility or transporter?

Y ☒ N ☐

Quantity of oil delivered?

Y ☒ N ☐

Date of delivery?

Y ☒ N ☐

Signature of oil receiver, dated upon receipt?

Y ☒ N ☐

3. Do the above records also include state required information on the type of oil and destination or end use? (62-710.510(1)(c & e))

Y ☐ N ☒

4. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1))

Y ☒ N ☐

5. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520)

Y ☒ N ☐

If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)?

Y ☐ N ☐

7. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2))

Y ☒ N ☐

Transporter Certification (62-710 F.A.C.)

1. Is the transporter certified? (local governments, and < 55g/time transporters are exempt) (62-710.600)

Y ☒ N ☐

2. Does the facility maintain training records? (62-710.600(2)(c))

Y ☐ N ☐

3. Does the facility maintain insurance or financial assurance of ~~\$100,000~~ combined single limit? (62-710.600(2)(d))
1,000,000

Y ☒ N ☐

4. Is the facility registration form and ID number displayed? (62-710.500)

Y ☒ N ☐

Facility Name: _____

Date: _____

Transfer Facility Standards - 279.45

1. Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F

N/A ☒ *not* Y ___ N ___

Is the transfer facility registered per 62-710.500(1)(a) F. A. C.?

Y ___ N ___

2. Does the transporter determine whether used oil stored at a transfer facility has a total halogen content above or below 1,000 ppm?

Y ☒ N ___

Is this done by testing?

Y ☒ N ___

Is this done by process knowledge? Describe basis in narrative.

Y ___ N ___

Are test records or copies of records providing basis for determination kept for 3 years?

Y ___ N ___

3. Have any analyses showed exceedances of the 1,000 ppm level?

Y ___ N ___

If so, was the oil managed as hazardous waste?

Y ___ N ___

If not, was the oil exempt? Describe in narrative.

N/A ___ Y ___ N ___

4. Is used oil stored only in tanks or containers? (Circle applicable units)

Y ☒ N ___

5. If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C rules? (Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)

Y ☒ N ___

Is secondary containment provided and adequate?

Y ___ N ___

6. Are containers, and tank trailers in good condition and not leaking?

Y ☒ N ___

7. Are containers provided with secondary containment consisting of walls and floor at a minimum?

Y ☒ N ___

Is the containment system impervious to oil so as to prevent migration?

Y ___ N ___

8. Are ASTs, UST tank fill lines and containers labeled "used oil?"

Y ___ N ___

9. Are used oil filters stored more than 10 days?

If so, is the facility a registered used oil filter transfer facility? (62-710.850) N/A ___ Y ___ N ___

10. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?

Y ___ N ___

TRANSPORTERS CHECKLIST

Transporter Requirements (40 CFR 263)

1. Do vehicles transporting hazardous waste have the appropriate placards? (263.10)(49 CFR 172.500) Y ☒ N ☐
2. Does transporter have an EPA identification number? (263.11(a)) Y ☒ N ☐
3. Does the transporter mix/consolidate hazardous wastes of different DOT shipping descriptions 263.10(c)(2)? Y ☐ N ☒
If Yes, Complete Generator Checklist
4. Does the transporter use manifest system as required by 263.20? Y ☒ N ☐
Do the manifests contain at least:
 - a) Name, address, and EPA ID of transporter? Y ☒ N ☐
 - b) Name, address, and EPA ID code of generator? Y ☒ N ☐
 - c) Name, address, identification code of designated permitted facility? Y ☒ N ☐
 - d) Corresponding manifest document number? Y ☒ N ☐
 - e) Description and quantity of each hazardous waste? Y ☒ N ☐
 - f) Signature of subsequent transporters? Y ☒ N ☐
 - g) Signatures signifying proper delivery or reasons why delivery could not be certified? Y ☐ N ☐
 - h) EPA waste codes? Y ☒ N ☐
5. International shipments: (263.20(g)) NA ☒
 - a) Record of date waste left U.S.? Y ☐ N ☐
 - b) Presence of one signed copy in records? Y ☐ N ☐
 - c) Signed copy of manifest returned to the generator? Y ☐ N ☐
 - d) Copy of the manifest given to a U.S. Customs official at the point of departure from the United States? Y ☐ N ☐
6. For SQG waste transported according to reclamation agreement:
 - a) Is the following information recorded on a shipping paper: N/A
Name, address, and EPA ID of waste generator Y ☐ N ☐
Quantity of waste accepted Y ☐ N ☐
DOT - required shipping info Y ☐ N ☐
Date waste is accepted Y ☐ N ☐
b) Does transporter carry this shipping paper during transport? Y ☐ N ☐
c) Are records maintained for three years after termination or expiration of reclamation agreement? Y ☐ N ☐
d) Are vehicles owned and operated by the waste reclaimer? Y ☐ N ☐
7. Are copies of the manifests retained for 3 years? (263.22) Y ☐ N ☐
8. Is there evidence of discharge of hazardous waste? (263.30) Y ☐ N ☒

Facility: _____
Date: _____

9. Has transporter demonstrated the financial responsibility required under 62.730.170(2) F. A. C.? Y ☒ N _____
10. Does the transporter verify financial responsibility with the Department annually (62-730.170(3) F. A. C.)? Y ☒ N _____
11. Does the transporter manage Conditionally exempt or Household wastes? Y ☒ N _____
- a) Does the transporter have documentation that this waste was generated by an unregulated source? Y ☒ N _____
- b) If no, is the transporter assuming responsibility as the generator of this waste? Y _____ N ☒ _____
- If yes, complete the applicable Generator or Small Quantity Generator checklist.

_____ N/A Transfer Facility Requirements (17-730.171)

1. 10 Day Limit (263.12)

- Does transporter comply with 10 day storage limit for transfer facilities? Y _____ N _____
- a) Is the hazardous waste packaged according to 262.30? (263.12) Y _____ N _____
- b) Can the facility document that the material is held only as part of the normal course of transportation? Y _____ N _____

If not, the storage may not be exempt.

2. Closure (62-730.171(2)(b) F. A. C.)

- Does facility have a written closure plan satisfying requirements of closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112(c), 265.114, 265.115? Y _____ N _____
- Has the facility supplied DEP with a copy of the plan? Y _____ N _____

3. Storage Areas (62-730.171(2)(d) F. A. C.)

Is hazardous waste that is stored in containers or vehicles stored on a man made surface which is capable of preventing spills or releases to the ground? Y _____ N _____

4. Operating Record (62-730.171(2)(e) F. A. C.)

- a) Is a written log maintained for all waste entering or leaving the transfer facility? Y _____ N _____
- b) Does the log contain:
- Generators' names? Y _____ N _____
- Manifest numbers? Y _____ N _____
- Dates when waste enters and leaves facility? Y _____ N _____

5. Notification (62-730.171(3) F. A. C.)

- Has the facility notified the department on Form 17-730.900(6) (Transfer facility notification form)? Y ☒ N _____
- Does the transfer facility have an EPA/DER ID number? Y _____ N _____

Facility: _____
Date: _____

6. General Facility Standards (265 Subpart B)

a) Security (265.14)

- (1) Is the facility security system adequate to minimize unauthorized entry? Y____N____
- (2) Are signs posted and legible for 25 feet? Y____N____

b) Inspection Requirement (265.15)

- (1) Does the facility have a copy of the Inspection Plan? Y____N____
- (2) Does the facility have completed inspection logs? Y____N____
- (3) Were the deficiencies corrected in a timely manner? Y____N____
- (4) Are the inspection logs maintained at the facility for 3 years? Y____N____

c) Personnel Training (265.16)

- (1) Do facility personnel complete hazardous waste training? Y____N____

Comments:

- (2) Does the facility combine DOT Hazmat training with hazardous waste training? Y____N____
- (3) Is the trainer adequately trained in hazardous waste management procedures? Y____N____
- (4) Does the training cover safety? Y____N____
- (5) Does the training cover emergency response procedures, including equipment handling and inspection? Y____N____
- (6) Does the training cover hazardous waste identification and handling procedures? Y____N____
- (7) Does the facility maintain personnel training records? Y____N____
- (8) Does the facility maintain job titles and position descriptions for employees managing hazardous waste? Y____N____
- (9) Do the job descriptions include the requisite skills, education and experience ? Y____N____
- (10) Do the job descriptions include a list of the positions' duties? Y____N____
- (11) Are people trained within 6 months of hiring? Y____N____
- (12) Do they work unsupervised prior to training? Y____N____
- (13) Is training reviewed annually? Date of last training _____ Y____N____
- (14) Are records maintained for three years? Y____N____

Facility: _____
Date: _____

d) Ignitable, Reactive, or Incompatible Waste (265.17)

(1) Is the waste separated and confined from sources of ignition or reaction, sparks, spontaneous ignition, and radiant heat? Y____N____

(2) Are "No Smoking" signs posted in the area? Y____N____

7. Preparedness and Prevention (40 CFR 265 Subpart C)

a) Is there evidence of a fire, explosion or release of hazardous waste or hazardous waste constituents to the environment? (265.31) Y____N____

If Yes, has the facility reported in writing to DOT as required by 49 CFR 171.16? Y____N____

b) Does the facility have an internal communication or alarm system? (265.32(a)) Y____N____

c) Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance? (265.32(b)) Y____N____

d) Describe fire control equipment. Is it adequate? (265.32(c)) Y____N____

e) Is spill control and decontamination equipment present? (265.32(c)) Y____N____

f) If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (265.32(d)) Y____N____

g) Is the emergency equipment inspected and tested periodically? Y____N____

h) Frequency? _____

i) Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (265.35) Y____N____

j) Has the facility made emergency response arrangements with the following: (265.37)

Fire Department: _____ Y____N____

Police: _____ Y____N____

Hospital: _____ Y____N____

Emergency Response Contractor: _____ Y____N____

k). If not, has the facility attempted to do so and is the refusal documented? Y____N____

Facility: _____
Date: _____

4. Contingency Plans and Emergency Response (265 Subpart C)

- a) Does the facility have a contingency plan? 265.51) Y____N____
- b) Is it at the facility and easily available? (265.53) Y____N____
- c) Does the plan include:
- | | | |
|--|---------|------------|
| Fire Response Procedure: | N/A____ | Y____N____ |
| Spill Response Procedures: | N/A____ | Y____N____ |
| Explosion Response Procedures: | N/A____ | Y____N____ |
| A description of arrangements with local authorities: | N/A____ | Y____N____ |
| Emergency Coordinators: (Name) _____ | | Y____N____ |
| Addresses and telephone numbers of Emergency Coordinators: | | Y____N____ |
| Emergency equipment list: | | Y____N____ |
| Specifications and capabilities of emergency equipment: | | Y____N____ |
| Locations of emergency equipment: | | Y____N____ |
| An evacuation plan and routes: | | Y____N____ |
| Evacuation/alarm signals: | | Y____N____ |
- d) Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision? Y____N____
- e) Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (265.53) Y____N____
- f) Is the emergency coordinator authorized to commit funds for incident response? Y____N____

5. Off Vehicle Container Storage Areas (Subpart I - Use and Management of Containers 265.170)

- a) Are the containers in good condition (265.171)?
(check for leaks, corrosion, bulges, etc.) Y____N____
- b) If a container is found to be leaking, does the operator transfer the hazardous waste from the leaking container? Y____N____
- c) Is the waste compatible with the containers and/or its liner? (265.172) Y____N____
- d) Are containers holding hazardous waste opened, handled or stored in such a manner as to cause the container to rupture or leak? (265.173) Y____N____
If yes, explain using narrative.
- e) Are each of the containers inspected at least weekly (265.174)? Y____N____
If no, explain using narrative concerning the frequency of inspection.
- f) Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility property line? (265.176) Y____N____
- g) Are incompatible wastes stored in the same containers? Y____N____
- h) Are containers holding incompatible wastes kept apart by physical barrier or sufficient distance? Y____N____

**NON-HAZARDOUS
WASTE MANIFEST**

1. Generator's US EPA ID No.

F. L. D. 9. 8. 0. 7. 0. 9. 0. 7. 5

Manifest Doc. No.

15663

2. Page 1

1 of 1

3. Generator's Name and Mailing Address

PETROLEUM MANAGEMENT, INC.
4700 OAKES ROAD
DAVIE, FLORIDA 33314

4. Generator's Phone (954) 581-4455

5. Transporter 1 Company Name

6. US EPA ID Number

A. Transporter's Phone

7. Transporter 2 Company Name

8. US EPA ID Number

B. Transporter's Phone

9. Designated Facility Name and Site Address

WORLD PETROLEUM
3650 SW 47 AVENUE
DAVIE, FLORIDA 33314

10. US EPA ID Number

F. L. R. 0. 0. 0. 0. 9. 6. 9. 7. 4

C. Facility's Phone

954-327-0724

11. Waste Shipping Name and Description

12. Containers

No.

Type

13. Total
Quantity

14. Unit
Wt/Vol

a. COMBUSTIBLE LIQUIDS, N.O.S.
NA1993 PGIII (BLENDED FUELS)

001

4

3824
03284

G

b. COMBUSTIBLE LIQUIDS, N.O.S.
NA1993 PGIII (CONTAMINATED WATER)

TT

G

c. OILY SOLIDS - NON D.O.T. REGULATED
(USED OIL FILTERS)

d.

D. Additional Descriptions for Materials Listed Above

11A) (X)

(L.I.)

11B)

(L.C.)

E. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

SEND MANIFEST TO: P.M.I.

ERG #128

2191 SW 115 TERRACE

DAVIE, FLORIDA 33325

24-HR. EMERGENCY PHONE: 954-581-4455

16. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Printed/Typed Name

Renneth P. Harrah

Signature

Month Day Year
03 13 07

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of waste materials covered by this manifest except as noted in Item 19.

Printed/Typed Name

Sean Murphy

Signature

Month Day Year
03 13 07

ORIGINAL - RETURN TO GENERATOR

PETROLEUM MANAGEMENT, INC.

2191 SW 115 Terrace

DAVIE, FL 33325

Broward (954) 581-4455

Truck#

I#

EPA# FLD 980709075

NAME <i>World Petroleum Corp</i>		PH. NO.		DATE <i>13 Mar 07</i>	
ADDRESS <i>3630 SW 42nd Ave</i>					
SOLD BY <i>Devere H</i>		CASH	C.O.D.	CHARGE ON ACCT.	MDSE. RETD. LAYAWAY
QTY.	DESCRIPTION	PRICE		AMOUNT	
	<i>Oil transfer from 30K to</i>				
	<i>Tank to WPC Cooper</i>				
	<i>Start @ 91" = 2046 gal</i>				
	<i>Run @ 404" = 24284 gal</i>				
	<i>Total gallons 3824</i>				
	<i>tested @ 1096</i>				
SNIFF TEST:	PASS	FAIL		TAX	
RECEIVED BY	<i>[Signature]</i>		TOTAL		

No. 015063

ALL CLAIMS AND RETURNED GOODS
MUST BE ACCOMPANIED BY THIS BILL.

GP-151-3

PRINTED IN U.S.A.

Thank You 3824 to E. 5574

GENERATOR
INT'L
TRANSPORTER
DESIGNATED FACILITY

NON-HAZARDOUS
WASTE MANIFEST

1. Generator ID Number
FLR000096974

2. Page 1 of
1

3. Emergency Response Phone
864-327-0724

4. Waste Tracking Number

7079

5. Generator's Name and Mailing Address

World Petroleum Corp.
PO Box 291197
Dade, FL 33325

Generator's Site Address (if different than mailing address)

2850 SW 47 Ave
Dade, FL 33314 USA

Generator's Phone:

864-327-0724

6. Transporter 1 Company Name

World Petroleum Corp

U.S. EPA ID Number

FLR000096974

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

8351 NW 93 Street
Medley, FL 33166

U.S. EPA ID Number

FLD004128336

Facility's Phone:

305-885-0301

9. Waste Shipping Name and Description

10. Containers

No.

Type

11. Total
Quantity

12. Unit
WL/Vol.

1. Non regulated solid (Spent oil filters)

001

TT

P

2.

3.

4.

13. Special Handling Instructions and Additional Information

14. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Generator's Officer's Printed/Typed Name

Sean Murphy

Signature

Month

5

Day

15

Year

2007

15. International Shipments

☐

Import to U.S.

☐

Export from U.S.

Port of entry/exit:

Date leaving U.S.:

Transporter Signature (for exports only):

16. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name

Arturo Rodriguez

Signature

Month

5

Day

15

Year

2007

Transporter 2 Printed/Typed Name

Signature

Month

5

Day

15

Year

2007

17. Discrepancy

17a. Discrepancy Indication Space

☐

Quantity

☐

Type

☐

Residue

☐

Partial Rejection

☐

Full Rejection

Manifest Reference Number:

U.S. EPA ID Number

17b. Alternate Facility (or Generator)

Facility's Phone:

17c. Signature of Alternate Facility (or Generator)

Month

Day

Year

18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a

Printed/Typed Name

Gene Borrell

Signature

Month

05

Day

15

Year

07

WASTE MANIFEST		FLR000096974	2. Page 1 of 1	3. Emergency Response Phone 954-327-0724	4. Waste Tracking Number 7068
5. Generator's Name and Mailing Address WIND FARM, INC. PO Box 291137 Dayle, FL 33329			Generator's Site Address (if different than mailing address) 5650 SW 47 Ave Dayle, FL 33314 USA		
Generator's Phone: 954-327-0724					
6. Transporter 1 Company Name WIND FARM, INC. SWS FIRST RESPONSE			U.S. EPA ID Number FLR000050385		
7. Transporter 2 Company Name			U.S. EPA ID Number		
8. Designated Facility Name and Site Address 3351 NW 33 Street Medley, FL 33155			U.S. EPA ID Number FLD004128335		
Facility's Phone: 305-865-0301					
9. Waste Shipping Name and Description		10. Containers		11. Total Quantity	12. Unit Wt./Vol.
		No.	Type		
1. Non regulated solid (Spent oil filters)		001	TT	12,000	P
2.					
3.					
4.					
13. Special Handling Instructions and Additional Information					
14. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.					
Generator's/Officer's Printed/Typed Name Natasha Rivera					
Signature <i>Natasha Rivera</i> Month <u>4</u> Day <u>30</u> Year <u>200</u>					
15. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____					
16. Transporter Acknowledgment of Receipt of Materials					
Transporter 1 Printed/Typed Name <i>Christopher P Grimm</i>			Signature <i>Christopher P Grimm</i> Month <u>4</u> Day <u>30</u> Year <u>200</u>		
Transporter 2 Printed/Typed Name			Signature _____ Month <u>4</u> Day <u>30</u> Year <u>200</u>		
17. Discrepancy					
17a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
17b. Alternate Facility (or Generator) Manifest Reference Number: _____ U.S. EPA ID Number _____					
Facility's Phone: _____					
17c. Signature of Alternate Facility (or Generator) _____ Month _____ Day _____ Year _____					
18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a					
Printed/Typed Name <i>Corino Powell</i>			Signature <i>Corino Powell</i> Month <u>04</u> Day <u>30</u> Year <u>07</u>		

TRK # 6016

7056A

**NON-HAZARDOUS
WASTE MANIFEST**

1. Generator ID Number

FL 300055974

2. Page 1 of

3. Emergency Response Phone

4. Waste Tracking Number

5. Generator's Name and Mailing Address

World Petroleum Corp.
PO Box 291197
Davie, FL 33329

Generator's Site Address (if different than mailing address)

3650 SW 47 Ave
Davie, FL 33314 USA

Generator's Phone: 954-327-0724

6. Transporter 1 Company Name

~~World Petroleum Corp~~

SWS FIRST RESPONSE

U.S. EPA ID Number

FLR 000050335

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

US Foundry
8351 NW 93 Street
Medley, FL 33165

U.S. EPA ID Number

FLD004128335

Facility's Phone: 305-885-0301

9. Waste Shipping Name and Description

1. Non regulated solid (Spent oil filters)

10. Containers

No.

Type

11. Total Quantity

12. Unit Wt./Vol.

001

CM # 94

EST. 16,000

P

13. Special Handling Instructions and Additional Information

SWS # FL 0704

14. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Generator's/Officer's Printed/Typed Name

Natasha Rivera

Signature

Natasha Rivera

Month Day Year

4 17 2007

15. International Shipments ☐ Import to U.S. ☐ Export from U.S.

Port of entry/exit:

Date leaving U.S.: 4/17/2007

16. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name

STEVE R. KALBAUGH JR.

Signature

Steve R. Kalbaugh Jr.

Month Day Year

04 17 07

Transporter 2 Printed/Typed Name

Signature

Month Day Year

17. Discrepancy

17a. Discrepancy Indication Space

☐ Quantity

☐ Type

☐ Residue

☐ Partial Rejection

☐ Full Rejection

Manifest Reference Number:

17b. Alternate Facility (or Generator)

U.S. EPA ID Number

Facility's Phone:

17c. Signature of Alternate Facility (or Generator)

Month Day Year

4 17 2007

18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a

Printed/Typed Name

Sonia Kohler

Signature

Sonia Kohler

Month Day Year

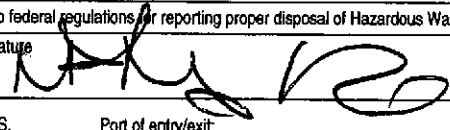

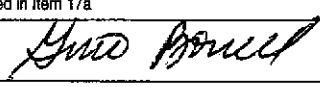
4/17/07

GENERATOR

INT'L

TRANSPORTER

DESIGNATED FACILITY

NON-HAZARDOUS WASTE MANIFEST		1. Generator ID Number FLR000096974		2. Page 1 of 1	3. Emergency Response Phone 554-327-0724		4. Waste Tracking Number 7063		
5. Generator's Name and Mailing Address World Petroleum Corp. PO Box 291127 Davie, FL 33329					Generator's Site Address (if different than mailing address) 3650 SW 47 Ave Davie, FL 33314 USA				
6. Transporter 1 Company Name World Petroleum Corp					U.S. EPA ID Number FLR000096974				
7. Transporter 2 Company Name					U.S. EPA ID Number				
8. Designated Facility Name and Site Address US Foundry 8351 NW 93 Street Medley, FL 33166					U.S. EPA ID Number FLD004128335				
Facility's Phone: 305-885-0301									
9. Waste Shipping Name and Description					10. Containers		11. Total Quantity	12. Unit Wt./Vol.	
					No.	Type			
1. Non regulated solid (Spent oil filters)					001	TT	6,000	P	
2.									
3.									
4.									
13. Special Handling Instructions and Additional Information Used Oil Filters									
14. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.									
Generator's/Officer's Printed/Typed Name Natasha Rivera					Signature 		Month 4	Day 24	Year 20
15. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:									
16. Transporter Acknowledgment of Receipt of Materials									
Transporter 1 Printed/Typed Name Christopher P Grimm					Signature 		Month 4	Day 24	Year 20
Transporter 2 Printed/Typed Name					Signature		Month 4	Day 24	Year 20
17. Discrepancy									
17a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection									
17b. Alternate Facility (or Generator)					Manifest Reference Number: U.S. EPA ID Number				
Facility's Phone:									
17c. Signature of Alternate Facility (or Generator)					Month 4 Day 24 Year 20				
18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a									
Printed/Typed Name Geno Bonnell					Signature 		Month 04	Day 24	Year 07

**NON-HAZARDOUS
WASTE MANIFEST**

1. Generator ID Number

FLR000066974

2. Page 1 of

3. Emergency Response Phone

954-327-0724

4. Waste Tracking Number

1038

5. Generator's Name and Mailing Address

World Petroleum Corp.
PO Box 291197
Davie, FL 33329

Generator's Site Address (if different than mailing address)

3650 SW 47 Ave
Davie, FL 33314 USA

Generator's Phone:

954-327-0724

6. Transporter 1 Company Name

World Petroleum Corp

U.S. EPA ID Number

FLR000066974

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

US Foundry
8351 NW 93 Street
Medley, FL 33166

U.S. EPA ID Number

FLDCC4128336

Facility's Phone:

305-885-0301

9. Waste Shipping Name and Description

10. Containers

No.

Type

11. Total
Quantity

12. Unit
Wt./Vol.

1. Non regulated solid (Spent oil filters)

001

TT

2.

3.

4.

13. Special Handling Instructions and Additional Information

14. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Generator's/Officer's Printed/Typed Name

Erica Miranda

Signature

Month 3 Day 29 Year 2007

15. International Shipments

☐

Import to U.S.

☐

Export from U.S.

Port of entry/exit:

Date leaving U.S.:

3/29/2007

16. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name

Signature

Month Day Year

Transporter 2 Printed/Typed Name

Signature

Month Day Year

17. Discrepancy

17a. Discrepancy Indication Space

☐

Quantity

☐

Type

☐

Residue

☐

Partial Rejection

☐

Full Rejection

Manifest Reference Number:

17b. Alternate Facility (or Generator)

U.S. EPA ID Number

Facility's Phone:

17c. Signature of Alternate Facility (or Generator)

Month 3 Day 29 Year 2007

18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in item 17a


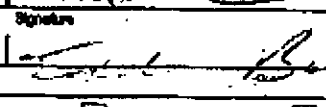
Printed/Typed Name

Celso Borrell

Signature

Celso Borrell

Month 03 Day 29 Year 07

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CE.S.G.G	2. Page 1 of 2	3. Emergency Response Phone (954) 561-4455	4. Manifest Tracking Number 001214060 JJK		
5. Generator's Name and Mailing Address KEL AUTO AIR CONDITIONING 2016 SOUTH ANATHEAS AVE FL 16011 AND FLORIDA 33716		Generator's Site Address (if different than mailing address)					
Generator's Phone: (954) 524-9169							
6. Transporter 1 Company Name PETZOLD'S MANAGEMENT		U.S. EPA ID Number FL0980709075					
7. Transporter 2 Company Name EG FLORIDA INC		U.S. EPA ID Number FL0981932494					
8. Designated Facility Name and Site Address EG FLORIDA INC 7203 EAST 79th AVENUE THUNDERBOLT FLORIDA 33769		U.S. EPA ID Number FL0981932494					
Facility's Phone: (954) 679-5463							
GENERATOR	9a. HWM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any)) WASTE FLAMMABLE LIQUIDS N.O.S. 3 UN 1993 PG II	10. Containers Hls. Type 661 UN SS C		11. Total Quantity 55	12. Unit Wt./Vol. C	13. Waste Codes D001
14. Special Handling Instructions and Additional Information SA-1 ERG 128 P.M.I. 34 HOUR EMERGENCY PHONE (954) 561-4455 SEND MANIFEST TO P.M.I. 3411 S.W. 115 TERRACE DANIE, FLORIDA 33305							
15. GENERATOR/SUPPLIER'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Supplier's Printed/Typed Name JOSEFF PROSTE							
Signature 							
Month Day Year 15 17 07							
TRANSPORTER INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Part of entry/exit Date leaving U.S.						
	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name K. H. Stover						
TRANSPORTER INTL	Transporter 2 Printed/Typed Name Frank B...						
	Signature 						
	Month Day Year 15 17 07						
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number						
	Facility's Phone:						
	18c. Signature of Alternate Facility (or Generator) Month Day Year						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. 2. 3. 4.							
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a							
Printed/Typed Name Signature Month Day Year							

February 2, 2004

3). If the laboratory analysis were to reveal a level of TOX > 4000 ppm, the laboratory would be instructed to run analysis for the F listed solvents, the eight RCRA metals and a flashpoint. The load would be profiled to a hazardous waste facility and upon acceptance the material will be transported to a designated TSDF in accordance with 40 CFR Subtitle C regulations. A list of the generators for that load would be compiled and the plant manager would visit each site to inform them for the potential problems associated with mixing hazardous waste with used oil. In addition, the drivers are notified not to service these stops without first obtaining a sample of the material for future analysis if required.

Shipments brought to P.M.I. by other registered used oil transporters are subject to the sampling procedure specified above. Should the load fail any portion of the screening criteria, the entire shipment is rejected.

D. Oily Wastes

It is preferred policy that the client provide analytical results for any used oil streams which contain oily wastes which have already become separated from the used oil however, P.M.I. recognizes that storage patterns and the use of high power vacuum equipment does not always allow on site separation of oily wastes contained or confined by used oil. Therefore, when it is not practical to distinguish a used oil waste stream from the oily wastes contained, oily wastes will be treated as part of the used oil shipment and segregation shall take place at the facility as part of the process.

These oily wastes are managed as follows:

- 1). Residue from truck decon procedures.
- 2). Tank bottom sludges from tank cleanings performed on the process tanks as part of facility maintenance.

These materials are stored and tested for shipment to permitted processing facilities.

E. Materials Storage

All materials are stored in aboveground tanks registered with FDEP, where required by FAC 62-762, or DOT-approved shipping containers. The tanks are labeled USED OIL. Drums are labeled with non-hazardous shipping labels that contain generator information, date and material description.

February 2, 2004

F. On Specification Claim

Used oil fuels are processed at P.M.I.'s facility using physical means to obtain an on-specification used oil fuel. Sampling and analysis performed by a state certified laboratory are used to verify the on spec claim. The used oil fuel is produced in batches. The physical properties of the material are monitored in house using an on site lab however, once a load is accumulated in a storage tank, a composite representative sample of the material is obtained and the sample is sent to a state certified laboratory for testing.

Analytical Parameters:	Parameter	Method
Total Halogens, ppm		S.W. 9076/5050/923A
Flash Point, °F		S.W. 1010/ASTM D93
PCB's, ppm		S.W. 8080/3350/8082
Sulfur, Wt. %		D-4294/5050/9038
PH		EPA 9045 C
Total Arsenic, ppm		S.W. 3050/7061A
Total Cadmium, ppm		S.W. 3050/7130
Total Chromium, ppm		S.W. 3050/7190
Total Lead, ppm		S.W. 3050/7420
Total Mercury, ppm		7471 A

The analytical data obtained is used to determine the quality of the tank batch and to satisfy the on-specification fuel claim as described in 40 CFR 279.11. Shipments of each batch are recorded and copies of the analysis will be maintained on site for a minimum of three years.

February 2, 2004

February 2, 2004

ATTACHMENT C

ANALYSIS PLAN

Used Oil Operating Procedures and Waste Analysis Plan per 40 CFR 279

A. All used oil, oily wastes and oily water sources must:

- 1- Correspond with the definition of used oil ("any oil that has been refined from crude oil or any synthetic oil that has been used and as a result of such use is contaminated by physical or chemical impurities").
- 2- not have been mixed with hazardous waste as defined in 40 CFR Subpart D.

OILY WASTES AS DEFINED BY FAC 62.710.200 mean those materials that are mixed with used oil and have become separated from that used oil. Oily wastes also mean materials, including wastewaters, filter residues or sludges, bottom sediments, tank bottoms, and sorbents which have come into contact with, and have been contaminated by, used oil and may be appropriately tested and discarded in a manner which is in compliance with other state and local requirements.

NOTE: Mixtures of used oil and wastes that are hazardous solely for the characteristic of ignitability may be managed as used oil provided the generator can produce analytical results to demonstrate that the mixture has a flashpoint $> 140^{\circ}\text{F}$.

B. Driver Responsibilities

The driver/operator of a P.M.I. vehicle used in the transport of used oil must at each pump out:

- 1- Verify that the material being removed conforms with the physical properties used oil or contains an oily sheen.
- 2- Identify the used oil category as industrial, automotive or mixed as described by State of Florida regulations.
- 3- Perform a halogen screening with a halogen detector and when necessary, bring a sample to the plant for testing with a Dextil Q 4,000 to determine if the used oil contains chlorinated compounds.

- a). Results of the halogen screen will be recorded on the drivers log.
- b). Any waste streams that yield a positive result from the halogen detector will be checked using the Dextil test. Any shipments yielding a halogen reading greater than 1000 ppm using the Dextil screening will be presumed to have been mixed with hazardous waste and will not be picked up pending characterization. The generator will be notified of our findings and be given quotes for testing and disposal.

C. Facility Requirements

Off Loading Procedures

Each shipment of used oil and oily waters received at P.M.I.'s facility is sampled using a tank thief prior to off loading. The sample is checked for halogen content using a Dextil Q 4,000, and % water by distillation. Used oils and oily waters are pumped into the tank farm and the gallonage is recorded along with the sample data on a facility "Initial Entry Ticket".

If a shipment were to be received at the facility and failed the halogen screening the material would be segregated and a sample drawn using a tank thief or drum colliwasa for shipment to a state certified laboratory. The laboratory first performs a TOX on the sample. Based on the results of this test, additional analytical data including volatiles by EPA methods 8240 or 8260 and PCB's may be required.

- 1). If the laboratory TOX is < 1000 ppm it is noted on the drop ticket and the load is pumped into the tank farm.

- 2). If the laboratory analysis were to reveal a level of TOX between 1000 ppm and 4000 ppm, the lab would analyze the material for chlorinated hydrocarbons and PCB. The shipment manifests would be reviewed for source indicators and the plant manager could choose to visit suspect sites and interview the generators. The information gathered and the analytical results would be used to make waste determination regarding the RCRA classification of the used oils and the load would be handled in accordance with all federal, state and local regulations.

February 2, 2004

EMERGENCY PHONE NUMBERS

TYPE OF FACILITY:

Waste Oil Bulk Storage

NAME OF FACILITY:

Petroleum Management, Inc.

LOCATION OF FACILITY:

3650 S.W. 47th Avenue
Davie, FL 33314

**NAME AND ADDRESS OF
PARENT CORPORATION:**

2191 S.W. 115 Terrace
Davie, FL 33325

**COMPANY EMERGENCY
PHONE NUMBERS:**

Plant Manager - Joel Smith
Cell Phone: 954-658-4394
Home Phone: 954-733-8380
Operation Manager - Judd Gilbert
Corporate Office - Judd Gilbert - 954-581-4455
Cell Phone - 954-650-7623

CONSULTANTS:

Geotech Environmental
Phone: 954-597-9100
Neil Lakhiani

**EMERGENCY PHONE
NUMBERS: (2 people
in authority)**

Judd Gilbert - 954-581-4455 - Cell Phone: 954-650-7623
Joel Smith - Cell Phone: 954-658-4394
Home Phone: 954-733-8380

**EMERGENCY RESPONSE
AGENCIES:**

<u>DEPARTMENT</u>	<u>COUNTY</u>
Sheriff	911
Police	911
Fire	911
Ambulance	911
Hospital	911

National Response Center

(800) 424-8802

Environmental Protection Agency (707) 347-3016

**Florida Department of
Environmental Regulation
State Warning Point**

(850) 413-9911

**Department of Planning &
Environmental Protection**

(954) 519-1400

February 2, 2004

EXHIBIT I

EMERGENCY COORDINATORS ON-SITE

PHONE NUMBERS

Chief: Joel Smith

Cell Phone: 954-658-4394

Deputy: Judd Gilbert

954-581-4455

Cell Phone: 954-650-7623

EMERGENCY COORDINATOR OFF-SITE

Judd Gilbert
President

954-581-4455

Consultant: Geotech Environmental, Inc.
Tamarac, Florida
Neil Lakhiani

954-597-9100

EMERGENCY RESPONSE TEAM:

All operations personnel will comprise the Emergency Response team and will be under the authority of the Emergency Coordinator.

The Chief Emergency Coordinator will determine whether additional assistance is needed from local fire or police units or other emergency response agencies as needed.

February 2, 2004

ARRANGEMENTS WITH LOCAL AUTHORITIES

Arrangements have been made to inform representatives of local fire and police departments of plant layout, location of possible hazards, emergency location and operation, the evacuation plan and route, and other critical information.

Arrangements should also be made to familiarize hospitals with the types of injuries or illnesses which could result from fires, explosions or releases at the facility.

Where State or Local authorities decline to cooperate or enter into such arrangements, the Plant Manager is to document their refusal.

POST EMERGENCY EQUIPMENT MAINTENANCE

All equipment used and/or involved either superficially or directly with the emergency must be cleaned and gone through to ensure its fitness for its intended use before normal facility operations are resumed. All solvents, protective clothing and equipment used or damaged as the result of the emergency must be replaced or fixed within two weeks in order to assure adequate response to future mishaps.

SECURITY PLAN

Introduction

The security measures for the plant site must provide security and control of access to deny unauthorized ingress or egress, except by willful entry and prevent entry by domestic livestock.

The Operations Manager is responsible for administering all security measures.

External Security

The following measures are employed to restrict entrances and exits at the site:

The integrity of the chain link fence surrounding the site will be maintained each shift.

Entry control at the gate will consist of the following measures:

1. All vehicles must stop for permission to enter.
2. All visitors must register and must be accompanied by company personnel while on the premises.
3. During shutdown, the gate is securely locked.

Warning signs forbidding unauthorized entry are posted at the entry gate and along the perimeter fence.

Lighting is utilized for security purposes.

February 2, 2004

5. Call County Fire Department (Station 1) 911:

Tell them there has been a tank failure at Petroleum Management, Inc. at 3650 S.W. 47 Ave, Davie, FL and used oil is being contained. The Fire Department should be present with foam extinguishers to protect against fire.

6. Notify the County Sheriff's Department at 911.

7. Secure the portable pump from the maintenance building.

8. Set the equipment at least 25.0 feet away from the spill area to avoid any possible electrical ignition of the spilled fuel.

9. Position as many empty tankers as necessary to pump the fuel out of the dike and into the tanker. The tankers should be parked by the loading rack if possible to handle any tanker overflow. (Could require 3 to 5 tankers depending on the size of the tanker and the quantity of fuel in the storage tank).

10. As each tanker is filled, move it to a remote area of the property.

11. After pumping as much fuel as possible, spray the area with foam (if that has not already been done) and follow clean-up instructions from Emergency Coordinator.

12. Call the F.D.E.P. State Warning Point (850) 413-9911

13. Call the Environmental Protection Agency in Atlanta, Georgia, at (707) 347-3016.

TANK TRUCK SPILL

1. If unloading operation is in progress, cease operation.

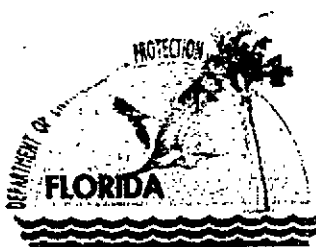
2. Quickly check the tanker to see if the fuel discharge is due to an open valve or leak that can be quickly plugged. Stop the flow if possible.

3. Make sure that there is nothing in the vicinity that could ignite the fuel. Make especially sure there is no smoking.

4. Clear the areas of all personnel and equipment.

5. Notify Judd Gilbert: 954-581-4455
Joel Smith - Cell Phone: 954-658-4394

6. Call the County Fire Department (Station 1) at 911. Tell them a tanker has ruptured at Petroleum Management, Inc. facility located at 3650 S.W. 47th Ave, Davie, FL and used oil, is being released. The Fire Department should be present with foam extinguishers to protect against fire.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
September 9, 2004

Colleen M. Castille
Secretary

CERTIFIED - RETURN RECEIPT
7000 0520 0021 3377 8274

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 SW 115th Terrace
Davie, Florida 33325

Subject: Petroleum Management, Inc., Davie Facility
EPA I.D. Number: FLD 980 709 075
Used Oil and Material Processing Facility
Permit Number 54228-HO-002
Broward County

Dear Mr. Gilbert:

Enclosed is Permit Number 54228-HO-002 issued to Petroleum Management, Inc. pursuant to Section 403.815, Florida Statutes (F.S.), and Chapter 62-4 and 62-710, Florida Administrative Code (F.A.C.).

This permit is final and effective on the date filed with the Clerk of the Department. When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by filing a Notice to Appeal pursuant to Rule 9.110, Florida Rule of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#35, Tallahassee, Florida 32399-3000; and filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal.

The Notice of Appeal must be filed within thirty (30) days from the date the final permit is issued.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

TJB/rp

Enclosures

cc w/enc.: Steve Brown, DEP/West Palm Beach
Mayor, City of Davie
Chair, Broward County Board of County Commissioners
Jeffrey Halsey, Broward County DPEP
Don Palmer, U.S. Fish & Wildlife Service
Lt. Brad Hartman, Florida Fish and Wildlife Conservation Commission

U.S. Postal Service
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Recipient's Name (Please Print Clearly) (To be completed by mailer)
Judd Gilbert
Street, Apt. No., or PO Box No.
2191 SW 115th Terrace
City, State, ZIP+4
Davie, Florida 33325
PS Form 3800, February 2000 See Reverse for Instructions



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

PERMITTEE:

Petroleum Management, Inc.
2191 S.W. 115 Terrace
Davie, Florida 33325

Attention:
Mr. Judd Gilbert
President

I.D. Number: FLD 980 709 075
Permit Number: 54228-HO-002
Date of Issue: *September 13, 2004*
Date of Expiration: October 12, 2008
County: Broward County
Lat./Long: 26°04'30"N / 80°12'03"W
Project: Used Oil and Material Processing
Facility

This permit is issued under the provisions of Section 403.769 of Florida Statutes (F.S.), Chapters 62-4, 62-701, 62-710 and 62-730 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 hereof and specifically described as follows:

TO OPERATE: A Used Oil Processing Facility hereinafter referred to as the "Facility". The Used Oil Processing Facility is located on an approximately 1-acre parcel of land owned by Petroleum Management, Inc. in Broward County at 3650 S.W. 47th Avenue, Davie, Florida 33325. A diagram of the site layout is included as **Attachment A**.

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

The Facility consists of container storage areas, a load/unload area and fourteen (14) above ground storage tanks as shown in **Attachment B**. All tanks and containers are located within the secondary containment unit as shown on drawing SP-1 of the permit application.

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application dated February 2, 2004.
2. Additional information dated May 24, 2004 in response to first Notice of Deficiency dated March 3, 2004.

This permit replaces expired permit number HO06-308152.

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GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.759, F.S. The Permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in 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 infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in 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 interest has 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 life or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of the permit;

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- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or with 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 provide the Department with the following information:

- (a) A description of and cause of non-compliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or 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 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-303.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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 or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (a) Determination of Best Available Control Technology (BACT);
- (b) Determination of Prevention of Significant Deterioration (PSD);

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- (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:
- (a) Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The Permittee shall hold at the facility, or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact places, 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 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 corrected promptly.
16. In the case of an underground injection control permit, the following permit conditions also shall apply:
- (a) All reports or information required by the Department shall be certified as being true, accurate and complete.
 - (b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

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- (c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
 - 1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.
 - 2. The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.
 - (d) The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.
17. The following conditions also shall apply to a hazardous waste facility permit by a Permittee that receives hazardous waste from off-site generators:
- (a) The following reports shall be submitted to the Department:
 - 1. Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
 - 2. Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
 - 3. Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.
 - (b) A biennial report covering facility activities during the previous calendar year shall be submitted by a Permittee that generates more than 1000 kilograms of hazardous waste in a calendar month. The report is due by March 1 of each even number year pursuant to 40 CFR 262.41, as adopted by reference in Chapter 62-730, F.A.C.
 - (c) Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported

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verbally to the Department within 24 hours, and a written report shall be provided within 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

1. A description and cause of the noncompliance.
 2. If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
- (d) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.
- (e) All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.
- (f) Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

SPECIFIC CONDITIONS:

PART I -- STANDARD REQUIREMENTS:

1. Rules
 - (a) The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, Florida Administrative Code, (F.A.C.).
 - (b) This facility shall be constructed and operated in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, and 62-740, F.A.C., and all other applicable requirements of Department Rules.
 - (c) By acceptance of this Permit, the Permittee certifies that he has read and understands the obligations imposed by the Specific and General 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 Condition 10 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.

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2. Submittals in response to any conditions in this permit shall be submitted as follows:

- (a) Two (2) copies shall be submitted to:

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

- (b) One (1) copy shall be submitted to:

Department of Environmental Protection
Southeast District Office
Hazardous Waste Section
Attn: Hazardous Waste Program Administrator
400 North Congress Avenue
West Palm Beach, Florida 33401

3. The Permittee shall register its used oil activities annually and display the validated registration form and identification number in a prominent place at the facility in accordance with Rule 62-710.500(4), F.A.C.

4. No later than March 1 of each year, the Permittee shall submit an annual report for the preceding calendar year to the Department on DEP form 62-701.900(14). The report shall summarize the records kept pursuant to 40 CFR 279.57(b) and Rule 62-710.510, F.A.C, Record Keeping: The records described in this paragraph shall include:

- (a) The EPA identification number, name, and address of the processor/ re-refiner;
(b) The calendar year covered by the report; and
(c) The quantities of used oil accepted for processing/re-refining and the manner in which the used oil is processed/re-refined, including the specific processes employed.

5. The Permittee shall operate, modify, or close the facility only pursuant to a permit issued by the Department in accordance with Chapter 62-710 F.A.C.

6. Before making any substantial modifications to the Facility or to the Closure Plan, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-710.800(6), 62-901 and 62-4.050(6) and (7), F.A.C.

- (a) Pursuant to Rules 62-710.800(6) and 62-4.050(6)(a), F.A.C., a substantial modification means a modification that is reasonably expected to lead to

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substantially different environmental impacts that requires a detailed review. For purposes of this subsection, an increase in storage capacity of the facility by 25% or 25,000 gallons, whichever is less is considered a substantial modification.

- (b) Pursuant to Rules 62-4.050(4) and 62-710.800(6)(b), F.A.C., a minor modification means a modification that does not require substantial technical evaluation by the Department, does not require a new site inspection by the Department, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit. For purposes of this subsection, replacement of existing tanks with new tanks is considered a minor modification.
 - (c) Pursuant to Rule 62-710.800(6)(c), F.A.C., changes at the Facility which involve routine maintenance, such as repair of equipment, replacement of equipment with similar equipment, aesthetic changes, or minor operational changes are not considered modifications, do not have to be reported to the Department, and require no permit fee. The Permittee should contact the Department if there are questions as to whether a change would be considered routine maintenance.
7. Notwithstanding the provisions of Rule 62-4.050, F.A.C., the fee for a Used Oil Processor Permit Application is \$2,000. The fee for a substantial modification to the permit or permit renewal application is \$500. No permit fee is required for minor modifications. Applications for renewal of permits shall be submitted to the Department at least 60 days prior to the expiration date of the existing permit in accordance with Rule 62-4.090, F.A.C.
 8. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating: the name and date of the document submitted; the EPA I.D. number of the facility; the number(s) of the Specific Condition(s) affected; the permit number and project name of the permit involved.
 9. All request for permit modifications shall be certified by the owner and operator and signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with 471, F.S. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with 492, F.S.
 10. The Department may revoke this permit in accordance with 403.087(7), F.S., or may modify this permit in accordance with Rule 62-4.080, F.A.C. The filing of a request for a permit modification 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.
 11. The Permittee shall submit any substantial revisions in the permitted operation or design of this facility to the Department for approval prior to implementation. A copy of the cover letter accompanying the substantial revision and the fee shall be sent to:

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

12. The Permittee shall apply for permit renewal at least 60 days before the expiration date of this permit, in accordance with the requirements of Rule 62-4.090, FAC. A copy of the cover letter accompanying the renewal and the fee shall be sent to:

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

13. The Permittee shall submit a revised "Part I" of the Application Form for a Used Oil Processing Facility Permit to the Department within 30 days of any changes in the information stated in Part I.
14. This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C. The Permittee shall be liable for any noncompliance with the permitted activity until the transfer is approved by the Department.
15. 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 C** of the permit application.
16. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Section 403.111 and 403.73, F.S.
17. The conditions in this permit shall take precedence over the permit application documents where there are differences between these documents and the permit conditions.

PART II – USED OIL PROCESSING REQUIREMENTS:

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: **Petroleum Management, Inc shall maintain records on DEP Form 62-701.900 (13) 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;**

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2. The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
 3. The quantities of each type of used oil accepted and date of acceptance; and
 4. Waste stream approval number and the off load tank number.
- (b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
1. The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
 2. The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
 3. The quantities of used oil shipped and date of shipment; and
 4. The tracking number corresponding to analytical results that demonstrate that the shipment meets the used oil on-specification criteria.
- (c) Record retention: The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
2. Pursuant to 40 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:
 - (a) Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55.
 - (b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
 3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-761.710, F.A.C., for aboveground storage tanks, integral piping, and process tanks.
 4. 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 62-761.500, F.A.C., for existing shop

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fabricated/field erected tanks of Rule 62-761.510, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-761.700, F.A.C.

5. 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. Capable of detecting and collecting releases and run-on until the collected material is removed.
 - 3. Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 - 4. Placed on a foundation or base capable of providing support to the secondary containment system.
 - 5. Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 - 6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - 7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.


- (c) Ancillary equipment shall be provided with secondary containment.

PART III - Non-Hazardous, Non-Used Oil Waste

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

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- (a) All waste containers received at the site shall be stored within secondary containment and shall be emptied into a sealed roll-off container daily. Up to 15 containers may be stored awaiting emptying.
- (b) All waste shall be analyzed in accordance with the Analysis Plan in **Attachment C** of the Permit Application dated February 2, 2004 as revised on May 24, 2004. Only non-hazardous waste may be accepted. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.
- (c) The roll-off container will be used to transport the waste to a permitted solid waste facility. The amount of waste on the site shall not exceed 33 tons of solids in drums and the roll off container.
2. The permittee shall maintain compliance with the financial assurance requirements of Rule 62-701.710, F.A.C., by submitting all required updated supporting documentation in accordance with Rule 62-701.630, F.A.C., and 40 CFR Part 264 Subpart H as adopted by reference in 62-701.630, 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

3. The permittee shall annually adjust the closure cost estimate for inflation using Form 62-701.900(28). Adjustments shall be made in accordance with Rule 62-701.630(4), F.A.C. and 40 CFR Part 264.142(a) and shall be submitted between January 1 and March 1. Documentation of financial mechanism increases shall be submitted to the Financial Coordinator at the above address. All estimate update submittals shall also be sent to:

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

PART IV -- TANKS:

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

1. 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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2. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in the permit application.
3. Spilled or leaked waste must be removed from the secondary containment areas within three (3) days of the incident [Rule 62-761.820(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-761.700(3)(a), F.A.C.]. The above materials shall be managed in accordance with **Attachment G** of the permit application.

**PART V – PREPAREDNESS & PREVENTION / CONTINGENCY PLAN
REQUIREMENTS:**

1. The Permittee must comply with General Facility Standards pursuant to 40 CFR 279.52 and Rule 62-710.800(1), F.A.C., as follows:
 - (a) Maintenance and operation of the facility: The facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.
 - (b) Required equipment: The facility must be equipped with the following:
 1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
 2. A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;
 3. Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment and decontamination equipment, as depicted in "Contingency Plan and Emergency Procedures for Spill Prevention Controls and Countermeasures", **Attachment F**; and
 4. Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.
 - (c) Testing and maintenance of equipment: All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.
 - (d) Access to communications or alarm systems: Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must

Petroleum Management, Inc.
2191 S.W. 115 Terrace
Davie, Florida 33325

I.D. Number: FLD 980 709 075
Permit Number: 54228-HO-002
Date of Expiration: October 12, 2008

have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. If there is ever just one employee on the premises while the facility is operating, the employee must have immediate access to a device capable of summoning external emergency assistance.

- (e) Required aisle space: The Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any operational area of the facility in an emergency.
 - (f) Arrangements with local authorities: Arrangements are required to familiarize police, fire departments, local hospitals, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility and possible evacuation routes.
2. The Permittee shall comply with the following conditions concerning the Spill Prevention Control and Countermeasure Plan:
- (a) The Permittee shall immediately carry out the provisions of the "Contingency Plan and Emergency Procedures for Spill Prevention Controls and Countermeasures", **Attachment F**, 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 which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises, and within 15 days must submit to the Department a written report which includes all the information required in 40 CFR 279.52 (b) (6).
 - (b) Within seven days of meeting any criteria listed in 40 CFR 279.52 (b) (4), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change in the plan. All amended plans must be distributed to the appropriate agencies.
 - (c) When the contingency plan is implemented, the Permittee shall call the Department of Environmental Protection's 24-hour emergency telephone number which is (850) 413-9911 or (800)320-0519 or, during normal business hours, the DEP Southeast District Office may be contacted at (561)681-6600.
3. The Permittee shall maintain reports of all releases that are reportable quantities as required by 40 CFR 302, as part of the facility's on-site operating. The reports shall include amount and time of release, details of corrective actions taken, and the time of the corrective actions.

Petroleum Management, Inc.
2191 S.W. 115 Terrace
Davie, Florida 33325

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PART VI – TRAINING:

1. Facility personnel must successfully complete the approved training program identified in the Training Plan (**Attachment I**) of the permit application dated February 2, 2004 as revised on May 24, 2004. Personnel shall not work unsupervised until training has been completed.
2. The training plan must be reviewed by facility personnel at least annually. Verification of this training must be kept with the personnel training records and maintained on-site.
3. The Permittee shall maintain an updated list of personnel handling used oil and their respective job titles at the site.

PART VII – CLOSURE REQUIREMENTS:

1. The Closure Plan:
 - (a) The Permittee shall maintain an adequate written closure plan and it must demonstrate how the Facility will be closed in order to meet the following requirements that:
 1. There will be no need for further facility maintenance;
 2. Used oil will not contaminate soil, surface water or groundwater;
 3. All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
 4. Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-761.800, F.A.C.; and
 5. In addition, pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store or process used oil in above ground tanks must comply with the following requirements:
 - i. At closure of a tank system, the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, 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.
 - ii The Permittee shall notify the Department within 30 days of determining that all contaminated soil can not be practically removed or decontaminated as required by 40 CFR 279.54(h)(1)(ii) and 40 CFR 264.197(a). The Permittee shall submit a permit application to close the facility and perform post

Petroleum Management, Inc.
2191 S.W. 115 Terrace
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closure care as required by 40 CFR 264.310 within 90 days of this determination.

- (b) The closure plan, as described in **Attachment H**, "Closure Plan" of the application, shall be updated whenever significant operational changes occur or design changes are made.
 - (c) The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
 - (d) The Permittee shall submit an updated and detailed closure plan to the Department at least 60 days prior to the scheduled date of closing the facility.
 - (e) Within 30 days after closing the facility, the Permittee shall submit a certification of closure completion to the Department that demonstrates that the facility was closed in substantial compliance with the detailed closure plan.
2. Containers: Pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store used oil in containers must comply with the following requirements:
- (a) At closure, containers holding used oils 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.

Issued September 10, 2004

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



DOTTY DILTZ, ASSISTANT DIRECTOR
DIVISION OF WASTE MANAGEMENT

Petroleum Management, Inc.
2191 S.W. 115 Terrace
Davie, Florida 33325

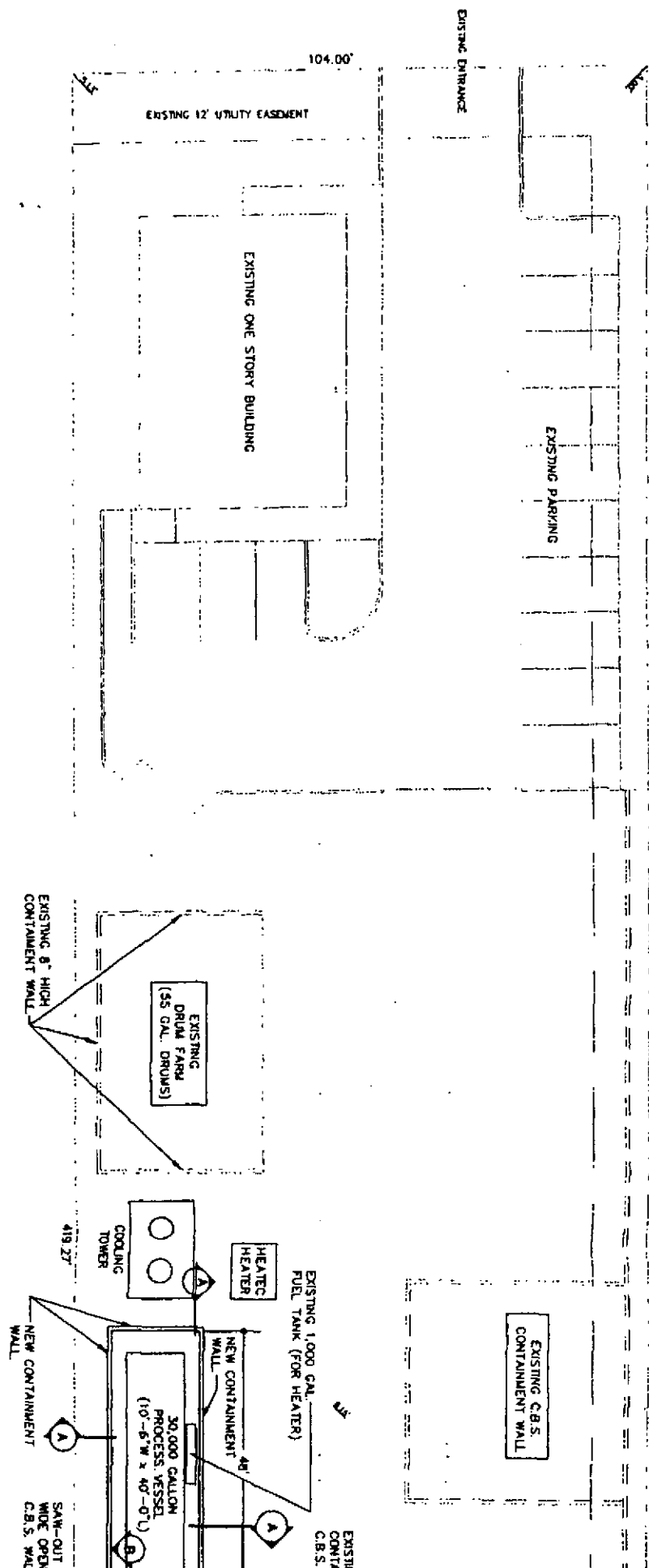
I.D. Number: FLD 980 709 075
Permit Number: 54228-HO-002
Date of Expiration: October 12, 2008

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

Kim Thursby
CLERK

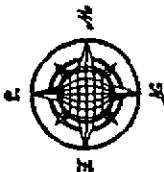
9-13-04
DATE

This is to certify that this Notice of Permit was mailed before
close of business on September 13, 2004



SITE PLAN

SCALE IN FEET



Petroleum Management, Inc.
2191 S.W. 115 Terrace
Davie, Florida 33325

I.D. Number: FLD 980 709 075
Permit Number: 54228-HO-001
Date of Expiration: October 12, 2008

Attachment B - Tanks

PETROLEUM MANAGEMENT, INC.
3650 S.W. 47TH AVENUE
DAVIE, FLORIDA 33314

TANK #	VOLUME (GALLONS)	MATERIAL STORED IN TANK	INSTALLATION DATE
F-13	13,000	USED OIL	1/83
B-13	13,000	USED OIL	1/83
F-20	20,000	USED OIL	1/83
B-20	20,000	USED OIL	1/83
F-10	10,000	USED OIL	1/83
B-10	10,000	USED OIL	1/83
F-4	4,000	USED OIL	1/83
B-4	4,000	USED OIL	1/83
F-8	8,000	USED OIL/OILY WATER	1/83
B-8	8,000	USED OIL/OILY WATER	1/83
F-30	30,000	USED OIL/OILY WATER	9/94
F-30B	30,000	USED OIL/OILY WATER	9/94
B-20B	20,000	USED OIL/OILY WATER	9/94
OVERFLOW	4,700	USED OIL/OILY WATER	9/94
PROCESS VESSEL	30,000	NOT FOR STORAGE	3/03

CERTIFICATION

FACILITY NAME: PETROLEUM MANAGEMENT, INC. - DAVIS FACILITY
EPA I.D. NO.: FLD 980 709 075
PERMIT NUMBER: 54228-HO-002

I HEREBY CERTIFY that the engineering features described in the above referenced facility application (provide) reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Title 62. However, I have not evaluated and I do not certify aspects of the proposal Outside of my area of expertise (including but not limited to the electrical, mechanical, chemical, structural, hydrological, and geological features).



BHEEM R. KOTHUR, P.E. DEE
FLORIDA P.E. NO. 38930

September 8, 2004
(Date)

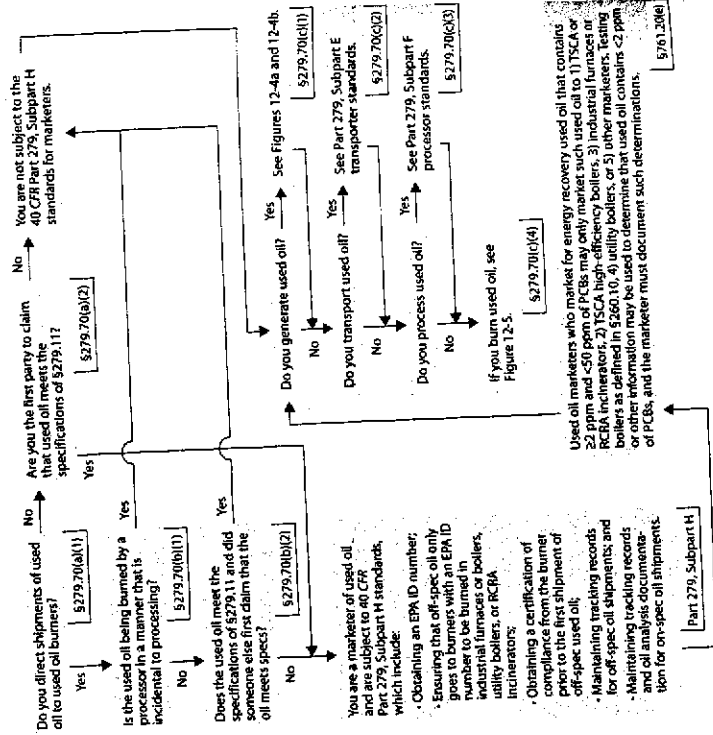
(Seal)

Reviewed and Recommended
for issue:


Permit Review Engineer

9/9/04
Date

Figure 12-6: Regulatory Requirements for Marketers of Used Oil



Used oil marketers who market for energy recovery used oil that contains 22 ppm and <50 ppm of PCBs may only market such used oil to 1) TSCA or RCRA incinerators, 2) TSCA high temperature incinerators, 3) industrial furnaces or boilers as defined in § 260.10, 4) utility boilers, or 5) other marketers. Testing or other information may be used to determine that used oil contains <2 ppm of PCBs, and the marketer must document such determinations.

Source: McCoy and Associates, Inc., adapted from 40 CFR Part 279, Subpart H.

Part 279, Subpart H

51235

Case Study 12-7: Burning Used Oil in a County Maintenance Facility Space Heater

A county highway maintenance garage wants to burn off-spec used oil generated at three offsite sources, along with its own oil, in an onsite space heater. The three offsite sources are 1) other, nonrelated businesses, 2) other county maintenance facilities, and 3) county-run DIY collection centers. (The onsite space heater itself meets the Btu-limit and combustion-gas-venting provisions noted in §279.23.) Is this allowed?

The space heater exception allows generators to burn only their own used oil or that received from DIYs. (§279.23(a)) The first source of offsite used oil, from nonrelated businesses, would not qualify for the space heater exception. Here, the county would be accepting used oil generated by other entities; this is not allowed under §279.23(a).

The second source of used oil would qualify for the space heater exception. In this case, the maintenance garage would be considered a used oil aggregation point, because the garage aggre-

"[S]ome sorbents have a high (Btu) value and once contaminated with used oil are managed by burning for energy recovery and, therefore, are regulated under Part 279. Contaminated materials (after draining) which provide little or no energy when burned, such as soil or clay-based sorbents, are not subject to Part 279. Whether a material is 'burned for energy recovery' depends on the type of materials being burned and the combustion equipment being used. For purposes of the EPA regulations governing boilers and industrial furnaces, burning for energy recovery is limited to materials that have a heating value of at least 5,000 Btu/pound.... EPA believes it is reasonable and consistent with the regulations to apply the same interpretation under Part 279. Of course, an authorized state may interpret what constitutes 'burning for energy recovery' more stringently

gates used oil from other generation sites that are owned by the same entity (the county). Thus, all of the used oil from those sources is considered to be generated by the same entity. Note, however, that the used oil from sites other than the garage would have to be transported per the terms of §279.24(b) (i.e., in quantities of no more than 55 gallons in county- or county employee-owned vehicles), unless the county chose to meet used oil transporter requirements of Part 279, Subpart E.

The third source of offsite used oil would also qualify for the space heater exception under the same terms as the second source (i.e., the garage is an aggregation point and shipments must follow §279.24(b)). Note, however, that only used oil from county-run DIY collection centers may be burned in the space heater. Used oil from a state- or privately-run DIY collection center would not qualify. (RO 11944)

than EPA and that interpretation could be controlling...." (RO 14111)

12.3.5 Used oil marketer requirements

Besides regulating used oil burned for energy recovery, Part 279 also addresses used oil "marketers." Any entity that conducts one of the following two activities is subject to Subpart H requirements as a used oil marketer:

1. Directs a shipment of off-spec used oil from their facility to a used oil burner; or
2. First claims that used oil to be burned for energy recovery meets the used oil fuel specification.

Subpart H does not apply to used oil generators and transporters who send shipments of off-spec used oil to processors, even if such processors ultimately burn used oil. The marketer regs also do not apply to persons who direct shipments of off-spec

used oil, but are not the first person to claim the oil meets the specification.

Note that used oil generators that burn their own on-spec used oil for energy recovery in onsite boilers or industrial furnaces (i.e., without complying with the Part 279, Subpart G requirements) are, by definition, used oil marketers. In order to avoid the Subpart G burner standards, they must determine that their used oil meets the used oil fuel specification. That puts them into the marketer category via the second activity above. (RO 14288)

Used oil marketer requirements focus on analytically, tracking, and recordkeeping. Specifically, marketers must:

- Obtain an EPA ID number;
- Ensure that off-spec used oil is shipped only to used oil burners who 1) have an EPA ID number, and 2) plan to combust that oil in a §260.10 boiler or industrial furnace, utility boiler, or hazardous waste incinerator;
- Obtain a certification of compliance from the burner prior to the first shipment of off-spec used oil to that party; and
- Maintain records of 1) on-spec used oil analyses, and 2) shipments of on-spec and off-spec used oil. Marketers must keep records of shipments only to the initial facility to which it delivers the oil. (§279.74(b), 68 FR 44662) Marketers are not required to maintain records of subsequent transfers of this used oil to other entities.

For example, a service station that generates used oil to be burned for energy recovery and claims that it meets the fuel specification is a used oil marketer. The facility must obtain an EPA ID number

and test the oil to show that it is on-spec. These requirements must be met prior to the used oil being shipped offsite as on-spec—the oil cannot be shipped under the assumption that it is or will be blended into on-spec used oil. (RO 14110) Finally, the service station must maintain records of used oil analyses and on-spec oil shipments.

Section 761.20(e)(2) requires marketers (and burners) to presume that used oil to be burned for energy recovery contains ≥2 ppm PCBs and is, therefore, subject to the TSCA requirements in §761.20(e)(1). The presumption can be overcome if a marketer determines through testing or "other information" that the used oil contains <2 ppm PCBs. (RO 14606) ("Other information" consists of personal knowledge of the source and composition of the used oil, or a certification that the used oil contains <2 ppm PCBs from the person generating the used oil. (§761.20(e)(2)(iii))

In guidance, EPA noted that the frequency of testing used oil to ensure it meets the fuel specification depends on a number of site-specific considerations. For example, if some action, mixing, or storage conditions affect the physical or chemical composition of the used oil, a marketer must evaluate whether it meets the specification. (RO 14110, 14626) Entities making a claim that used oil meets the fuel specification should provide documentation of testing and sampling methods used as well as the frequency of sampling/testing in the facility's records. (September 10, 1992, 57 FR 41597)

The applicability requirements, management standards, and other Part 279 provisions that apply to used oil marketers are shown in Figure 12-6.

STATEMENT OF CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT OR BOTH FOR CORPORATIONS

Pursuant to the provisions of sections 607.0502, 617.0502, 607.1508, or 617.1508, Florida Statutes, this statement of change is submitted for a corporation organized under the laws of the State of FLORIDA in order to change its registered office or registered agent, or both, in the State of Florida.

1. The name of the corporation: PETROLEUM MANAGEMENT, INC.
2. The principal office address: 4700 OAKES ROAD, SECOND FLOOR, DAVIE, FL 33314
3. The mailing address (if different): 2191 SW 115TH TERRACE, DAVIE, FL 33314
4. Date of incorporation/qualification: 10/25/1982 Document number: G10304
5. The name and street address of the current registered agent and registered office on file with the Florida Department of State:

GENE K. GLASSER
2021 TYLER STREET
HOLLYWOOD, FL 33022

6. The name and street address of the new registered agent (if changed) and /or registered office (if changed):

GENE K. GLASSER, ESQ.
100 W. Cypress Creek Road, Suite 700
(P.O. Box NOT acceptable)
Fort Lauderdale, FL 33309

The street address of its registered office and the street address of the business office of its registered agent, as changed will be identical.

Such change was authorized by resolution duly adopted by its board of directors or by an officer so authorized by the board, or the corporation has been notified in writing of the change.

Judd Gilbert, Pres
(Signature of an officer or director)

JUDD GILBERT, PRESIDENT
(Printed or typed name and title)

I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligation of my position as registered agent. Or, if this document is being filed merely to reflect a change in the registered office address, I hereby confirm that the corporation has been notified in writing of this change.

[Signature]
(Signature of Registered Agent)

6/14/07
(Date)

If signing on behalf of an entity:

(Typed or Printed Name)

*** FILING FEE: \$35.00 ***

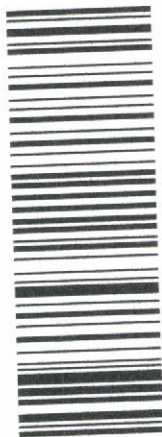
MAKE CHECKS PAYABLE TO FLORIDA DEPARTMENT OF STATE
MAIL TO: DIVISION OF CORPORATIONS, P.O. BOX 6327, TALLAHASSEE, FL 32314
CR2E045 (8/05)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
2007 JUN 18 PM 2:45

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST FLORIDA DISTRICT
400 NORTH CONGRESS AVE., STE. 200
WEST PALM BEACH, FLORIDA 33401

10.8.1

CERTIFIED MAIL™



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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Mr Judd Gilbert, Owner
Petroleum Management, Inc
21915 W. 115 Terrace
Davie, FL 33325*

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

- ☐ Agent
- ☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

- ☐ Yes
- ☐ No

*HW/KK/Petroleum Management Inc
OGC# 09-0283*

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7007 0710 0001 6981 0641

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

JUL 27 2007
CERTIFIED MAIL No.: 7007 0710 0001 6981 0641
RETURN RECEIPT REQUESTED

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

CERTIFIED MAIL No.: 7007 0710 0001 6981 0634
RETURN RECEIPT REQUESTED

Gene K. Glasser, Esquire, Registered Agent
Petroleum Management, Inc.
100 W Cypress Creek Road, Suite 700
Ft. Lauderdale, FL 33309

RE: Proposed Settlement in Florida Department of Environmental Protection v. Mr. Judd Gilbert and
Petroleum Management, Inc., OGC File Number 07-0283

Dear Mr. Gilbert:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated September 22, 2006, a copy of which is attached. On May 7, 2007, the Department issued a proposed Consent Order for settlement of the above case, which was received by you on May 12, 2007. To date, you have not signed nor returned the proposed Consent Order. The timeframe for your response has expired and the proposed Consent Order has been withdrawn.

In the interim, it has been determined that the corrective actions required to bring your facility into compliance have been performed as recorded in correspondence from the Department's Solid Waste Section dated May 15, 2007, a copy of which is attached. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, your company is assessed civil penalties in the amount of \$5,000.00, along with \$500.00 to reimburse the Department's costs for a total of \$5,500.00. The original civil penalty in this case includes at least one violation of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. Within 30 days of the effective date of this letter, Petroleum Management, Inc., shall make the payment to the Department. The payment must be made by cashier's check or money order payable to the Department of Environmental Protection and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, Waste Program Administrator, Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401.

Your signing this letter constitutes acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated

above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes. The effective date of the letter is the date on which it is filed with the clerk.

If you do not sign and return this letter to the Department at the District address within 20 days, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Jack Long
District Director
Southeast District

Date

JL/JL/KW/kk

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

For Petroleum Management, Inc.:

For the Department:

Judd Gilbert
President

Jack Long
District Director
Southeast District

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 2007 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

Attachments: Copy of Warning Letter dated September 22, 2006
Copy of DEP Letter dated May 15, 2007

cc: West Palm Beach DEP File
Hazardous Waste Archboard

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

SENDER: COMPLETE THIS SECTION

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

2. Print your name and address on the reverse so that we can return the card to you.

3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Cone K. Glasser, Esq Registered Agent
2021 Tyler St.
Hollywood, FL 33022

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name)
KAY SPARK

C. Date of Delivery
9-29-06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No
#W/KR 9/22/06 #WL06-0165HW06 SED

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☒ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number
(Transfer from service label) **7000 0000 0024 1601 8245**

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

US POSTAL SERVICE
CERTIFIED MAIL RECEIPT
9/22/06, HW/KK/am, Petroleum Mgmt.
#WL06-0165HW06SED

SEP 22 2006

Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Recipient's Name (Please Print Clearly) (to be completed by addressee)
LOLAIE GLASSER ESQUIRE REGISTERED AGENT

5228 1097 4200 0090

SENDER: COMPLETE THIS SECTION

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

2. Print your name and address on the reverse so that we can return the card to you.

3. Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.,
2191 SW 115 Terrace
Davie, FL 33325

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name)
[Signature]

C. Date of Delivery
9/23/06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No
9/22/06 HW/KR #WL06-0165HW06 SED

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) **7000 0000 0024 1601 8252**

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

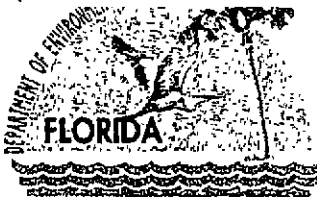
US POSTAL SERVICE
CERTIFIED MAIL RECEIPT
9/22/06, HW/KK/am, Petroleum Mgmt.
#WL06-0165HW06SED

SEP 22 2006

Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Recipient's Name (Please Print Clearly) (to be completed by addressee)
JUDD GILBERT, OWNER, PETROLEUM MGMT, INC.

2528 1097 4200 0090



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

SEP 22 2006

WARNING LETTER#WL06-0165HW06SED

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8252

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8245

Gene K. Glasser, Esquire, Registered Agent
2021 Tyler Street
Hollywood, FL 33022

Re: Discharge of Used Oil at Petroleum Management, Inc.,
3650 SW 47th Ave, Davie, FL 33314, EPA ID Number: FLD980709075

Dear Mr. Gilbert and Mr. Glasser:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. On August 11, 2006, a complaint was filed with the Broward County Environmental Protection Department (EPD) reporting the unauthorized release of used oil to the ground at the above location. The Department has evaluated the record of the complaint, and possible violations of Chapter 403, Florida Statutes (F.S.); and Chapters 62-710 and 62-770, Florida Administrative Code (F.A.C.) regarding the management of used oil were noted. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268, and Part 279, as adopted in Chapters 62-730, and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Ms. Karen Kantor of this office at 561/681-6720 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any


"More Protection, Less Fearless"

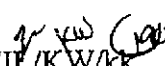
violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the Department's January 24, 2002 "Settlement Guidelines for Civil and Administrative Penalties" and the RCRA Civil Penalty Policy of June 2003, the penalty which would be proposed in this case is \$16,900.00 plus \$500.00 for costs and expenses.

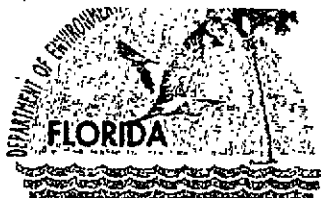
Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

 9/22/06
Kevin R. Neal Date
District Director
Southeast District


KRN/JL/KW/kk

cc: West Palm Beach, DEP File
Alan Annicella, EPA Region IV
Mike Redig, DEP Tallahassee, MS # 4560
Bheem Kothur, DEP Tallahassee
JR Register, DEP Tallahassee
David Vanlandingham, Broward EPD (DVANLANDINGHAM@broward.org)
Al Gomez, Broward County EPD (AGOMEZ@broward.org)



Department of Environmental Protection

Jeb Bush
Governor

SEP 22 2006

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ☒ Complaint ☐ Routine ☐ Follow-up ☐ Permitting

FACILITY NAME Petroleum Management, Inc. DEP/EPA ID# FLD980709075

ADDRESS 3650 SW 47th Avenue, Davie, FL 33314

COUNTY Broward PHONE (954) 581-4455 DATE 8/11/06 TIME N/A

TYPE OF FACILITY:

Generator
☒ Cond. Exempt S.Q.G.
☐ Small Quantity
☐ Generator
☐ Non-Handler
☒ Used Oil

Storage
☐ Container
☐ Tank
☐ Waste Pile
☐ Surface Impoundment

Treatment
☐ Tank
☐ Land Treatment
☐ Thermal
☐ Chem/Phys/Bio.
☐ Incinerator
☐ Surface

Transporter
☒ Transporter
☐ Transfer Station

Disposal
☐ Landfill
☐ Surface Impoundment
☐ Waste Pile

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☒ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Mr. Judd Gilbert, President

4. Survey Participants & Principal Inspector:

N/A - Complaint response by Broward County EPD

5. Facility Latitude: 26° 04' 35.1355" Longitude: 80° 12' 34.7251"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No

"More Protection, Less Process"

Printed on recycled paper.

INTRODUCTION

On August 11, 2006, personnel from the Broward County Environmental Protection Department (EPD) conducted a complaint investigation inspection at Petroleum Management, Inc. (PMI), 3650 SW 47th Avenue, Davie, Florida, 33314. PMI is a permitted Used Oil Processor, permit number 54228-HO-002, expiration date October 12, 2008. The facility is situated on an approximate one-acre site in an industrial area, and is connected to city water and served by portable toilet. PMI has been operating at this location since 1985.

PMI was last inspected by the Department on September 8, 2005. Based on the observations made during that inspection, a Warning Letter was issued on October 10, 2005, for failure to label used oil containers and failure to manage universal waste lamps and batteries in a way that prevents exposure to moisture. The facility paid a penalty, and returned to compliance for these issues on March 29, 2006. The case was closed on April 21, 2006.

COMPLAINT REFERRAL

PMI is a permitted facility authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste, and used oil filters. In addition to these activities, PMI is a registered hazardous waste transporter. The facility includes used oil/oily water collection and processing tanks, used oil filter and oily solid waste storage, designated areas for empty container storage, and parking for tankers, box trucks and vacuum trucks. The property is concrete-paved, except for the unpaved and grassy areas in the eastern and southwestern portions of the site.

On August 11, 2006, Ron King, Natural Resource Specialist II with the Broward EPD, responded to a complaint reporting the discharge of used oil at the PMI facility. Photographs of the incident taken by Mr. King at the facility were provided to the Department's Tallahassee and Southeast District personnel via email correspondences. Email correspondences among Mr. King, EPD staff, and Department personnel indicate that witnesses at the neighboring Perma-fix of Ft. Lauderdale facility reported the discharge.

The following information regarding the discharge incident was obtained from the complaint record retrieved from the EPD's Environmental Inquiry System (ENVIROS) internet database:

- Mr. King met with Judd Gilbert, owner of PMI, and with Eric Miranda of World Petroleum Corporation (WPC). WPC is a used oil transporter that leases operating space at the PMI facility. Mr. Gilbert and Mr. Miranda informed Mr. King that the incident occurred when an employee of WPC overfilled one of PMI's used oil tanks at the NE corner, releasing used oil to the ground through a pressure relief valve.
- Respondents failed to immediately notify the EPD by telephone of the incident and the resultant discharge.
- WPC employees were stabilizing the situation at the time of Mr. King's site visit and were about to remediate the spill; photographs were taken.
- The EPD issued a Warning Notice WRN06-0603, for violations of Chapter 27 of the Broward County Code stemming from the incident.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS. 4565
Tallahassee, Florida 32399-2400

May 15, 2007

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Mr. Judd Gilbert
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, Florida 33325

Re: WACS 00054292 - Petroleum Management, Inc. (FLD980709075)

Dear Mr. Gilbert:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. The trust fund valuation dated May 8, 2007 from US Bank, N. A. indicating an account balance of \$63,993.17 demonstrates adequate financial assurance covering Department proposed cost estimate dated January 2, 2007. Therefore, the Petroleum Management, Inc. 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.

If you have any questions, please contact me at (850) 245-8743.

Sincerely,

Tor J.M. Bejnar
Environmental Specialist
Solid Waste Section

TB

cc: Fred Wick, DEP/TLH
Bheem Kothur, DEP/TLH

RECEIVED
RCRA

MAY 16 2007

Hazardous Waste Regulation

RECEIVED

MAY 16 2007

BY: BSHW

FACILITY/CASE NAME: pmi
EPA ID #/OGC #: _____
INSPECTION DATE: 5/17/07

[illegible]

FACILITY/CASE NAME: PMI
EPA ID # / OGC #: _____
INSPECTION DATE: 5/17/07 (: previous case)

[illegible]

Petroleum Management, Inc.
PENALTY JUSTIFICATION

Based upon Guidelines for Characterizing
RCRA Violations dated January 1999.

1. **Regulation:** 62-710.401(2) FAC
Improper Discharge of Used Oil

Violation: PMI discharged used oil to the ground when an overfilled used oil tank released used oil through a pressure relief valve.

Characterization of Violation:

Per the Environmental Legislative Reform Act, Section 403.121(3)(e), Florida Statutes, the department shall assess a penalty of \$2,000 for the unpermitted or unauthorized disposal or storage of solid waste; plus \$1,000 if greater than 25 gallons of used oil is discharged.

2. **Regulation:** 403.161(1)(d), F.S. and 62-770.250 FAC
Failure to Report a Used Oil Release

Violation: PMI failed to report the discharge of used oil exceeding 25 gallons to the Department within 24 hours of occurrence.

Characterization of Violation:

Potential for Harm - Moderate

The penalty calculation in the Guidelines for Characterizing Used Oil Violations indicates that the potential for harm is moderate for discharges between 25 to 550 gallons.

Extent of Deviation - Major

The penalty calculation in the Guidelines for Characterizing Used Oil Violations indicates that the extent of deviation is major.

Multi-day – unknown

Economic Benefit – unable to calculate

Adjustments - N/A

3. **Regulation:** 62-710.800(6)(b) FAC
Closing Cost Estimate

Violation: PMI failed to provide cost estimates for closure.

Characterization of Violation:

Per the Environmental Legislative Reform Act, Section 403.121(4)(a), Florida Statutes, failure to provide acceptable cost estimates for closure carries a set penalty of \$5,000.

4. **Regulation:** 62-710.800(6)(a) FAC
Financial Assurance

Violation: PMI failed to establish financial assurance to the Department for closure.

Characterization of Violation:

Per the Environmental Legislative Reform Act, Section 403.121(4)(a), Florida Statutes, failure to establish financial assurance acceptable to the Department for closure carries a set penalty of \$5,000 and has the following characterization:

Potential for Harm - Major

The penalty calculation in the Guidelines for Characterizing Solid Waste Violations indicates that the potential for harm is major when the failure to establish financial assurance acceptable to the Department for closure is greater than 180 days after due.

Extent of Deviation - Major

The penalty calculation in the Guidelines for Characterizing Solid Waste Violations indicates that the extent of deviation is major when the failure to establish financial assurance acceptable to the Department for closure is greater than 180 days after due.

Multi-day – unknown

Economic Benefit – unable to calculate

Adjustments - N/A

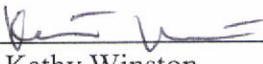
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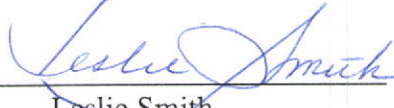
PENALTY COMPUTATION WORKSHEET

Facility's Name: Petroleum Management, Inc.
Facility Address: 3650 SW 47th Avenue
Davie, Florida, 33314

Department Staff Responsible for the Penalty Computations:


Karen Kantor


Kathy Winston


Leslie Smith

Date: 9/13/06

PART I - Class A Penalty Determinations

Alleged Violation Type	Potential for Harm	Extent of Dev.	Matrix Amount	Multi event	Adjustm ents	Total
1. 62-710.401(2) FAC Improper Discharge of Used Oil	Per 403.121(3)(e), FS		\$3,000.00	N/A		\$3,000.00
2. 403.161(1)(d), F.S. and 62-770.250 FAC Failure to Report a Used Oil Release	Moderate	Major	\$3,900.00	N/A		\$3,900.00
3. 62-710.800(6)(b) FAC Closing Cost Estimate	Per 403.121(4)(a), FS		\$5,000.00	N/A		\$5,000.00
4. 62-710.800(6)(a) FAC Financial Assurance	Major	Major	\$5,000.00	N/A		\$5,000.00
Total:						\$16,900.00

All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Regulation Section's "Guidelines for Characterizing RCRA Violations" revised as of January 1999 and "Guidelines for Characterizing Used Oil Violations" revised as of 8/96. Certain violations require Potential for Harm Ranking System characterization and have been utilized where applicable. See Part II for each violation for which an adjustment or multi-day penalty is determined. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement.


Kevin R. Neal

District Director
Southeast District

9/22/06

Date

**Southeast District Office
Penalty Computation Worksheet**

Part II - Multi-day Penalties and Adjustments

Adjustments:	Dollar Amount:
Good Faith/lack of good Faith prior to Discovery:	\$ 0
Justification:	
Good Faith/lack of good Faith after Discovery:	\$ 0
Justification:	
History of Non-Compliance:	\$ 0
Justification: _____	
Economic Benefit of Non-Compliance:	\$ 0
Justification: _____	
Ability to pay:	\$ 0
Justification:	
Multi-Day Penalties:	Dollar Amount:
Number of days adjustment factor(s) to be applied:	\$ 0
Justification:	
Number of days matrix amount is to be multiplied:	\$ 0
Justification:	

Part III-Other Adjustments Made After Meeting
With Responsible Party

Adjustments	Dollar Amount:
Relative Merits of the Case:	_____
Resource Consideration:	_____
Other Justification:	(\$11,900.00)

The proposed penalty amounts were reduced by \$6,900.00 for counts 1 and 2, as an offset to the costs incurred by performing clean up, and because the Responsible party subject to enforcement in the spill incident (World Petroleum Corp.) paid penalties for these same violations. Since the issuance of the Warning Letter and initial proposed penalties, an additional penalty of \$3,000.00 (\$100.00 per day for 30 days) was proposed in a Consent Order, because the respondent failed to submit the closure cost estimate due for the next reporting period by March 1, 2007. The Respondent corrected all the items stipulated in the Consent Order prior to its signature, and in an effort to resolve the case within EPA timeframes, District staff recommended closing the case through entry of a Short Form Consent Order with negotiated penalties from the original \$10,000 penalty that remained. Therefore, District Staff recommends reduction in the total civil penalty to \$5,000.00 (plus \$500 costs and expenses) in order to settle the matter and avoid the risk litigation.

Jack Long
District Director
Southeast District

Date

7/26/07

**STATEMENT OF CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT OR BOTH
FOR CORPORATIONS**

Pursuant to the provisions of sections 607.0502, 617.0502, 607.1508, or 617.1508, Florida Statutes, this statement of change is submitted for a corporation organized under the laws of the State of FLORIDA in order to change its registered office or registered agent, or both, in the State of Florida.

1. The name of the corporation: PETROLEUM MANAGEMENT, INC.
2. The principal office address: 4700 OAKES ROAD, SECOND FLOOR, DAVIE, FL 33314
3. The mailing address (if different): 2191 SW 115TH TERRACE, DAVIE, FL 33314
4. Date of incorporation/qualification: 10/25/1982 Document number: G10304
5. The name and street address of the current registered agent and registered office on file with the Florida Department of State:

GENE K. GLASSER
2021 TYLER STREET
HOLLYWOOD, FL 33022

6. The name and street address of the new registered agent (if changed) and /or registered office (if changed):

GENE K. GLASSER, ESQ.
100 W. Cypress Creek Road, Suite 700
(P.O. Box NOT acceptable)
Fort Lauderdale, FL 33309

The street address of its registered office and the street address of the business office of its registered agent, as changed will be identical.

Such change was authorized by resolution duly adopted by its board of directors or by an officer so authorized by the board, or the corporation has been notified in writing of the change.

Arvid L. Silber Pres.
(Signature of an officer or director)

JUDD GILBERT, PRESIDENT
(Printed or typed name and title)

I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligation of my position as registered agent. Or, if this document is being filed merely to reflect a change in the registered office address, I hereby confirm that the corporation has been notified in writing of this change.

(Signature of Registered Agent)

6/14/07
(Date)

If signing on behalf of an entity:

(Typed or Printed Name)

*** FILING FEE: \$35.00 ***

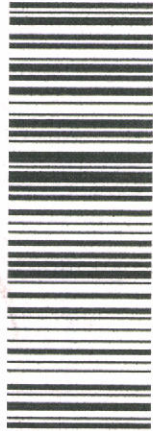
MAKE CHECKS PAYABLE TO FLORIDA DEPARTMENT OF STATE
MAIL TO: DIVISION OF CORPORATIONS, P.O. BOX 6327, TALLAHASSEE, FL 32314
CR2E045 (8/05)

FILED STATE
SECRETARY OF CORPORATIONS
DIVISION
2007 JUN 18 PM 2:45

STATE OF FLORIDA

Dept. of Environmental Protection
Southeast Florida District
400 North Congress Ave., Suite 200
West Palm Beach, FL 33401

CERTIFIED MAIL™



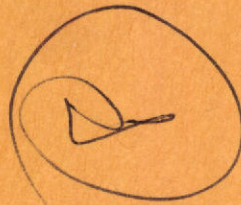
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MAY 16 2007

DEPT of ENV PROTECTION
WEST PALM BEACH



Gene K. Glasser, Esquire, Registered Agent

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gene K. Glasser, Esquire, Registered Agent
2021 Tyler Street
Hollywood, FL 33022

2. Article Number
(Transfer from service label)

7006 3450 0003 8996 5117

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

5/7/07, HW/KK/am, proposed CO, DEIP v.
Mr. Judd Gilbert & Petroleum Management,
OGC#07-0283

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Labrecque
Lt. Governor

Michael W. Tate
Secretary

MAY - 7 2007

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7006 3450 0003 8996 5124

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7006 3450 0003 8996 5117

Gene K. Glasser, Esquire, Registered Agent
2021 Tyler Street
Hollywood, FL 33022

RE: Proposed Settlement in Florida Department of Environmental Protection v. Mr. Judd Gilbert and
Petroleum Management, Inc., OGC File Number 07-0283

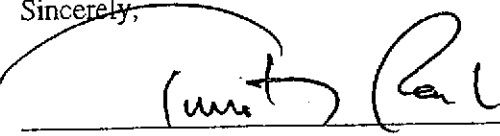
Dear Mr. Gilbert and Mr. Glasser:

Enclosed, please find a copy of the Consent Order for the above case for your review. If Petroleum Management, Inc. elects to sign the Consent Order, please return it to Karen Kantor at the Department's Southeast District Office at the letterhead address above.

If the Consent Order is not signed and returned within 20 days of receiving it, the Department will assume that you are not interested in settling this matter and will proceed accordingly.

If you have any questions, please contact Karen Kantor at 561/681-6720 or West Gregory at 850/ 245-2542. Thank you for your cooperation and timely response.

Sincerely,

 5/4/07

Timothy Rach
Acting District Director
Florida Department of Environmental Protection Southeast District

Date


TR/JL/KW/kk

cc: West Palm Beach, DEP File
Alan Annicella, EPA Region IV
West Gregory, OGC
Mike Redig, DEP Tallahassee, MS # 4560
Bheem Kothur, DEP Tallahassee

David Vanlandingham, Broward EPD
(DVANLANDINGHAM@broward.org)
Al Gomez, Broward County EPD
(AGOMEZ@broward.org)

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

IN THE OFFICE OF THE
SOUTHEAST DISTRICT

Petitioner,

OGC FILE NO. 07-0283

vs.

JUDD GILBERT and
PETROLEUM MANAGEMENT, INC.

Respondent(s).

CONSENT ORDER

This Consent Order is entered into between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("Department") and JUDD GILBERT and PETROLEUM MANAGEMENT, INC. ("Respondents") to reach settlement of certain matters at issue between the Department and Respondents.

The Department finds and Respondents admit the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of the Florida Resource Recovery and Management Act, Sections 403.702, et seq., Florida Statutes, and the rules promulgated thereunder, Florida Administrative Code (F.A.C.) Chapter 62-730 and Chapter 62-710. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondents are persons within the meaning of Section 403.703(4), Florida Statutes.

3. Respondents are individual that operate a permitted Used Oil Processor facility ("facility"). The Respondents' facility is located at 3650 SW 47th Ave, Davie, FL 33314.

4. The Department finds that the following violations occurred:

- a. Respondents failed to provide cost estimates for closure within regulatory timeframes pursuant to rule 62-710.800(6)(b) F.A.C.; and
- b. Respondents failed to establish financial assurance to the Department for closure based on an approved cost estimate pursuant to rule 62-710.800(6)(a).

Having reached a resolution of the matter Respondents and Department mutually agree and it is,

ORDERED:

5. Within thirty (30) days of the effective date of this Consent Order, Respondents shall pay the Department \$13,500.00 in settlement of the matters addressed in this Consent Order. This amount includes \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalties are apportioned as follows: \$5,000.00 for failure to submit a cost estimates for closure due by December 9, 2005 in violation of Rule 62-710.800(6)(b); \$5,000.00 for failure to submit a cost estimates for closure due by March 1, 2007 in violation of 62-710.800(6)(b); and \$3000.00, for \$100.00 per day for 30 days after March 1, 2007 that the Respondent failed to submit cost estimates for closure in violation of Rule 62-710.800(6)(b), F.A.C., pursuant to 403.121(6) Florida Statute. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection", and addressed to Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401. The payment shall include thereon the OGC number assigned

to this Consent Order ("OGC # 07-0283") and the notation "Ecosystem Management and Restoration Trust Fund".

6. Effective immediately, Respondents shall comply with all Department rules regarding hazardous waste and used oil management. Respondents shall correct and redress all violations listed below within the stated time periods and shall comply with all applicable sections in Florida Administrative Code Chapter 62-730 and Chapter 62-710 and 40 Code of Federal Regulations ("C.F.R.") Parts 260-266, 268, and 279. All time periods shall run from the effective date of this Consent Order.

7. Within thirty (30) days of the effective date of this Consent Order, Respondents shall submit cost estimates for final closure of the facility to the Department and otherwise meet the requirements of rule 62-710.800(6)(b), F.A.C.

8. Within sixty (60) days of approval of the cost estimate for final closure, Respondents shall submit proof of financial assurance issued in favor of the State of Florida in the amount of the closing cost estimate for the facility and otherwise meet the requirements of rule 62-710.800(6)(a) F.A.C.

9. Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 7 and 8 of this Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to the "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC number assigned to this Order ("OGC # 07-0283") and the notation "Ecosystem Management and Restoration Trust Fund." The Department may make demands for

payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Consent Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in paragraph 5 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.

10. If any event, including administrative or judicial challenges by third parties unrelated to the Respondents, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, Respondents shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondents and could not have been or cannot be overcome by Respondents' due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondents, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondents, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondents shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondents intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be

caused by circumstances beyond the reasonable control of Respondents, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondents to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondents' right to request an extension of time for compliance with the requirements of this Consent Order.

11. Respondents shall allow all authorized representatives of the Department access to the property and facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

12. Entry of this Consent Order does not relieve Respondents of the need to comply with applicable federal, state or local laws, regulations or ordinances.

13. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.727(1), Florida Statutes.

14. Respondents are fully aware that a violation of the terms of this Consent Order may subject Respondents to judicial imposition of damages, civil penalties of up to \$50,000 per day per violation and criminal penalties.

15. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard MS-35, Tallahassee, Florida 32399-3000, within 21

days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only

be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- a. The names, addresses, and telephone numbers of any persons who may attend the mediation;
- b. The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- c. The agreed allocation of the costs and fees associated with the mediation;

- d. The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- e. The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- f. The name of each party's representative who shall have authority to settle or recommend settlement; and
- g. Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- h. The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Gene K. Glasser, Esq. Registered Agent
2021 Tyler St.
Hollywood, FL 33022

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
X *Ray Glasser*
B. Received by (Printed Name) *RAY GLASSER*
C. Date of Delivery *9-29-06*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No
#W/KK 9/22/06 #W206-0165HW06 SED

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☒ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number

(Transfer from service label)

7000 00000024 1601 8245

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

SEP 22 2006
Postmark Here

Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	

Recipient's Name (Please Print Clearly to be completed by mailer)
GENE GLASSER, ESQUIRE, REGISTERED AGENT
Street, Apt. No., or PO Box No.
2021 Tyler St.

5428 1097 4200 0090 00

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
X *Judd Gilbert*
B. Received by (Printed Name) *Judd Gilbert*
C. Date of Delivery *9/23/06*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No
9/22/06 HW/KK #W206-0165HW06 SED

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7000 00000024 1601 8252

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

SEP 22 2006
Postmark Here

Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	

Recipient's Name (Please Print Clearly to be completed by mailer)
JUDD GILBERT, OWNER, PETROLEUM MGMT, INC.
Street, Apt. No., or PO Box No.
2191 SW 115 Terrace

2528 1097 4200 0090 00



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

SEP 22 2006

WARNING LETTER#WL06-0165HW06SED

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8252

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8245

Gene K. Glasser, Esquire, Registered Agent
2021 Tyler Street
Hollywood, FL 33022

Re: Discharge of Used Oil at Petroleum Management, Inc.,
3650 SW 47th Ave, Davie, FL 33314, EPA ID Number: FLD980709075

Dear Mr. Gilbert and Mr. Glasser:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. On August 11, 2006, a complaint was filed with the Broward County Environmental Protection Department (EPD) reporting the unauthorized release of used oil to the ground at the above location. The Department has evaluated the record of the complaint, and possible violations of Chapter 403, Florida Statutes (F.S.); and Chapters 62-710 and 62-770, Florida Administrative Code (F.A.C.) regarding the management of used oil were noted. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268, and Part 279, as adopted in Chapters 62-730, and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Ms. Karen Kantor of this office at 561/681-6720 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any

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violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the Department's January 24, 2002 "Settlement Guidelines for Civil and Administrative Penalties" and the RCRA Civil Penalty Policy of June 2003, the penalty which would be proposed in this case is \$16,900.00 plus \$500.00 for costs and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Kevin R. Neal 9/22/06
Kevin R. Neal Date

District Director
Southeast District

KRN/JL/KW/KK

cc: West Palm Beach, DEP File
Alan Annicella, EPA Region IV
Mike Redig, DEP Tallahassee, MS # 4560
Bheem Kothur, DEP Tallahassee
JR Register, DEP Tallahassee
David Vanlandingham, Broward EPD (DVANLANDINGHAM@broward.org)
Al Gomez, Broward County EPD (AGOMEZ@broward.org)



Department of Environmental Protection

Jeb Bush
Governor

SEP 22 2006

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ☒ Complaint ☐ Routine ☐ Follow-up ☐ Permitting

FACILITY NAME Petroleum Management, Inc. DEP/EPA ID# FLD980709075

ADDRESS 3650 SW 47th Avenue, Davie, FL 33314

COUNTY Broward PHONE (954) 581-4455 DATE 8/11/06 TIME N/A

TYPE OF FACILITY:

Generator

☒ Cond. Exempt S.Q.G.

☐ Small Quantity

☐ Generator

☐ Non-Handler

☒ Used Oil

Storage

☐ Container

☐ Tank

☐ Waste Pile

☐ Surface Impoundment

Treatment

☐ Tank

☐ Land Treatment

☐ Thermal

☐ Chem/Phys/Bio.

☐ Incinerator

☐ Surface

Transporter

☒ Transporter

☐ Transfer Station

Disposal

☐ Landfill

☐ Surface Impoundment

☐ Waste Pile

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☒ 40 CFR 263 ☐ 40 CFR 264

☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Mr. Judd Gilbert, President

4. Survey Participants & Principal Inspector:

N/A - Complaint response by Broward County EPD

5. Facility Latitude: 26° 04' 35.1355" Longitude: 80° 12' 34.7251"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No

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INTRODUCTION

On August 11, 2006, personnel from the Broward County Environmental Protection Department (EPD) conducted a complaint investigation inspection at Petroleum Management, Inc. (PMI), 3650 SW 47th Avenue, Davie, Florida, 33314. PMI is a permitted Used Oil Processor, permit number 54228-HO-002, expiration date October 12, 2008. The facility is situated on an approximate one-acre site in an industrial area, and is connected to city water and served by portable toilet. PMI has been operating at this location since 1985.

PMI was last inspected by the Department on September 8, 2005. Based on the observations made during that inspection, a Warning Letter was issued on October 10, 2005, for failure to label used oil containers and failure to manage universal waste lamps and batteries in a way that prevents exposure to moisture. The facility paid a penalty, and returned to compliance for these issues on March 29, 2006. The case was closed on April 21, 2006.

COMPLAINT REFERRAL

PMI is a permitted facility authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste, and used oil filters. In addition to these activities, PMI is a registered hazardous waste transporter. The facility includes used oil/oily water collection and processing tanks, used oil filter and oily solid waste storage, designated areas for empty container storage, and parking for tankers, box trucks and vacuum trucks. The property is concrete-paved, except for the unpaved and grassy areas in the eastern and southwestern portions of the site.

On August 11, 2006, Ron King, Natural Resource Specialist II with the Broward EPD, responded to a complaint reporting the discharge of used oil at the PMI facility. Photographs of the incident taken by Mr. King at the facility were provided to the Department's Tallahassee and Southeast District personnel via email correspondences. Email correspondences among Mr. King, EPD staff, and Department personnel indicate that witnesses at the neighboring Perma-fix of Ft. Lauderdale facility reported the discharge.

The following information regarding the discharge incident was obtained from the complaint record retrieved from the EPD's Environmental Inquiry System (ENVIROS) internet database:

- Mr. King met with Judd Gilbert, owner of PMI, and with Eric Miranda of World Petroleum Corporation (WPC). WPC is a used oil transporter that leases operating space at the PMI facility. Mr. Gilbert and Mr. Miranda informed Mr. King that the incident occurred when an employee of WPC overfilled one of PMI's used oil tanks at the NE corner, releasing used oil to the ground through a pressure relief valve.
- Respondents failed to immediately notify the EPD by telephone of the incident and the resultant discharge.
- WPC employees were stabilizing the situation at the time of Mr. King's site visit and were about to remediate the spill; photographs were taken.
- The EPD issued a Warning Notice WRN06-0603, for violations of Chapter 27 of the Broward County Code stemming from the incident.

RECORD REVIEW

Department personnel reviewed the following documents on file in the Southeast District office and in the Department's electronic data management system:

- Used Oil and Material Processing Facility Permit Number 54228-HO-002
- Used Oil Handler and Hazardous Waste Transporter registrations.
- Contingency plan and SPCC plan, as part of the permit application received February 4, 2004.

These records appeared to be in order.

Absent from the Department's records was PMI's submittal of the Used Oil Facility Closure Cost Estimates, which was due December 9, 2005. According to Department records, correspondences dated August 26, 2005, and July 10, 2006, were sent to PMI requesting the submittal of this item, in accordance with Chapter 62-710.800, Florida Administrative Code (FAC).

DEPARTMENT FINDINGS

PMI notified the Department on October 28, 2004, as a used oil processor, marketer, and transporter, and as a transporter of hazardous waste. The facility's current registration as a used oil processor/transporter/transfer facility was verified through the Department's electronic data management system; having a current registration also indicates that the facility was operating in accordance with insurance and annual reporting requirements for used oil activities at the time of renewal. Also verified through this means was the expiration of PMI's Hazardous Waste Transporter registration on July 31, 2007. PMI is also registered as a Small Quantity Handler/Transporter of Mercury-containing devices (MCDs) through March 1, 2007.

The documentation provided by representatives of Broward County EPD presents sufficient evidence that a release of used oil to the ground occurred at the PMI facility. According to Department personnel in the Bureau of Emergency Response, the incident of this release was not reported to the State Warning Point or to the Department's District staff. As of the date of this report, the facility has not contacted the Department regarding the incident or the progress of remedial actions addressing the discharge.

Due to the discharge of petroleum constituents at the above referenced site, the Department is requesting that assessment work be conducted. In order to properly determine the applicable remediation procedures concerning the above referenced facility, the Department is requesting that a Preliminary Contamination Assessment Plan (PCAP) and a Discharge Report Form (DRF) [Form Number 62-761.900(1)] be completed and sent to the Department within 30 days of receipt of this letter, pursuant to Rule 62-770.250 (2)(a), F.A.C. The PCAP shall be completed in accordance with the requirements of Rules 62-770 and 62-780, F.A.C.

To date, the Department has not received PMI's Used Oil Facility Closure Cost Estimates, in accordance with Chapter 62-710.800, Florida Administrative Code (FAC). In the absence of the submittal and approval of the facility's Closure Cost Estimate, PMI has not submitted proof of financial assurance in the amount of the Closure Cost Estimate.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's capabilities, limitations, time constraints, and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

62-710.401(2) FAC

Improper Discharge of Used Oil

No person may discharge used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters. PMI discharged used oil to the ground when an overfilled used oil tank released used oil through a pressure relief valve.

403.161(1)(d), F.S. and
62-770.250 FAC

Failure to Report a Used Oil Release

PMI failed to report the discharge of used oil exceeding 25 gallons to the Department within 24 hours of occurrence.

62-710.800(6)(b) FAC

Closing Cost Estimate

PMI failed to provide cost estimates for closure.

62-710.800(6)(a) FAC

Financial Assurance

PMI failed to establish financial assurance to the Department for closure.

CORRECTIVE ACTIONS

62-710.401(2) FAC

Improper Discharge of Used Oil

Effective immediately, PMI should cease all discharges of used oil to the environment, and ensure that spills and releases are addressed immediately upon discovery.

403.161(1)(d), F.S. and
62-770.250 FAC

Failure to Report a Used Oil Release

Effective immediately, PMI should report all discharges of used oil in excess of 25 gallons to the Department within 24 hours of occurrence.

62-710.800(6)(b) FAC

Closing Cost Estimate

Effective immediately, PMI should submit to the Department the appropriate DEP Form 62-710.901(7) for the closure cost estimate.

62-710.800(6)(a) FAC

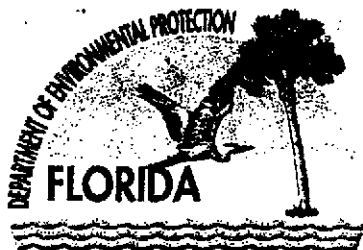
Financial Assurance

Effective immediately, PMI should provide proof of financial assurance to the Department for closure.

Please be advised that the findings in this report are based on the information available to the Department to date. Future information provided to the Department may affect the applicability of the citations referenced above and any pending agency action in accordance with Section 120.57(5), F.S.

Report prepared by: Karen Kantor Date: 9/13/06
Karen Kantor
Environmental Specialist III, Hazardous Waste C&E
Florida Department of Environmental Protection
Southeast District Office

Report approved by: Kathy Winston Date: 9/18/06
Kathy Winston
Environmental Manager, Hazardous Waste C&E
Florida Department of Environmental Protection
Southeast District Office



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS. 4565
Tallahassee, Florida 32399-2400

May 15, 2007

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Mr. Judd Gilbert
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, Florida 33325

Re: WACS 00054292 - Petroleum Management, Inc. (FLD980709075)

Dear Mr. Gilbert:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. The trust fund valuation dated May 8, 2007 from US Bank, N. A. indicating an account balance of \$63,993.17 demonstrates adequate financial assurance covering Department proposed cost estimate dated January 2, 2007. Therefore, the Petroleum Management, Inc. 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.

If you have any questions, please contact me at (850) 245-8743.

Sincerely,

Tor J.M. Bejnar
Environmental Specialist
Solid Waste Section

TB

cc: Fred Wick, DEP/TLH
Bheem Kothur, DEP/TLH

RECEIVED
RCRA

MAY 16 2007

Hazardous Waste Regulation

RECEIVED

MAY 16 2007

BY: BSHW

Florida
Department of Environmental Protection
Interoffice Memorandum

ENFORCEMENT/COMPLIANCE COVER MEMO

TO: ☒ Tim Rach, Acting District Director
Date _____

FROM/THROUGH: 5/2/07 ☒ Joe Lurix, Program Administrator
Date _____

4/27/07 ☒ Kathy Winston, Environmental Manager
Date _____

4/21/07 ☒ Karen Kantor, Environmental Specialist *(ca)*
Date _____

DATE: 4/24/2007

SITE NAME: Petroleum Management Inc.
PROJECT NAME:
PROGRAM AREA: Hazardous Waste
WL#: WL06-0165HW06SED

SITE #:
PROJECT #:
COUNTY: Broward
OGC #: 0

TYPE OF DOCUMENT:

☐ DRAFT OR ☐ FINAL
☐ FINAL ORDER
☐ WARNING LETTER

☐ NOV
☐ CASE REPORT
☐ INSPECTION REPORT

☒ CONSENT ORDER
☐ PENALTY AUTHORIZATION

DESCRIPTION OF VIOLATIONS:

Complaint originating from Broward County EPD. Overfilling of used oil storage tank resulted in discharge of oil through a pressure release valve. Oil spilled into containment and outside containment onto bare ground. Facility is also operating without closure cost estimate and financial assurance for closure.

SUMMARY OF CORRECTIVE ACTIONS:

Broward County EPD reported that cleanup of discharge was under way when inspector arrived onsite. However, the facility has not notified the department of the spill or the status of the remedial actions.

PENALTY SUMMARY:

ORIGINAL PENALTY AMOUNT:	\$16,900.00	EXPENSES / ADJUSTMENTS:	-\$3,400.00
TOTAL PENALTY:	\$13,500.00		

ATTACHMENT(S):

Consent Order checklist, Consent Order, copy of issued Warning Letter, copy of Penalty Justification with settlement justification.

CHECKLIST FOR CONSENT ORDER (PROPOSED)

Case Name/No.: JUDD GILBERT and PETROLEUM MANAGEMENT, INC. OGC FILE NO. 07-0283

Case Manager: Please check off all items that apply to this order.

- STEP # 1:** ☒ Cover Letter (Not required for Short Form) (**Director Signs**)
- Contents** ☒ Consent Order (**Director Signs Short Form**)
- Checklist** ☒ Copy of Inspection Report and/or Checklist *Warning letter*
- ☐ Exhibit(s):
- ☐ No. of Exhibits
- ☐ File Only Penalty Calculation Sheets. If Recalculated (**Do Not Mail**)
- ☐ Notice of Rights (Short Form CO only)
- ☐ Other/Comments: _____
- ☐ Record in PA/Director Log

ENFORCEMENT TRACKING	
INITIAL	DATE
(KK)	4/23/07
PK	4/23/07

Added OGC Approval

- STEP # 2:**
- Copying & Mailing Procedure**
- ☐ Always Send Certified To Respondent
- ☐ Respondent: Cover Letter, Consent Order, Inspection Report
- ☐ —Date Stamp, Exhibits, Notice of Rights
- ☐ Cc: Copy of Cover Letter, Consent Order Inspection Report and Exhibits
- ☐ File Copy: Entire Package
- ☐ Archboard: Letter, Consent Order, Exhibits
- ☐ Other: _____
- ☐ Record Date Mailed in PA/Director Log

- STEP # 3:**
- Filing Procedures**
- CASE FILE:**
- ☐ Cover Letter, Consent Order Inspection Report and Exhibits
- ☐ Penalty Calculation Sheets
- ARCHBOARD:**
- ☐ Cover Letter, Consent Order, Inspection Report, Exhibits
- SPECIAL INSTRUCTIONS:** _____

Wierzbicki, Paul

From: Kantor, Karen E.
Sent: Tuesday, May 01, 2007 7:00 AM
To: Wierzbicki, Paul
Subject: FW: PMI LFCO additions

Importance: High

West Gregory is the attorney for PMI's consent order, see below.

Karen

-----Original Message-----

From: Gregory, West
Sent: Monday, April 23, 2007 10:28 AM
To: Kantor, Karen E.
Subject: RE: PMI LFCO additions

No prob, thank you

West Gregory, Assistant General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd. MS 35
Tallahassee, Florida 32399
Office: (850) 245-2542
Cell: (850) 509-4529
Fax: (850) 245-8301
Sun Com: 205-2542
west.gregory@dep.state.fl.us

-----Original Message-----

From: Kantor, Karen E.
Sent: Monday, April 23, 2007 10:27 AM
To: Gregory, West
Cc: Winston, Kathy; Strickland, Jacquelyn E.
Subject: RE: PMI LFCO additions

Thanks West. I'll ask Kathy to review, and if all is ok, then it is ready to go (finally!!). Thanks for all your help.

Karen

-----Original Message-----

From: Gregory, West
Sent: Monday, April 23, 2007 10:23 AM
To: Kantor, Karen E.
Cc: Winston, Kathy; Strickland, Jacquelyn E.
Subject: RE: PMI LFCO additions

Hi Ms. Kantor,

I adjusted the LFCO to include the multi day penalties. I ended up putting paragraph 9 into paragraph 5 for consistency sake. I also picked 30 days for the multi-day penalties because I felt that was reasonable. If you would to change that, please let me know.

<< File: PMI LFCO SED-OGC final(2).doc >>

West Gregory, Assistant General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd. MS 35
Tallahassee, Florida 32399

Office: (850) 245-2542
Cell: (850) 509-4529
Fax: (850) 245-8301
Sun Com: 205-2542
west.gregory@dep.state.fl.us

-----Original Message-----

From: Kantor, Karen E.
Sent: Monday, April 23, 2007 8:52 AM
To: Gregory, West
Cc: Winston, Kathy
Subject: PMI LFCO additions
Importance: High

West:

I'm sorry to bug you with case again, but I think I figured out how to add in the multi-day penalties per my supervisor's request. Can you take a look and advise/comment? For the multi-day penalties for non-compliance after the deadline of March 1, 2007, I added in paragraph number 9 (new). I also modified number 10(new)/9(old) to specify multi-day penalty amounts for any failure to comply with the CO; is this paragraph the same as paragraph number 15(new)/14(old), only with more detail? The paragraphs are highlighted and are marked "track changes" for editing. Thanks for all your help with this.

<< File: PMI LFCO SED-OGC final.doc >>

Karen Kantor, P.G.
Professional Geologist I
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us

Kantor, Karen E.

From: Kantor, Karen E.
Sent: Monday, February 26, 2007 11:09 AM
To: Morgan, Larry
Cc: Kothur, Bheem; Winston, Kathy
Subject: Request for Attorney Assignment - Consent Order

Please find attached a Legal Case Tracking Form and draft Consent Order for attorney assignment/review for SED's case against Petroleum Management Inc. I will provide additional related documents (original warning letter, inspection report, etc.) upon attorney request.



PMI lctform.doc



PMI LFco.doc

Karen Kantor, P.G.
Environmental Specialist III
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us

LEGAL CASE TRACKING SYSTEM ENFORCEMENT CASE ENTRY FORM

TO: Larry Morgan, OGC

This form accompanied by:

<input checked="" type="checkbox"/> Draft Consent Order	<input type="checkbox"/> Draft Temporary Use Agreement
<input type="checkbox"/> Case Report	<input type="checkbox"/> Draft Final Order (those which do not
<input type="checkbox"/> Draft NOV	use Model Order language)
<input type="checkbox"/> Draft Site Access Order	<input type="checkbox"/> Draft License and Permit Revocations

FROM: Karen Kantor

DATE: 2/21/07

Is this a New case? ☒ Yes ☐ No Current OGC# 07-0283

The following information will be used for entry in the Legal Case Tracking System.

Case Name: Petroleum Management Inc.

Case Alias:

Responsible Office: Southeast District County Broward

District Contact: Karen Kantor

Program Area: Hazardous Waste 2nd Program Area:

Date Compliance/Enforcement Case Opened by District 9/1/06

COMET Project No. or other system No.(APIS,PWS)

Permit/Application Number:

Site ID Number: FLD980709075 Affected Water Body:

Comments: Facility has not achieved compliance with the Closure Cost Estimate and Financial Assurance requirements for Used Oil Processors; therefore, we propose a Consent Order with timeframes for achieving compliance.

-----FOR OGC USE ONLY-----

OGC NUMBER: Date Case Opened:

OGC ATTORNEY ASSIGNED:

Send Copies To:
☐ Originator ☐ Other

Revised 02/99

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

IN THE OFFICE OF THE
SOUTHEAST DISTRICT

Complainant,

OGC FILE NO. 07-0283

vs.

Judd Gilbert
Petroleum Management, Inc.,

Respondent.

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and Judd Gilbert and Petroleum Management, Inc. ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of the Florida Resource Recovery and Management Act, Sections 403.702, et seq., Florida Statutes, and the rules promulgated thereunder, Florida Administrative Code Chapter 62-730 and Chapter 62-710. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondent is a person within the meaning of Section 403.703(4), Florida Statutes.

3. Respondent is an individual that operates a permitted Used Oil Processor facility ("facility"). The Respondent's facility is located at 3650 SW 47th Ave, Davie, FL 33314.

4. The Department finds that the following violations occurred: Respondent failed to provide cost estimates for closure within regulatory timeframes; and Respondent failed to establish financial assurance to the Department for closure based on an approved cost estimate.

Having reached a resolution of the matter Respondent and Department mutually agree and it is,

ORDERED:

5. Within thirty (30) days of the effective date of this Consent Order, Respondent shall pay the Department \$10,500.00 in settlement of the matters addressed in this Consent Order. This amount includes \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalties are apportioned as follows: \$5,000.00 for violation of Rule 62-710.800(6)(b), Florida Administrative Code; \$5,000.00 for violation of Rule 62-710.800(6)(a), Florida Administrative Code. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund".

6. Effective immediately, Respondent shall comply with all Department rules regarding hazardous waste and used oil management. Respondent shall correct and redress all violations listed below within the stated time periods and shall comply with all applicable sections in Florida Administrative Code Chapter 62-730 and Chapter 62-710 and 40 Code of

DRAFT

Federal Regulations ("C.F.R.") Parts 260-266, 268. All time periods shall run from the effective date of this Consent Order.

a. Within thirty (30) days of the effective date of this Consent Order, Respondent shall submit cost estimates for final closure of the facility to the Department and otherwise meet the requirements of Florida Administrative Code Rule 62-710.800(6)(a) and (b) [THEY HAVE ALREADY TURNED IN A COST ESTIMATE BUT IT WAS DISAPPROVED; HOW SHALL I WORD THIS "...GET YOUR ESTIMATE APPROVED THEN SECURE THE FINANCIAL MECHANISM FOR CLOSURE BASED ON THE APPROVED ESTIMATE"?!?!]

7. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intends to implement these

measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Consent Order.

8. Respondent shall allow all authorized representatives of the Department access to the property and facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

9. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

10. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.727(1), Florida Statutes.

11. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties of up to \$50,000 per day per violation and criminal penalties.

12. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General

Counsel, 3900 Commonwealth Boulevard MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida

Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- a. The names, addresses, and telephone numbers of any persons who may attend the mediation;
- b. The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- c. The agreed allocation of the costs and fees associated with the mediation;

d. The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;

e. The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;

f. The name of each party's representative who shall have authority to settle or recommend settlement; and

g. Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.

h. The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition

of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

16. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order, including but not limited to undisclosed releases, contamination or polluting conditions.

17. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations outlined in this Consent Order.

18. Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

19. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both Respondent and the Department.

20. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, Waste Program Administrator, Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401.

21. In the event of a sale or conveyance of the facility or of the property upon which the facility is located, if all of the requirements of this Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property or

facility, (1) notify the Department of such sale or conveyance, (2) provide the name and address of the purchaser, or operator, or person(s) in control of the facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the facility, or the property upon which the facility is located shall not relieve the Respondent of the obligations imposed in this Consent Order.

22. ~~{OPTIONAL USE IF IS OR MAY BE CONTAMINATED}~~ Within 30 days of the effective date of this Consent Order, Respondent shall comply with the applicable requirements of Florida Administrative Code Chapter 62-730.181(3). HOW AND WHERE DO I SAY THAT THE CLEAN UP FROM THE PETROLEUM DISCHARGE IS BEING ADDRESSED UNDER THE AUTHORITY OF BROWARD COUNTY ENVIRONMENTAL PROTECTION DEPARTMENT THROUGH THEIR CONTRACT WITH THE DEPARTMENT?

23. Respondent shall use all reasonable efforts to obtain any necessary access for work to be performed in the implementation of this Consent Order. If necessary access cannot be obtained, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, Respondent shall notify the Department within (5) business days of such refusal or revocation. The Department may at any time seek to obtain access as is necessary to implement the terms of this Consent Order. The Respondent shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain access as is necessary to implement the terms of this Consent Order. Respondent shall pay these sums to the Department or arrange a payment schedule with the Department within 30 days of written demand by the Department.

24. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

25. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

DONE AND ORDERED this _____ day of _____, 20____,
in _____, Florida.

DATE

FOR THE RESPONDENT:

Judd Gilbert
President

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Timothy Rach
Acting District Director
Florida Department of Environmental Protection
Southeast District

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk,
receipt of which is hereby acknowledged.

Clerk

Date

cc: Lea Crandall, Agency Clerk
Mail Station 35

Kohlmyer, Nils

From: Kantor, Karen E.
Sent: Tuesday, January 09, 2007 12:02 PM
To: 'pmicorporation@aol.com'; 'johnmjonespe@bellsouth.net'
Cc: Clarke, Raoul; Outlaw, Douglas; Posner, Augusta; Bejnar, Tor; Wick, Fred; Simmons, Juliette; Kothur, Bheem
Subject: RE: PMI NOD letter2
Importance: High

Judd:

As you recall, you were cited for failure to provide closure cost estimates and failure to establish subsequent financial assurance in the Department's Warning Letter of 9/22/06. Please be advised that your enforcement case cannot be settled until you return to compliance with these issues.

Karen Kantor, P.G.
Environmental Specialist III
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us

-----Original Message-----

From: Kothur, Bheem
Sent: Friday, January 05, 2007 5:28 PM
To: 'pmicorporation@aol.com'; 'johnmjonespe@bellsouth.net'
Cc: Clarke, Raoul; Outlaw, Douglas; Posner, Augusta; Kantor, Karen E.; Bejnar, Tor; Wick, Fred; Simmons, Juliette
Subject: PMI NOD letter2

Hello Everyone: This is just to inform to you that the closure cost estimate letter, in items 3 and 5 the words "dismantled and appropriately disposed" does not apply to PMI site; however, there are no changes to the closure cost estimate spread sheet and the cost estimate remain the same.

That's all

bheem

7/6/2007

January 2, 2007

CERTIFIED – RETURN RECEIPT

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 S. W. 115th Terrace
Davie, Florida 33325

Subject: Closure Cost Estimate – First Notice of Deficiency (NOD)
Petroleum Management, Inc.
EPA I.D. Number: FLD 980 709 075
Used Oil Processing Facility Closure Cost Estimate
Existing Permit Number: 54228-HO-002
Broward County

Dear Mr. Gilbert:

The Florida Department of Environmental Protection (Department) has received your facility closure cost estimates dated October 30, 2006. Upon review, the Department concludes that the closure cost estimate is unacceptably low.

The Department's first NOD requested that Petroleum Management, Inc. (PMI) use a worst case scenario for calculating its closure cost estimate. This was not done. The facility has 15 regulated tanks with a permitted total capacity of approximately 218,302 gallons.

Please use the attached spreadsheet and the following assumptions for estimating closure costs. At the time of closure:

1. All 15 permitted storage tanks are full to capacity;
2. Only virgin fuels and processed oil are exempted from calculating disposal costs;
3. All 15 permitted storage tanks are to be purged, flushed, dismantled and appropriately disposed;
4. All the secondary containment system pads and berms are to be decontaminated;
5. All ancillary equipment and piping are to be purged, dismantled and appropriately disposed.

Mr. Mr. Judd Gilbert, President

January 2, 2007

Page 2 of 2

6. In addition to the foregoing, costs of waste characterization, sampling and analysis must be added to the estimate.

Taking all of the above factors into consideration and using the Environmental Remediation Cost Data – Unit Price, 12th Annual Edition by Azimuth Group, Ltd., the Department has estimated the cost of closure as \$49,000.00 rather than \$26,722.00.

Based on the deficiencies, the Department does not approve the closure cost estimate submittal for PMI.

Please contact Tor Bejnar at (850) 245-8743 within 15 days of receipt of this letter to make further arrangements for compliance. The Department expects PMI to provide Financial Assurance for the facility no later than February 2, 2007.

If you should have any questions, please contact me at (850) 245-8781 or email: Bheem.Kothur@dep.state.fl.us.

Sincerely,

Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

Enclosure: DEP Estimated Closure Cost Analysis

cc: Karen Kantor, DEP/West Palm Beach
Augusta Posner, OGC/Tallahassee
Raoul Clarke, DEP/Tallahassee
Fred Wick, DEP/Tallahassee
Tor Bejnar, DEP/Tallahassee
John Jones/Jones Ecosystem Management/Miramar, FL



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

January 2, 2007

RECEIVED

Colleen M. Castille
Secretary

JAN 10 2007

Dept of Env Protection
West Palm Beach

CERTIFIED - RETURN RECEIPT

7002 2410 0003 9935 2838

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 S. W. 115th Terrace
Davie, Florida 33325

Subject: Closure Cost Estimate - First Notice of Deficiency (NOD)
Petroleum Management, Inc.
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5. All ancillary equipment and piping are to be purged, dismantled and appropriately disposed.

"More Protection, Less Process"

Printed on recycled paper.

Mr. Mr. Judd Gilbert, President
January 2, 2007
Page 2 of 2

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Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

Enclosure: DEP Estimated Closure Cost Analysis

cc: Karen Kantor, DEP/West Palm Beach

Augusta Posner, OGC/Tallahassee

Raoul Clarke, DEP/Tallahassee

Fred Wick, DEP/Tallahassee

Tor Bejnar, DEP/Tallahassee

John Jones/Jones Ecosystem Management/Miramar, FL

Closure Cost Estimate Summary - PMI Inc.

<u>Task Description</u>	<u>Assembly/Line</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Local Cost Factor</u>	<u>Total</u>
Decon Tanks (15 total): High Pressure Wash	33 17 0824 01957 3108	150	HR	41.70	0.86	5379.3
Sludge/Wash Loading (5000gal tanker)	33 19 0101 02083 6152	2	EA	365.59	0.86	628.8148
Transport to Treatment Facility	33 19 0207 02083 7304	220	MI	1.81	0.86	342.452
Treatment (OW) Disposal/Liq	33 19 7103 2560 8031	99320	GAL	0.22	0.86	18791.344
Disposal - Sludges	33 19 7265 13278 1213	10000	GAL	0.75 (Unit cost converted from tons to gallons)	0.86	6450
Sample Analysis:						
Soils		8	EA	300.00	0.86	2064
Sludges		8	EA	300.00	0.86	2064
Washwater/Contact Water		1	EA	300.00	0.86	258
Decon Containment by High Pressure Wash Total (6000 Square Feet)	33 17 0823 01957 3106	40	HR	41.70	0.86	1434.48
Subtotal						\$37,412.39
Supervision and Administration (S&A) - 20 percent						\$7,482.48
Subtotal w/S&A						\$44,894.87

Contingency - 10 percent	\$4,489.49
TOTAL	\$49,384.36

Note: Facility layout assumptions were made as necessary to develop unit data.

Kantor, Karen E.

From: Kantor, Karen E.
Sent: Tuesday, January 09, 2007 12:02 PM
To: 'pmicorporation@aol.com'; 'johnmjonespe@bellsouth.net'
Cc: Clarke, Raoul; Outlaw, Douglas; Posner, Augusta; Bejnar, Tor; Wick, Fred; Simmons, Juliette; Kothur, Bheem
Subject: RE: PMI NOD letter2
Importance: High

Judd:

As you recall, you were cited for failure to provide closure cost estimates and failure to establish subsequent financial assurance in the Department's Warning Letter of 9/22/06. Please be advised that your enforcement case cannot be settled until you return to compliance with these issues.

Karen Kantor, P.G.
Environmental Specialist III
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us

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Sent: Friday, January 05, 2007 5:28 PM
To: 'pmicorporation@aol.com'; 'johnmjonespe@bellsouth.net'
Cc: Clarke, Raoul; Outlaw, Douglas; Posner, Augusta; Kantor, Karen E.; Bejnar, Tor; Wick, Fred; Simmons, Juliette
Subject: PMI NOD letter2

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That's all

bheem

1/9/2007

January 2, 2007

CERTIFIED - RETURN RECEIPT

Mr. Judd Gilbert, President
Petroleum Management, Inc.
2191 S. W. 115th Terrace
Davie, Florida 33325

Subject: Closure Cost Estimate - First Notice of Deficiency (NOD)
Petroleum Management, Inc.
EPA I.D. Number: FLD 980 709 075
Used Oil Processing Facility Closure Cost Estimate
Existing Permit Number: 54228-HO-002
Broward County

Dear Mr. Gilbert:

The Florida Department of Environmental Protection (Department) has received your facility closure cost estimates dated October 30, 2006. Upon review, the Department concludes that the closure cost estimate is unacceptably low.

The Department's first NOD requested that Petroleum Management, Inc. (PMI) use a worst case scenario for calculating its closure cost estimate. This was not done. The facility has 15 regulated tanks with a permitted total capacity of approximately 218,302 gallons.

Please use the attached spreadsheet and the following assumptions for estimating closure costs. At the time of closure:

1. All 15 permitted storage tanks are full to capacity;
2. Only virgin fuels and processed oil are exempted from calculating disposal costs;
3. All 15 permitted storage tanks are to be purged, flushed, dismantled and appropriately disposed;
4. All the secondary containment system pads and berms are to be decontaminated;
5. All ancillary equipment and piping are to be purged, dismantled and appropriately disposed.

Mr. Mr. Judd Gilbert, President
January 2, 2007
Page 2 of 2

6. In addition to the foregoing, costs of waste characterization, sampling and analysis must be added to the estimate.

Taking all of the above factors into consideration and using the Environmental Remediation Cost Data - Unit Price, 12th Annual Edition by Azimuth Group, Ltd., the Department has estimated the cost of closure as \$49,000.00 rather than \$26,722.00.

Based on the deficiencies, the Department does not approve the closure cost estimate submittal for PMI.

Please contact Tor Bejnar at (850) 245-8743 within 15 days of receipt of this letter to make further arrangements for compliance. The Department expects PMI to provide Financial Assurance for the facility no later than February 2, 2007.

If you should have any questions, please contact me at (850) 245-8781 or email: Bheem.Kothur@dep.state.fl.us.

Sincerely,

Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

Enclosure: DEP Estimated Closure Cost Analysis

cc: Karen Kantor, DEP/West Palm Beach
Augusta Posner, OGC/Tallahassee
Raoul Clarke, DEP/Tallahassee
Fred Wick, DEP/Tallahassee
Tor Bejnar, DEP/Tallahassee
John Jones/Jones Ecosystem Management/Miramar, FL

FAX COVER SHEET

PETROLEUM MANAGEMENT, INC.

2191 SW 115TH TERRACE

DAVIE, FLORIDA 33325

PHONE: 954-581-4455

FAX: 954-583-0252

e-mail: pmicorporation@aol.com

SEND TO Company Name FLA DEPT. ENVIRONMENTAL PROTECTION	From JUDD GILBERT
Attention MS. KAREN KANTOR, P.G.	Date 11/17/2006
Fax number 561-681-6770	Phone number

☒ Urgent ☐ Reply ASAP ☐ Please comment ☐ Please review ☐ For your information

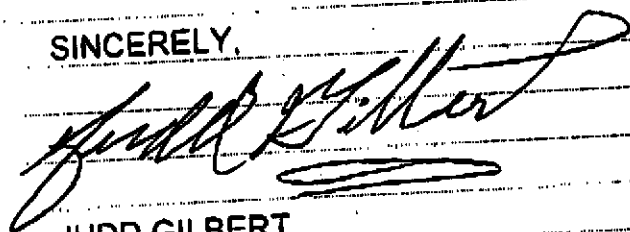
Total pages, including cover:

7**RE: WORK PERFORMED TO ACCESS & REMEDIATE THE PETROLEUM
DISCHARGE AT THE EAST END OF OUR TANK CONTAINMENT**

DEAR MS. KANTOR,

PLEASE FIND ATTACHED COPIES OF A DISCHARGE REPORT FORM, ASSESSMENT
REPORT AND SOURCE REMOVAL INFORMATION.IF YOU NEED ANY ADDITIONAL INFORMATION OR HAVE ANY QUESTIONS, PLEASE
DO NOT HESITATE TO CONTACT ME.

SINCERELY,

JUDD GILBERT
PRESIDENT



Discharge Report Form

PLEASE PRINT OR TYPE

DEP Form # (9-261,900J)
Form Title: Discharge Report Form
Effective Date: 05/17/2006

Instructions are on the reverse side. Please complete all applicable blanks

1. Facility ID Number (if registered): 06-9300963

2. Date of form completion: 11/3/06

3. General Information

Facility name or responsible party (if applicable): Petroleum Management, Inc. (PMI)
Facility Owner or Operator, or Discharger: Judd Gilbert
Contact Person: Judd Gilbert Telephone Number: (954) 961-4455 County: Broward
Facility or Discharger Mailing Address: 4300 Drake Road, Davie, FL 33314
Location of Discharge (street address): 3650 SW Avenue, Davie, FL 33314
Latitude and Longitude of Discharge (if known): _____

4. Date of receipt of test results or discovery of confirmed discharge: 10/6/06 month/day/year

5. Estimated number of gallons discharged: 8 gal.

6. Discharge affected: ☐ Air ☒ Soil ☐ Groundwater ☐ Drinking water well(s) ☐ Shoreline ☐ Surface water (water body name) _____

7. Method of discovery (check all that apply)

☐ Liquid detector (automatic or manual) ☐ Internal inspection ☐ Closure/Closure Assessment
☐ Vapor detector (automatic or manual) ☐ Inventory control ☐ Groundwater analytical samples
☐ Tightness test ☐ Monitoring wells ☐ Soil analytical tests or samples
☐ Pressure test ☐ Automatic tank gauging ☐ Visual observation
☐ Statistical Inventory Reconciliation ☐ Manual tank gauging ☒ Other BC-EPD Inspection of Aug 11, 2006

8. Type of regulated substance discharged: (check one)

☐ Unknown ☒ Used/waste oil ☐ Jet fuel ☐ Heating oil ☐ New/lube oil
☐ Gasoline ☐ Aviation gas ☐ Diesel ☐ Kerosene ☐ Mineral acid
☐ Hazardous substance - includes CERCLA substances from USTs above reportable quantities, pesticides, ammonia, chlorine, and derivatives
(write in name or Chemical Abstract Service (CAS) number) _____
☐ Other _____

9. Source of Discharge: (check all that apply)

☐ Dispensing system ☐ Pipe ☐ Barge ☐ Pipeline ☐ Vehicle
☒ Tank ☐ Fitting ☐ Tanker ship ☐ Railroad tankcar ☐ Airplane
☐ Unknown ☐ Valve failure ☐ Other Vessel ☐ Tank truck ☐ Drum
☒ Other Overflow of Tank F-13

10. Cause of the discharge: (check all that apply)

☐ Loose connection ☐ Puncture ☒ Spill ☐ Collision ☐ Corrosion
☐ Fire/explosion ☐ Overfill ☒ Human error ☐ Vehicle Accident ☐ Installation failure
☐ Other _____

11. Actions taken in response to the discharge: Soil Assessment of spill area to delineate spill boundaries. Three samples were collected at 12-16' bts and analyzed for semivolatiles and TPH on Sept. 30, 2006. Source removal activities were conducted on Oct. 15, 2006 where an area of approx. 40' x 35' was excavated and soil samples collected at 2.5' and 3' bts at the center and boundaries of the excavation pit. These samples were analyzed for semivolatiles & TPH.

12. Comments: Results obtained from laboratory analyses indicate exceedances in carcinogenic semivolatiles at some boring locations. TPH was detected in all nine boring locations, however only one exceeded SC-T13, chapter C 62-333, F.A.C.

13. Agencies notified (as applicable):

☐ State Warning Point ☐ National Response Center ☐ Florida Marine Patrol ☐ Fire Department ☒ DEP (district/person) _____
1-800-320-0519 1-800-424-8802 (800) 342-5367 ☐ County Tanks Program

14. To the best of my knowledge and belief, all information submitted on this form is true, accurate, and complete.

JUDD GILBERT, PRES.
Printed Name of Owner, Operator or Authorized Representative, or Discharger

Judd Gilbert, Pres.
Signature of Owner, Operator or Authorized Representative, or Discharger

GEOTECH

ENVIRONMENTAL

ENVIRONMENTAL & ENGINEERING CONSULTANTS

November 10, 2006

File No. 020621

Via Electronic Mail to dvanlandingham@broward.org

Mr. David Vanlandingham, P.E.
Broward County Environmental Protection Department (BC-EPD)
Pollution Prevention and Remediation Division
115 S Andrews Ave., Room A-240
Fort Lauderdale, Florida 33301

Subject: Petroleum Discharge at Petroleum Management, Inc. (PMI), Facility, located at 3650 SW 47th Ave., Davie, Florida 33314; FDEP ID No.: 069300963

Dear David:

On behalf of PMI, GeoTech Environmental, Inc (GeoTech) is providing BC-EPD with an update on the ongoing soil assessment and source removal activities at the PMI Waste Treatment Plant concerning the new petroleum release of August 2006 located east of the aboveground storage tank (AST) farm (Figure 1). The actual date of release is unknown, but may have occurred before August 11, 2006. Based on the photographs taken by the BC-EPD, the petroleum discharge was from the overflow of the 13,000-gallon used oil AST No. F13 leased to World Petroleum Corporation (World/tenant).

As indicated in my previous electronic mail of October 17, 2006, GeoTech conducted a limited soil assessment within the discharge area to determine the lateral extent of soil contamination. PMI had previously excavated the soils within the discharge area prior to the soil assessment activity. As a result, GeoTech recommended a limited soil assessment to determine if source removal activities had successfully removed all the impacted soils. On September 30, 2006, GeoTech retained ESN Southeast, Inc, a licensed well driller to install three soil borings, SS-1 through SS-3. The soil borings were placed using hand auger method located centrally in the area of the spill observed from the EPD inspection photographs. The soil samples were collected at 16-inches below land surface (bls) for polynuclear aromatic hydrocarbons (PAHs) and TRPH by FL-PRO Method.

The results of confirmation soil samples collected from SS-1 and SS-2 identified six (6) of the seven (7) carcinogenic PAHs at concentrations greater than the FDEP Residential Direct Exposure (DE) Soil Clean up Target Levels (SCTLs) of 0.1 milligrams per kilograms (mg/kg) for total benzo(a)pyrene equivalents. In addition, elevated TRPH concentrations were also detected in SS-3 at a concentration of 600 mg/kg, which exceeded the FDEP Chapter 62-777, F.A.C Residential DE SCTLs of 460 mg/kg (Figure 1). On Wednesday, October 18, 2006, GeoTech began soil excavation east of the AST farm area. Soil characterization was accomplished using an OVA/FID, field observations such as visual staining, odor, and complemented with confirmation soil samples for laboratory analyses to verify and correlate the field screening data. Soil sampling procedure for soil screening and soil removal activities began around CSS-5 located to the southern excavation wall boundary. The excavation proceeded northward in a grid pattern horizontally, at 5-foot intervals, until the perimeter of the area of soil contamination was defined.

Thirteen (13) soil samples were collected for headspace screening from the multiple locations within the excavation (Figure 1 and Table 1). Since this site was contaminated with used oil, the source removal criteria were largely based upon visual appearance and odor. The rationale for allowing visual appearance and odor as justification is that used oil is more viscous than gasoline or diesel and does not migrate as readily through the soil matrix. In addition, the low volatility of used oil makes it unsuitable for detection with the OVA/FID. Since semi volatiles compounds were identified in SS-1 and SS-2, the OVA/FID was used for screening purposes only. GeoTech was also mindful of the fact that ambient petroleum vapors were readily detected from normal onsite and offsite site operations. Ultimately, site cleanup completion was characterized based on soil analytical results and the Table IV cleanup criteria. The average depth to groundwater observed from the onsite monitoring well MW-4 and a test pit

¹ This letter was prepared for the sole use and benefit of the parties listed above. No part of this letter or attached documents may be reproduced or redistributed in any form or by any means without the prior written consent of GeoTech Environmental, Inc.

Project No. 020621

Petroleum Management, Incorporated - Waste Transfer Plant
3650 SW 47th Avenue, Davie, Broward County, FL 33301

dug within the soil excavation area confirmed an average depth of groundwater at 3.18-feet bls during the term of excavation. Soils excavated were placed on visqueen and covered properly for future disposal by PMI.

Elevated soil vapor concentrations (0 to 2 feet bls) in excess of 10-ppm were detected in eleven (11) of the thirteen (13) soil samples collected at the site. The highest OVA/FID readings were reported in soil samples S-3, S-7, and S-8 (Table 1). These soil samples are closest to the AST area and the 4-inch secondary containment drain line (Figure 1). A total of six (6) confirmation soil samples, designated as CSS-4 through CSS-9 were collected along the walls and bottom of the excavation area at 2.5 feet bls to 3.0 feet bls where the soil was visually suspected and where soil samples per source area representing high, medium, and low OVA/FID screening results identified. The soil samples were sent to KSA Laboratory for analysis by PAHs using EPA Method 8270 and TRPH by FL-PRO Method. The analytical results of the soil assessment are summarized in Table 2. Six (6) soil samples, designated as CSS-5 through CSS-9, collected at one foot above the water table (+/-2.5 feet bls) indicated the presence of semi volatile compounds in excess of the FDEP Chapter 62-777 DE SCTLs. TRPH were detected in all confirmation soil samples but were below the Chapter 62-777, F.A.C Direct Exposure SCTLs of 460 mg/kg for TRPH. However, CSS-5, CSS-6, and CSS-9 samples exceeded the Leachability-based on groundwater criteria SCTLs of 340 mg/kg for TRPH.

In conclusion, GeoTech estimates approximately, 150-cubic feet (10-feet long by 15-feet wide by 1-foot deep) of contaminated soils still remain near the confirmatory soil sample areas. Although underground electrical lines were identified to the eastern edge of the existing excavation boundary, contaminated soil removal is feasible in three directions; to the north, south, and up to the PMI concrete block wall to the east (see Figure 1).

GeoTech recommends removal of contaminated soils using a backhoe and the OVA/FID and visual observations be utilized in the field, with confirmatory soil samples be collected for laboratory analysis to verify that the contaminated soils are removed. We anticipate collecting approximately, four (4) to six (6) confirmation soil samples for analysis by PAHs by USEPA Method 8270 and TRPH by FL PRO Method. Excavated soils will be placed in a dump truck or stored on visqueen sheeting and covered to prevent runoff. PMI will be responsible for scheduling, transportation and disposal of the contaminated soils to a FDEP licensed soil/disposal facility. All contaminated soil will be properly manifested as required.

Upon completion of excavation and analysis of the confirmation soil samples by a certified NELAC laboratory, GeoTech will apply oxygen release compounds (ORC) provided by Regencsis to help remediate the impacted soil and possible groundwater at the site, if necessary. Application of ORC will be within the excavation floor and walls. Upon completion of ORC application, the excavation will be backfilled with clean fill that matches the type of soil being removed. One (1) monitoring well will be installed in the center of the excavation determine the extent of groundwater contamination, if any, and whether or not further treatment is necessary. All groundwater samples will be analyzed for PAHs by US EPA Method 8270, and TRPH via FL-PRO Method.

GeoTech will provide to BC-EPD a detailed summary of the discharge, source removal activities, and bioremediation activities in a certified Site Assessment Report due within thirty (30) days from the date of this letter.

If you have any questions regarding this correspondence, please contact me at 954-597-9100 or neil@geotech-usa.com.

Sincerely,
GEOTECH ENVIRONMENTAL, INC

Nilesh Lakhani
Project Geologist

Pc: Judd Gilbert, President, PMI

Table 1 ORGANIC VAPOR HEADSPACE ANALYSIS

PROJECT #: 020621	PAGE 1 OF 1
CLIENT: Petroleum Management, Inc. (PMI)	DATE: 10/18/06
ADDRESS: 3650 SW 47 th Avenue, Davie, Florida, 33314	ANALYST: N. Lakhiani
	INSTRUMENT USED: OVA-FID
LOCATION: S/A	OUTSIDE TEMPERATURE: 90 °F
	OVA CHECK: N.L.

ID	SAMPLE NUMBER	DEPTH (FT)	SAMPLE TYPE	UNFILTERED READING (PPM)**	FILTERED READING (PPM)**	CORRECT FID	REMARKS
1	SS-1	1.75	Dark brown, medium grained sand.	43.1	0	43.1	
2	SS-2	1.3-1.5	Dark brown, medium grained sand.	22.0	0	22.0	
3	SS-3	1.5	Dark brown, medium grained sand.	75.9	0	75.9	
4	SS-4	1.7	Dark brown, medium grained sand.	20.5	0	20.5	
5	SS-5	1.3	Dark brown, medium grained sand.	21.2	0	21.2	
6	SS-6	1.0-1.2	Dark brown, medium grained sand.	19.7	0	19.7	
7	SS-7	4.0	Dark brown, medium grained sand with petroleum staining.	474	0	474	Odor detected
8	SS-8	3.0	Dark brown, medium grained sand with petroleum staining.	306	0	306	Odor detected
9	SS-9	2.0	Grey to light brown, medium grained sand with small rocks.	11.6	0	11.6	
10	SS-10	2.0	Grey to light brown, medium grained sand with small rocks	11.5	0	11.5	
11	SS-11	1.2	Grey to light brown, medium grained sand with small rocks	4.7	0	4.7	
12	SS-12	2.5	Grey to light brown, medium grained sand with small rocks	16.5	0	16.5	
13	SS-13	2.5	Grey to light brown, medium grained sand with small rocks	3.9	0	3.9	

* INSTRUMENT WAS CALIBRATED USING 100 PPM METHANE GAS - PPM: PARTS PER MILLION
 * GASOLINE CONTAMINATED SITES (G2 - 770 FAC) - 500 PPM MCL
 * DIESEL CONTAMINATED SITES (D2 - 770 FAC) - 50 PPM MCL
 NOTE: MCL - MAXIMUM CONTAMINANT LEVEL
 NOTE: CORRECT FID - UNFILTERED - FILTERED

CALIBRATION TIME	READING - PPM	COMMENTS	TECHNICIAN
8:50	500	Sharpie and Span Gas	N.L.

Organic Vapor Headspace Analysis
 \\Server\databases\PublicFolder\Projects\2006020621 - PMJ - AST
 Soil Assessment\Tables\Table_OVA\FID Analysis_101806_um.doc

Officer: GeoTech Environmental, Inc

ಶಿವರಾತ್ರಿ ಸ್ಮಾರಕ ಸಾಹಿತ್ಯ ಕಾರ್ಯಕ್ರಮ

Environmental Protection of Soil Samples Collected at Petroleum Management, Inc. (PMI)

located at 1630 SEV 17th Ave. Davis Pl. 33110

SAMPLE IDENTIFICATION													
Concentrations of Contaminant		SCLs		Leachability	SS-1 (11"-16")	SS-2 (12"-16")	SS-3 (13"-16")	CSS-4 (V)	CSS-5 (2.5')	CSS-6 (2.5')	CSS-7 (2.5')	CSS-8 (2.5')	CSS-9 (2.5')
Method/Units	DE (b)	DE (II)	(III)										
Semi-volatiles by GC/MS													
US EPA Method 8130mg/kg	2400	30,000	2.1	U	U	U	U	U	U	U	U	U	U
Acetophenone	1000	30,000	27	U	U	U	U	U	U	U	U	U	U
Acetophenylene	21000	30000	2500	170.1	130.1	82.1	300.1	320	320	320	320	320	320
Anthracene	10	10	0.8	990	600	U	1800	1390	1390	1390	1390	1390	1390
Benzene (b) anthracene	2500	32000	37000	570	360	U	U	520	520	520	520	520	520
Benzene (b) pyrene	0.1	0.7	8	800	360	U	U	770	770	770	770	770	770
Benzene (b) benzanthracene	10	10	2.4	610	360	U	U	110	110	110	110	110	110
Benzene (b) fluoranthene	10	10	2.4	360	180	U	U	110	110	110	110	110	110
Benzene (b) benzanthracene	10	10	17	500	340.1	U	U	1100	1100	1100	1100	1100	1100
Chrysene	10	10	0.7	U	U	U	U	U	U	U	U	U	U
Dibenz (a,h) anthracene	3200	35000	1200	1300	990	390.1	U	1900	1900	1900	1900	1900	1900
Fluoranthene	2600	31000	1600	13	U	U	U	1100	1100	1100	1100	1100	1100
Indene (1,2,3-cd) pyrene	10	10	6.6	570	350	U	U	U	U	U	U	U	U
1-Methylanthracene	200	2100	2.2	U	U	U	U	U	U	U	U	U	U
2-Methylanthracene	210	2100	6.1	U	U	U	U	U	U	U	U	U	U
Naphthalene	15	100	1.7	U	U	U	U	U	U	U	U	U	U
Phenanthrene	2700	36000	230	620	460	220.1	U	1100	1100	1100	1100	1100	1100
Pyrene	2400	44000	880	1000	760	130.1	1300	1700	1700	1700	1700	1700	1700
Total Recoverable Petroleum Hydrocarbons													
PTL-PTD/mg/kg	440	2760	340	280	170	600	90	310	390	140	71	400	400
TPH													
Date Sampled				9/30/2006	9/30/2006	9/30/2006	10/18/2006	10/18/2006	10/18/2006	10/18/2006	10/18/2006	10/18/2006	10/18/2006
Description													
Analysis in Bulk exceed the SCL's for Residential SCL's													
mg/kg = Milligrams per Kilograms													
U = Analysis Not Detected													
N = This reported value is based on the Laboratory method detection limit and the reporting limit													
SCLs = Florida Chapter 62-777, F.A.C., Table B Soil Cleanup Target Levels													
DE I = Values based on Direct Exposure for Residential use													
DE B = Values based on Direct Exposure for Commercial/Industrial Chapter 62-777, F.A.C., Table C Soil Cleanup Target Levels													
III = Leachability Based On Groundwater Criteria													
N/A = Not Applicable													
*** Leachability values may be derived using the RPL P Test to calculate site-specific SCLs or may be determined using TCLP in the event only waste is present													
** Direct exposure values based on acute toxicity considerations													
* Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benz(a)pyrene equivalents before comparison with the appropriate direct exposure SCL for Benz(a)pyrene using the approach described in the February 2003 Final Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C.													

Officer Geotech Environmental, Inc.

Table 2 102706 sm

N

Legend

- A Confirmation 10' Soil Sample Location (CBS-1X1001 170006)
- B Soil Boring Location (SE-1) (07/10/2006)
- C GPS/FID Soil Sample Number (S-1) (07/10/2006)
- MW-1 Monitoring Well (revised)
- X- Chain Link Fence
- F13 - 13,000 gal Used Oil AST (8' Dia X 13' H)
- B13 - 11,000 gal Used Oil AST (8' Dia X 11' H)

CBS-1 Confirmation Soil Sample
 FID/FID/FID - U
 DATE - 0
 TIME - 54

0 5 10
 SCALE: 1" = 10'



PROJECT NAME
 SOIL SAMPLE LOCATION MAP

CLIENT
 PETROLEUM MANAGEMENT, INC.
 3650 SW 47 AVENUE
 DAVIE, FL 33314

PROJECT NO. 00001
DATE November 1, 2006
SHEET NO. Figure 1

REVISIONS
 DATE
 BY

Kantor, Karen E.

From: PMICorporation@aol.com
Sent: Friday, November 17, 2006 1:46 PM
To: Kantor, Karen E.
Subject: excavation at P.M.I.

Karen,

Please find included in this e-mail pictures of the excavated and stockpiled soils at P.M.I.'s facility in Davie, Florida. Thank you and have a great day.

Mark Nickerson
Project Coordinator
Petroleum Management, Inc.

11/20/2006









STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT MEETING DOCUMENTATION

Attendees: Petroleum Management Inc (PMI)

Judd Gilbert, President/Owner

FDEP

Kathy Winston, EM
Karen Kantor, Case Manager

Location: FDEP, SED Office

Date: 11/3/06

Time: 12:00 PM

Subject: PMI Warning Letter # 06-0165HW06SED

Meeting Requested by: Karen Kantor

Meeting Objectives: Address Warning Letter violations and come to settlement.

Notes:

Ms. Winston explained the Department's enforcement process clarifying that there are two parts, first the compliance issues will be dealt with and then a settlement can be reached through a Consent Order. Ms. Winston also explained our mandate to meet timelines established by EPA.

Ms. Kantor went through each violation in the Warning Letter and addressed the corrective actions performed and discussed the remaining items to be corrected. Mr. Gilbert brought to the meeting several items addressing some of the compliance issues:

- Copy of disposal manifest for 5 drums of petroleum-contaminated soils (violation #1)
- Copy of proposal for source removal and sampling activities from Geotech Environmental (violation #1)
- Documentation from USBank documenting financial assurance mechanism through 9/30/06 (violation #4)

The Department requested the following corrective actions to address the remaining compliance issues: (1) photographic documentation showing perspective of the used oil spill area currently under assessment/remediation and the proper storage of the excavated soils pending disposal; (2) copies of all reporting and analysis(es) performed to date; and (3) a copy of the letter or DRF issued to the Broward County EPD reporting the spill incident.

Ms. Kantor inquired as to the quantity of used oil that had been discharged during the incident. Mr. Gilbert estimated that the quantity released was five (5) gallons. DEP personnel contend the quantity was greater, based on the photographs provided by the Broward EPD and the quantity of soils excavated to date. The applicability of violation

Date _____



MEETING ATTENDANCE

PROGRAM: HAZ WASTE

DATE: 11/3/06

DATE: 11/3/06
MEETING SUBJECT: PETROLEUM MGMT INC ENFORCEMENT MTC # WL 06-0165 HOWLASED

VOICE POINT:

TELEPHONE:

NO. OF PARTICIPANTS:

MEETING ROOM: WASTE CONF ROOM

[illegible]

PETROLEUM MANAGEMENT, INC.

2191 SW 115 Terrace

DAVIE, FL 33325

Broward (954) 581-4455

Truck#

I# 2868

EPA# FLD 980709075

PMT ROLLOFF

NAME		WORLD PETROLEUM			
ADDRESS		3650 SW 47TH AVE			
DATE		PH. NO.		8/16/06	
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RETD.
105				✓	
LAYAWAY		col/m			
QTY.	DESCRIPTION			PRICE	AMOUNT
	RECEIVED 5-55 GALLON				
	DRUMS OF PETROLEUM				
	CONTAMINATED SOIL				
	(INTG PMT ROLLOFF)				
SNIPP		FAIL		TAX	
TEST PASS				TOTAL	
RECEIVED					
No. 13352		ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.			

GP-151-3

PRINTED IN U.S.A.

Thank You

GEOTECH
ENVIRONMENTAL**ENVIRONMENTAL & ENGINEERING CONSULTANTS**

October 17, 2006
Proposal No. 010632
Via Facsimile/Hand Delivered
(954 597 0252)
Mr. Judd Gilbert, President
Petroleum Management Inc.
4700 Oakes Road
Davie, Florida 33314

Subject: Source Removal, Soil Sampling & Analysis - PMI Waste Transfer Facility 3650 SW 47
Avenue, Davie, Florida 33314

Dear Judd:

This is to confirm our telephone conversation today of our planned soil assessment activities concerning the World Petroleum spill east of the tank farm area.

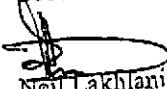
GeoTech is scheduled to be at the site tomorrow at 8:30 am to supervise the soil excavation in the areas previously sampled on September 30, 2006. As you are aware, the results of the three soil samples (SS-1 thru SS-3) indicated elevated levels of polycyclic aromatic hydrocarbons and TRPH are present and are in excess of the FDEP SCTLs as per Chapter 62-777, F.A.C. Therefore, further soil excavation and sampling is necessary to fulfill Broward County Environmental Protection Departments (BC-EPD) requirements.

GeoTech anticipates an area of 15-feet long by 15-feet wide by 2.5-feet deep contaminated soil will require removal just east of the AST area. Soil will be removed by backhoe and operator provided by PMI and either placed in dump truck or stored on visqueen sheeting and covered to prevent runoff. PMI will be responsible for scheduling transportation and disposal of the contaminated soils to a FDEP licensed soil/disposal facility. All contaminated soil will be manifested as required.

Our Change Order and fee estimate sheet is attached for your review and signature. Please forward a signed copy to GeoTech tomorrow. Should you not be able to meet any of these requests, or if you have any questions or concerns, please contact me at 954-597-9100, ext 24.

Sincerely,

GeoTech Environmental, Inc


Neil Lakhiani
Project Geologist

ACCOUNT NUMBER: 4072016944
TTE FOR FL DEPT OF ENVIRONMENTAL
PROTECTION / PMI INC. U/A DTD
7/19/04

805MA

PETROLEUM MANAGEMENT, INC.
ATTN: JUDD GILBERT
3650 SW 47 AVENUE
DAVIE FL 33314

This statement is for the period from
September 2, 2006 to September 30, 2006

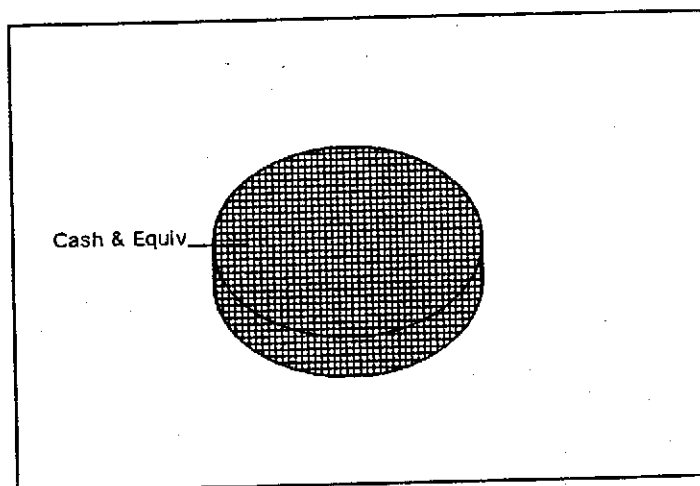
QUESTIONS?

If you have any questions regarding
your account or this statement, please
contact your Account Manager.

JOHN H. SPEICHERT
EX-FL-WWSJ
ONE ENTERPRISE
225 WATER STREET 7TH FLOOR
JACKSONVILLE FL 32202
Phone 904-338-5364
E-mail john.h.speichert@usbank.com

ASSET SUMMARY AS OF 09/30/06

	Market Value	% of Total	Est Annual Income
Cash & Equivalents	\$14,148.34	99.60	\$689.02
Accrued Income	\$56.03	.40	\$0.00
Total Market Value	\$14,204.37	100.00	\$689.02



ASSET DETAIL

Shares/ Par	Security Description	Market Value/ Price	Book Value/ Unrealized Gain(Loss)	Yield at Market	Est Annual Inc/ Accrued Inc
Cash & Equivalents					
Cash/Money Market					
14,148.340	First Amer Treasury Oblig Cl Y 31846V807	\$14,148.34 1.0000000	\$14,148.34 \$0.00	4.87	\$689.02 56.03
	Total Cash/Money Market	\$14,148.34	\$14,148.34 \$0.00		\$689.02 \$56.03
Cash					



ACCOUNT NUMBER: 4072016944
TTE FOR FL DEPT OF ENVIRONMENTAL
PROTECTION / PMI INC. U/A DTD
7/19/04

This statement is for the period from
September 2, 2006 to September 30, 2006

MARKET VALUE SUMMARY

	Current Period
Beginning Market Value	\$14,148.34
Change in Accrued Income	56.03
Ending Market Value	\$14,204.37



00-U-M-18-2/4-01 805MA 22436
00165 00-02252-AA Page 5 of 5
ACCOUNT NUMBER: 4072016944
TTE FOR FL DEPT OF ENVIRONMENTAL
PROTECTION / PMI INC. U/A DTD
7/19/04

This statement is for the period from
September 2, 2006 to September 30, 2006

TRANSACTION DETAIL

Date Posted	Description	Income Cash	Principal Cash	Book Value
09/02/06	Beginning Balance	\$810.94	- \$753.24	\$14,090.64
09/05/06	Purchased 57.7 Units Of First Amer Treasury Oblig Cl Y Trade Date 9/5/06 31846V807		- 57.70	57.70
09/30/06	Ending Balance	\$810.94	- \$810.94	\$14,148.34

Kantor, Karen E.

From: Vanlandingham, David [DVANLANDINGHAM@broward.org]
Sent: Thursday, November 02, 2006 3:55 PM
To: Kantor, Karen E.
Subject: RE: PMI inspection report

Hi Karen,

I am so sorry that I'm just now responding to you. It has been an extremely hectic past couple of weeks.

We have not received a DRF from PMI or World Petroleum as required. We will have to consider pursuing further enforcement in that regard.

However, PMI's consultant (GeoTech) has performed soil sampling with respect to the additional discharge and provided me with the prelim results by email on October 17. Suffice it to say that significant soil contaminated remained so GeoTech was to initiate further source removal on October 18th. Additional soil samples were to be obtained at the boundaries of the excavation for confirmation. I have not had a chance since then to touch base with GeoTech and find out if the scope of work is complete.

Hope this helps.

David

David Vanlandingham, P.E.
Engineer IV
Broward County Environmental Protection Department
PLEASE NOTE OUR NEW ADDRESS!
115 S Andrews Ave., Room A-240
Fort Lauderdale, FL 33301
(954) 519-1478
fax (954) 765-4804

-----Original Message-----

From: Kantor, Karen E. [mailto:Karen.E.Kantor@dep.state.fl.us]
Sent: Monday, October 30, 2006 8:25 AM
To: Vanlandingham, David
Subject: RE: PMI inspection report

Hi David:

Just letting you know the status of our case against PMI and World Petroleum for that discharge in August. I have an enforcement meeting with Judd Gilbert scheduled this Friday. The enforcement case against World has been changed by the case attorney from a ELRA NOV to an actual Warning Letter, to match the efforts already taken against PMI, so I have to change my document and get it out the door. In the meantime, our attorney requested that we collect sample(s), but I thought I would ask if your agency has already done that. Also, can you let me know the status of your case with PMI so I know how they are responding to EPD when I meet with him on Friday.

Thanks,

Sent: Wednesday, September 06, 2006 10:32 AM
To: Register, Harold
Cc: Kantor, Karen E.
Subject: RE: PMI inspection report

Awesome, thanks so much for this.

FYI... On Thursday I finished up a letter demanding a DRF for the discharge and subsequent 62-770 investigation. It's attached here. Sorry I am just sending it to you now, but I was running late trying to head out the door to go on vacation!

David Vanlandingham, P.E.
Engineer IV
Broward County Environmental Protection Department
PLEASE NOTE OUR NEW ADDRESS!
115 S Andrews Ave., Room A-240
Fort Lauderdale, FL 33301
(954) 519-1478
fax (954) 765-4804

-----Original Message-----

From: Register, Harold [mailto:Harold.Register@dep.state.fl.us]
Sent: Tuesday, September 05, 2006 2:05 PM
To: Vanlandingham, David
Cc: Kantor, Karen E.
Subject: FW: PMI inspection report

Dave --

FYI.

JR

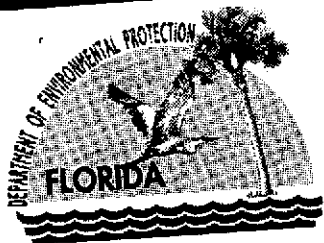
-----Original Message-----

From: Kantor, Karen E.
Sent: Tue 9/5/2006 12:22 PM
To: Kothur, Bheem; Putcha, Subra; Register, Harold
Cc:
Subject: FW: PMI inspection report

Below is the draft written report for the Warning Letter, for your review. I included a statement about a PCAP for the discharge, but I don't know how that may work out if there is existing contamination to be distinguished from. Please advise regarding the status of any existing contamination at PMI, and if the request for a PCAP related to the recent discharge must include consideration of such.

<<PMI 2006 inspection report.doc>>

Thanks,
Karen Kantor, P.G.
Environmental Specialist III
Florida Department of Environmental Protection
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6720
561-681-6770 fax
karen.e.kantor@dep.state.fl.us



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

SEP 22 2006

WARNING LETTER#WL06-0165HW06SED

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8252

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

No.: 7000 0600 0024 1601 8245

Gene K. Glasser, Esquire, Registered Agent
2021 Tyler Street
Hollywood, FL 33022

Re: Discharge of Used Oil at Petroleum Management, Inc.,
3650 SW 47th Ave, Davie, FL 33314, EPA ID Number: FLD980709075

Dear Mr. Gilbert and Mr. Glasser:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. On August 11, 2006, a complaint was filed with the Broward County Environmental Protection Department (EPD) reporting the unauthorized release of used oil to the ground at the above location. The Department has evaluated the record of the complaint, and possible violations of Chapter 403, Florida Statutes (F.S.), and Chapters 62-710 and 62-770, Florida Administrative Code (F.A.C.) regarding the management of used oil were noted. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268, and Part 279, as adopted in Chapters 62-730, and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Ms. Karen Kantor of this office at 561/681-6720 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any

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Printed on recycled paper.

Petroleum Management, Inc.
Page 2 of 2

violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the Department's January 24, 2002 "Settlement Guidelines for Civil and Administrative Penalties" and the RCRA Civil Penalty Policy of June 2003, the penalty which would be proposed in this case is \$16,900.00 plus \$500.00 for costs and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Kevin R. Neal 9/22/06
Date

Kevin R. Neal
District Director
Southeast District

KRN/JL/KW/kk

cc: West Palm Beach, DEP File
Alan Annicella, EPA Region IV
Mike Redig, DEP Tallahassee, MS # 4560
Bheem Kothur, DEP Tallahassee
JR Register, DEP Tallahassee
David Vanlandingham, Broward EPD (DVANLANDINGHAM@broward.org)
Al Gomez, Broward County EPD (AGOMEZ@broward.org)



Jeb Bush
Governor

SEP 22 2006

Department of Environmental Protection

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ☒ Complaint ☐ Routine ☐ Follow-up ☐ Permitting

FACILITY NAME Petroleum Management, Inc. DEP/EPA ID# FLD980709075

ADDRESS 3650 SW 47th Avenue, Davie, FL 33314

COUNTY Broward PHONE (954) 581-4455 DATE 8/11/06 TIME N/A

TYPE OF FACILITY:

Generator
☒ Cond. Exempt S.Q.G.
☐ Small Quantity
☐ Generator
☐ Non-Handler
☒ Used Oil

Storage
☐ Container
☐ Tank
☐ Waste Pile
☐ Surface Impoundment

Treatment
☐ Tank
☐ Land Treatment
☐ Thermal
☐ Chem/Phys/Bio.
☐ Incinerator
☐ Surface

Transporter
☒ Transporter
☐ Transfer Station

Disposal
☐ Landfill
☐ Surface Impoundment
☐ Waste Pile

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☒ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)
Mr. Judd Gilbert, President

4. Survey Participants & Principal Inspector:
N/A - Complaint response by Broward County EPD

5. Facility Latitude: 26° 04' 35.1355" Longitude: 80° 12' 34.7251"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No

"More Protection, Less Process"

Printed on recycled paper.

INTRODUCTION

On August 11, 2006, personnel from the Broward County Environmental Protection Department (EPD) conducted a complaint investigation inspection at Petroleum Management, Inc. (PMI), 3650 SW 47th Avenue, Davie, Florida, 33314. PMI is a permitted Used Oil Processor, permit number 54228-HO-002, expiration date October 12, 2008. The facility is situated on an approximate one-acre site in an industrial area, and is connected to city water and served by portable toilet. PMI has been operating at this location since 1985.

PMI was last inspected by the Department on September 8, 2005. Based on the observations made during that inspection, a Warning Letter was issued on October 10, 2005, for failure to label used oil containers and failure to manage universal waste lamps and batteries in a way that prevents exposure to moisture. The facility paid a penalty, and returned to compliance for these issues on March 29, 2006. The case was closed on April 21, 2006.

COMPLAINT REFERRAL

PMI is a permitted facility authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste, and used oil filters. In addition to these activities, PMI is a registered hazardous waste transporter. The facility includes used oil/oily water collection and processing tanks, used oil filter and oily solid waste storage, designated areas for empty container storage, and parking for tankers, box trucks and vacuum trucks. The property is concrete-paved, except for the unpaved and grassy areas in the eastern and southwestern portions of the site.

On August 11, 2006, Ron King, Natural Resource Specialist II with the Broward EPD, responded to a complaint reporting the discharge of used oil at the PMI facility. Photographs of the incident taken by Mr. King at the facility were provided to the Department's Tallahassee and Southeast District personnel via email correspondences. Email correspondences among Mr. King, EPD staff, and Department personnel indicate that witnesses at the neighboring Perma-fix of Ft. Lauderdale facility reported the discharge.

The following information regarding the discharge incident was obtained from the complaint record retrieved from the EPD's Environmental Inquiry System (ENVIROS) internet database:

- Mr. King met with Judd Gilbert, owner of PMI, and with Eric Miranda of World Petroleum Corporation (WPC). WPC is a used oil transporter that leases operating space at the PMI facility. Mr. Gilbert and Mr. Miranda informed Mr. King that the incident occurred when an employee of WPC overfilled one of PMI's used oil tanks at the NE corner, releasing used oil to the ground through a pressure relief valve.
- Respondents failed to immediately notify the EPD by telephone of the incident and the resultant discharge.
- WPC employees were stabilizing the situation at the time of Mr. King's site visit and were about to remediate the spill; photographs were taken.
- The EPD issued a Warning Notice WRN06-0603, for violations of Chapter 27 of the Broward County Code stemming from the incident.

RECORD REVIEW

Department personnel reviewed the following documents on file in the Southeast District office and in the Department's electronic data management system:

- Used Oil and Material Processing Facility Permit Number 54228-HO-002
- Used Oil Handler and Hazardous Waste Transporter registrations.
- Contingency plan and SPCC plan, as part of the permit application received February 4, 2004.

These records appeared to be in order.

Absent from the Department's records was PMI's submittal of the Used Oil Facility Closure Cost Estimates, which was due December 9, 2005. According to Department records, correspondences dated August 26, 2005, and July 10, 2006, were sent to PMI requesting the submittal of this item, in accordance with Chapter 62-710.800, Florida Administrative Code (FAC).

DEPARTMENT FINDINGS

PMI notified the Department on October 28, 2004, as a used oil processor, marketer, and transporter, and as a transporter of hazardous waste. The facility's current registration as a used oil processor/transporter/transfer facility was verified through the Department's electronic data management system; having a current registration also indicates that the facility was operating in accordance with insurance and annual reporting requirements for used oil activities at the time of renewal. Also verified through this means was the expiration of PMI's Hazardous Waste Transporter registration on July 31, 2007. PMI is also registered as a Small Quantity Handler/Transporter of Mercury-containing devices (MCDs) through March 1, 2007.

The documentation provided by representatives of Broward County EPD presents sufficient evidence that a release of used oil to the ground occurred at the PMI facility. According to Department personnel in the Bureau of Emergency Response, the incident of this release was not reported to the State Warning Point or to the Department's District staff. As of the date of this report, the facility has not contacted the Department regarding the incident or the progress of remedial actions addressing the discharge.

Due to the discharge of petroleum constituents at the above referenced site, the Department is requesting that assessment work be conducted. In order to properly determine the applicable remediation procedures concerning the above referenced facility, the Department is requesting that a Preliminary Contamination Assessment Plan (PCAP) and a Discharge Report Form (DRF) [Form Number 62-761.900(1)] be completed and sent to the Department within 30 days of receipt of this letter, pursuant to Rule 62-770.250 (2)(a), F.A.C. The PCAP shall be completed in accordance with the requirements of Rules 62-770 and 62-780, F.A.C.

To date, the Department has not received PMI's Used Oil Facility Closure Cost Estimates, in accordance with Chapter 62-710.800, Florida Administrative Code (FAC). In the absence of the submittal and approval of the facility's Closure Cost Estimate, PMI has not submitted proof of financial assurance in the amount of the Closure Cost Estimate.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's capabilities, limitations, time constraints, and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

62-710.401(2) FAC

Improper Discharge of Used Oil

No person may discharge used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters. PMI discharged used oil to the ground when an overfilled used oil tank released used oil through a pressure relief valve.

403.161(1)(d), F.S. and
62-770.250 FAC

Failure to Report a Used Oil Release

PMI failed to report the discharge of used oil exceeding 25 gallons to the Department within 24 hours of occurrence.

62-710.800(6)(b) FAC

Closing Cost Estimate

PMI failed to provide cost estimates for closure.

62-710.800(6)(a) FAC

Financial Assurance

PMI failed to establish financial assurance to the Department for closure.

CORRECTIVE ACTIONS

62-710.401(2) FAC

Improper Discharge of Used Oil

Effective immediately, PMI should cease all discharges of used oil to the environment, and ensure that spills and releases are addressed immediately upon discovery.

403.161(1)(d), F.S. and
62-770.250 FAC

Failure to Report a Used Oil Release

Effective immediately, PMI should report all discharges of used oil in excess of 25 gallons to the Department within 24 hours of occurrence.

62-710.800(6)(b) FAC

Closing Cost Estimate

Effective immediately, PMI should submit to the Department the appropriate DEP Form 62-710.901(7) for the closure cost estimate.

62-710.800(6)(a) FAC

Financial Assurance

Effective immediately, PMI should provide proof of financial assurance to the Department for closure.

Please be advised that the findings in this report are based on the information available to the Department to date. Future information provided to the Department may affect the applicability of the citations referenced above and any pending agency action in accordance with Section 120.57(5), F.S.

Report prepared by: Karen Kantor Date: 9/13/06

Karen Kantor
Environmental Specialist III, Hazardous Waste C&E
Florida Department of Environmental Protection
Southeast District Office

Report approved by: Kathy Winston Date: 9/18/06

Kathy Winston
Environmental Manager, Hazardous Waste C&E
Florida Department of Environmental Protection
Southeast District Office

**Southeast District Office
Penalty Computation Worksheet**

Part II - Multi-day Penalties and Adjustments

Adjustments:

Dollar Amount:

Good Faith/lack of good Faith prior to Discovery:
Justification:

\$ 0

Good Faith/lack of good Faith after Discovery:
Justification:

\$ 0

History of Non-Compliance:
Justification:

\$ 0

Economic Benefit of Non-Compliance:
Justification:

\$ 0

Ability to pay:
Justification:

\$ 0

Multi-Day Penalties:

Number of days adjustment factor(s) to be applied:
Justification:

Dollar Amount:
\$ 0

Number of days matrix amount is to be multiplied:
Justification:

\$ 0

Part III-Other Adjustments Made After Meeting
With Responsible Party

Adjustments
Relative Merits of the Case:
Resource Consideration:
Other Justification:

Dollar Amount:

(\$3,900.00)

The proposed penalty amounts were reduced by \$6,900.00 for counts 1 and 2, as an offset to the costs incurred by performing clean up, and because the other party subject to enforcement in the spill incident (World Petroleum Corp.) paid penalties for these same violations. In addition, since the issue of the Warning Letter on September 22, 2006, the Respondent failed to submit the closure cost estimate due for the next reporting period by March 1, 2007, and penalties amounting to \$3,000.00 were added at \$100.00 per day for 30 days. Therefore, District Staff recommends reduction in the total civil penalty to \$13,000.00 (plus \$500 costs and expenses) in order to settle the matter and avoid the risk litigation.

Timothy Rach
Acting District Director

Date

Florida Department of Environmental Protection Southeast District

Florida
Department of Environmental Protection
Interoffice Memorandum

ENFORCEMENT/COMPLIANCE COVER MEMO

TO:

☒ Kevin Neal, District Director

Date

FROM/THROUGH:

9-18-06

☒ Joe Lurix, Program Administrator

Date

9/18/06

☒ Kathy Winston, Environmental Manager

Date

☐ Stephen Brown, ES III Supervisor

Date

9/14/06

☒ Karen Kantor, Environmental Specialist

Date

DATE:

SITE NAME: Petroleum Management Inc.
PROJECT NAME:
PROGRAM AREA: Hazardous Waste
WL#: WL06-0165HW06SED

SITE #:
PROJECT #:
COUNTY: Broward
OGC #: 0

TYPE OF DOCUMENT:

☐ DRAFT OR ☐ FINAL
☐ FINAL ORDER
☒ WARNING LETTER

☐ NOV
☐ CASE REPORT
☐ INSPECTION REPORT

☐ CONSENT ORDER
☐ PENALTY AUTHORIZATION

DESCRIPTION OF VIOLATIONS:

Complaint originating from Broward County EPD. Overfilling of used oil storage tank resulted in discharge of oil through a pressure release valve. Oil spilled into containment and outside containment onto bare ground. Facility is also operating without closure cost estimate and financial assurance for closure.

SUMMARY OF CORRECTIVE ACTIONS:

Broward County EPD reported that cleanup of discharge was under way when inspector arrived onsite. However, the facility has not notified the department of the spill or the status of the remedial actions.

PENALTY SUMMARY:

ORIGINAL PENALTY AMOUNT:	\$16,900.00	EXPENSES / ADJUSTMENTS:	\$500.00
TOTAL PENALTY:	\$17,400.00		

ATTACHMENT(S):

Warning Letter checklist, Warning Letter, Inspection Cover Sheet, Inspection Report, Penalty Justification.

CHECKLIST FOR WARNING LETTER

Case Name/ No.: Petroleum Management Inc./WL06-0165HW06SED

Case Manager: Please check off all items that apply to this order.																						
STEP # 1:	<input checked="" type="checkbox"/> Cover Letter (Director Signs)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="font-size: small;">ENFORCEMENT TRACKING</th> </tr> <tr> <th style="width: 50%; font-size: x-small;">INITIAL</th> <th style="width: 50%; font-size: x-small;">DATE</th> </tr> <tr> <td style="text-align: center; vertical-align: middle;">(Signature)</td> <td style="text-align: center; vertical-align: middle;">9/14/06</td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">(Signature)</td> <td style="text-align: center; vertical-align: middle;">9/12/06</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	ENFORCEMENT TRACKING		INITIAL	DATE	(Signature)	9/14/06	(Signature)	9/12/06												
ENFORCEMENT TRACKING																						
INITIAL	DATE																					
(Signature)	9/14/06																					
(Signature)	9/12/06																					
Contents	<input checked="" type="checkbox"/> Copy of Inspection Report and/or Checklist																					
Checklist	<input type="checkbox"/> No. of Exhibits <input checked="" type="checkbox"/> Penalty Calculations (Director Signs) <input type="checkbox"/> Penalty Authorization <input type="checkbox"/> Ranking - Potential For Harm DO NOT MAIL <input checked="" type="checkbox"/> Other/Comments: <u>Corporate Record, Copy of EPD</u> <input type="checkbox"/> Complaint DO NOT MAIL <input type="checkbox"/> Record in PA/Director Log																					

STEP # 2:	<input type="checkbox"/> Cover Letter (Signed by Director) <input type="checkbox"/> Inspection Report (Date Stamp) <input type="checkbox"/> <u>File Only</u> Original Penalty Calculations (Signed by Director) <input type="checkbox"/> Copy of Penalty Calculations to Respondent <input type="checkbox"/> <u>File Only</u> Ranking - Potential For Harm <input type="checkbox"/> cc: Copies of Letter & Inspection Report <input type="checkbox"/> Archboard Copies of Letter & Inspection Report <input type="checkbox"/> Special Instructions: _____ <input type="checkbox"/> Record Date Mailed in PA/Director Log
------------------	---

STEP # 3:	<p>CASE FILE:</p> <input type="checkbox"/> <u>File Only</u> Original Penalty Calculations (Signed by Director) <input type="checkbox"/> <u>File Only</u> Ranking - Potential For Harm <input type="checkbox"/> Copy of Inspection Report <p>ARCHBOARD:</p> <input type="checkbox"/> Copies of Letter & Inspection Report <p>SPECIAL INSTRUCTIONS: _____</p>
------------------	---

**Southeast District Office
Penalty Computation Worksheet**

Part II - Multi-day Penalties and Adjustments

Adjustments:	Dollar Amount:
Good Faith/lack of good Faith prior to Discovery:	\$ 0
Justification:	
Good Faith/lack of good Faith after Discovery:	\$ 0
Justification:	
History of Non-Compliance:	\$
Justification: _____	
Economic Benefit of Non-Compliance:	\$ 0
Justification: _____	
Ability to pay:	\$ 0
Justification:	
Multi-Day Penalties:	Dollar Amount:
Number of days adjustment factor(s) to be applied:	\$ 0
Justification:	
Number of days matrix amount is to be multiplied:	\$ 0
Justification:	

Part III-Other Adjustments Made After Meeting
With Responsible Party

Adjustments	Dollar Amount:
Relative Merits of the Case:	_____
Resource Consideration:	_____
Other Justification:	

Kevin R. Neal
District Director
Southeast District

Date

2006 FOR PROFIT CORPORATION ANNUAL REPORT

FILED
Feb 08, 2006
Secretary of State

DOCUMENT# G10304

Entity Name: PETROLEUM MANAGEMENT, INC.

Current Principal Place of Business:

4700 OAKES RD
SECOND FLOOR
DAVIE, FL 33314 US

New Principal Place of Business:

Current Mailing Address:

2191 S.W. 115TH TERRACE
DAVIE, FL 33325

New Mailing Address:

FEI Number: 59-2230656

FEI Number Applied For ()

FEI Number Not Applicable ()

Certificate of Status Desired (X)

Name and Address of Current Registered Agent:

Name and Address of New Registered Agent:

GLASSER, GENE K., ESQ.
2021 TYLER STREET
HOLLYWOOD, FL 33022 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

Date

Election Campaign Financing Trust Fund Contribution ().

OFFICERS AND DIRECTORS:

Title: PD () Delete
Name: GILBERT, JUDD,
Address: 2191 S.W. 115TH TERRACE
City-St-Zip: DAVIE, FL

Title: ST () Delete
Name: GILBERT, BEVERLY,
Address: 2191 S.W. 115TH TERRACE
City-St-Zip: DAVIE, FL

ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:

Title: () Change () Addition
Name:
Address:
City-St-Zip:

Title: () Change () Addition
Name:
Address:
City-St-Zip:

I hereby certify that the information supplied with this filing does not qualify for the for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with an address, with all other like empowered.

SIGNATURE: BEVERLY J. GILBERT

ST

02/08/2006

Electronic Signature of Signing Officer or Director

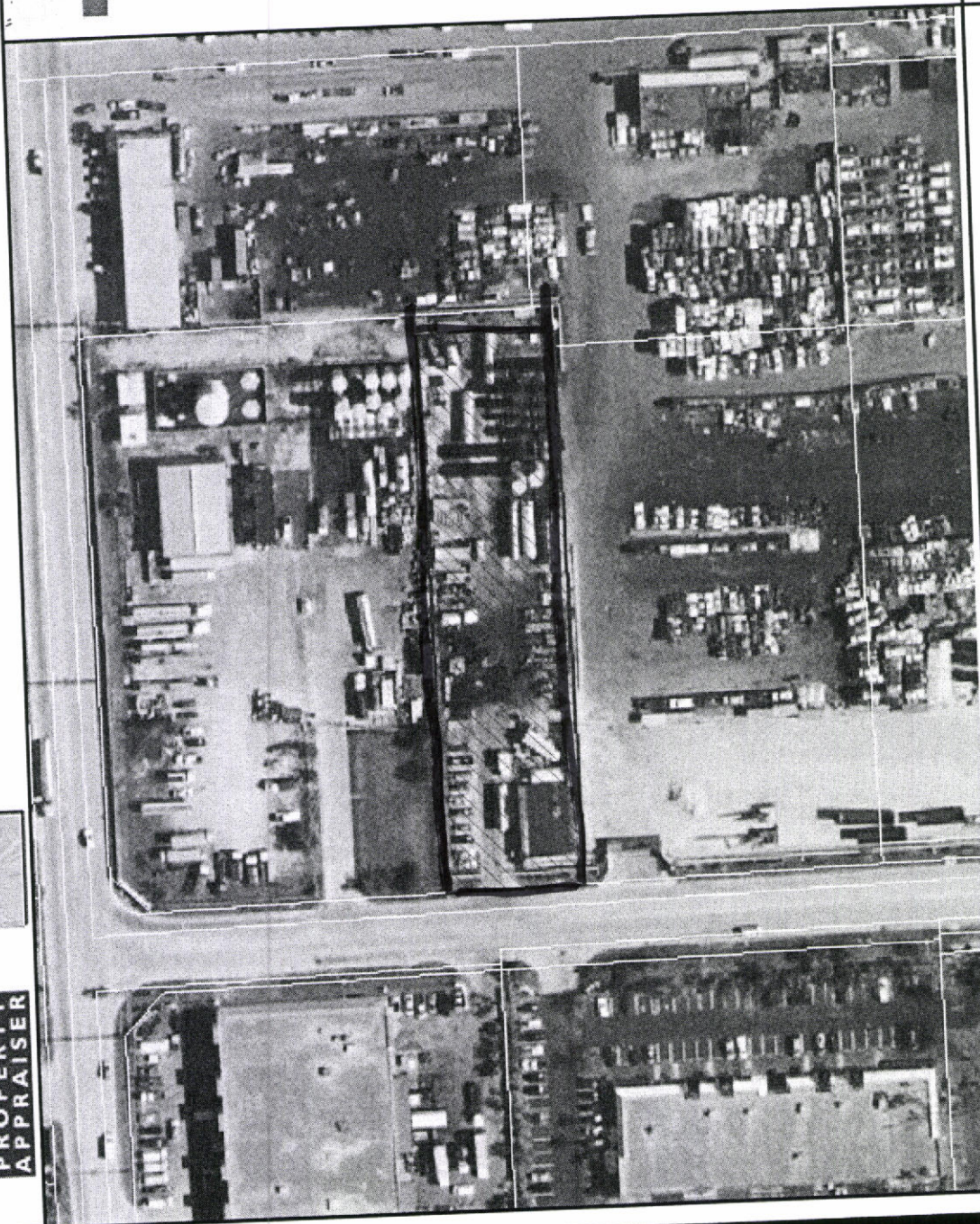
Date

Map



LORI PARRISH
BROWARD COUNTY
PROPERTY APPRAISER

Parcels
Aerials (2006)
County Boundary



Map

0 55 ft

Created on 9/1/2006 2:59:16 PM using ArcIMS 4.0.1. © Copyright 2003 Broward County Property Appraiser

http://66.55.51.198/map_print.asp?folio=504125230010&folionum=504125230010&minX=915178.879084592&minY=633981.667477717&m... 9/1/2006

Kantor, Karen E.

From: Kothur, Bheem
Sent: Monday, August 14, 2006 10:23 AM
To: Kantor, Karen E.; Brown, Stephen E.
Cc: Winston, Kathy; Redig, Michael
Subject: FW: World Petroleum Inc spill photos

Karen I think this is your facility and this FYI.

Bheem

From: Outlaw, Douglas
Sent: Monday, August 14, 2006 8:10 AM
To: Kothur, Bheem; Putcha, Subra
Subject: FW: World Petroleum Inc spill photos

FYI

From: Register, Harold
Sent: Friday, August 11, 2006 2:32 PM
To: Outlaw, Douglas; Posner, Augusta
Subject: FW: World Petroleum Inc spill photos

FYI

JR

Harold D. Register Jr., EI
Engineering Specialist IV
Hazardous Waste Regulation Section (RCRA)

Work (general) (850)245-8707
Work (direct line) (850)245-8796
Work (suncom) 205-8796
Work Fax (850)245-8810

Florida Department of Environmental Protection
Hazardous Waste Regulation Section
2600 Blirstone Road MS 4560
Tallahassee, FL 32399-2400

<http://www.dep.state.fl.us/>

Please note: Florida has a very broad public records law. Most written communications to or from state officials are public records and may be made available to the public or media upon request. This e-mail communication, your reply, and future e-mails to my attention may therefore be subject to public disclosure.

From: Vanlandingham, David [mailto:DVANLANDINGHAM@broward.org]
Sent: Friday, August 11, 2006 2:30 PM
To: Fernandez, Lorenzo
Cc: Register, Harold
Subject: FW: World Petroleum Inc spill photos

8/21/2006

Why, oh, why can't this man stay out of trouble???

David Vanlandingham, P.E.
Engineer IV
Broward County Environmental Protection Department
PLEASE NOTE OUR NEW ADDRESS!
115 S Andrews Ave., Room A-240
Fort Lauderdale, FL 33301
(954) 519-1478
fax (954) 765-4804

From: Kontax, Nicholas
Sent: Friday, August 11, 2006 2:19 PM
To: Vanlandingham, David
Subject: FW: World Petroleum Inc spill photos

Dave: Ron responded to a complaint received this am (CMP0806-022) and took these photos. I called Judd Gilbert and he told me that he has sublet six of his Storage Tanks to World Petroleum Corporation for storage (see attached vcard). World is a licensed EPD hauler. They do not have a separate license here and as such, I told Judd he would be getting a Warning as well as World for the discharge and failure to notify.

From: King, Ron
Sent: Friday, August 11, 2006 2:13 PM
To: King, Ron
Cc: Kontax, Nicholas
Subject: FW: World Petroleum Inc spill photos

From: King, Ron
Sent: Friday, August 11, 2006 2:06 PM
To: Kontax, Nicholas
Cc: King, Ron
Subject: World Environmental Inc spill photos

World Petroleum Inc
located at Petroleum Management Inc Site
3650 SW 47TH AVE
Davie FL 33318
8/11/06 10:00 a.m.

Karen I think this is your facility and this FYI.
Bheem

From: Outlaw, Douglas
Sent: Monday, August 14, 2006 8:10 AM
To: Kothur, Bheem; Putcha, Subra
Subject: FW: World Petroleum Inc spill photos
FYI

From: Register, Harold
Sent: Friday, August 11, 2006 2:32 PM
To: Outlaw, Douglas; Posner, Augusta
Subject: FW: World Petroleum Inc spill photos
FYI
JR

Harold D. Register Jr., EI
Engineering Specialist IV
Hazardous Waste Regulation Section (RCRA)
Work (general) (850)245-8707
Work (direct line) (850)245-8796
Work (suncom) 205-8796
Work Fax (850)245-8810
Florida Department of Environmental Protection
Hazardous Waste Regulation Section
2600 Blairstone Road MS 4560
Tallahassee, FL 32399-2400
<http://www.dep.state.fl.us/>

Please note: Florida has a very broad public records law. Most written communications to or from state officials are public records and may be made available to the public or media upon request. This e-mail communication, your reply, and future e-mails to my attention may therefore be subject to public disclosure.

From: Vanlandingham, David [mailto:DVANLANDINGHAM@broward.org]
Sent: Friday, August 11, 2006 2:30 PM
To: Fernandez, Lorenzo
Cc: Register, Harold
Subject: FW: World Petroleum Inc spill photos
Why, oh, why can't this man stay out of trouble???
David Vanlandingham, P.E.
Engineer IV
Broward County Environmental Protection Department
PLEASE NOTE OUR NEW ADDRESS!
115 S Andrews Ave., Room A-240
Fort Lauderdale, FL 33301
(954) 519-1478
fax (954) 765-4804

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Sent: Friday, August 11, 2006 2:19 PM
To: Vanlandingham, David
Subject: FW: World Petroleum Inc spill photos

Dave: Ron responded to a complaint received this am (CMP0806-022) and took these photos. I called Judd Gilbert and he told me that he has sublet six of his Storage Tanks to World Petroleum Corporation for storage (see attached vcard). World is a licensed EPD hauler. They do not have a separate license here and as such, I told Judd he would be getting a Warning as well as World for the discharge and failure to notify.

From: King, Ron
Sent: Friday, August 11, 2006 2:13 PM
To: King, Ron
Cc: Kontax, Nicholas
Subject: FW: World Petroleum Inc spill photos

From: King, Ron
Sent: Friday, August 11, 2006 2:06 PM
To: Kontax, Nicholas
Cc: King, Ron
Subject: World Environmental Inc spill photos

World Petroleum Inc
located at Petroleum Management Inc Site
3650 SW 47TH AVE
Davie FL 33318
8/11/06 10:00 a.m.



1 of 18: Oil in secondary containment.



2 of 18: Oil in secondary containment.



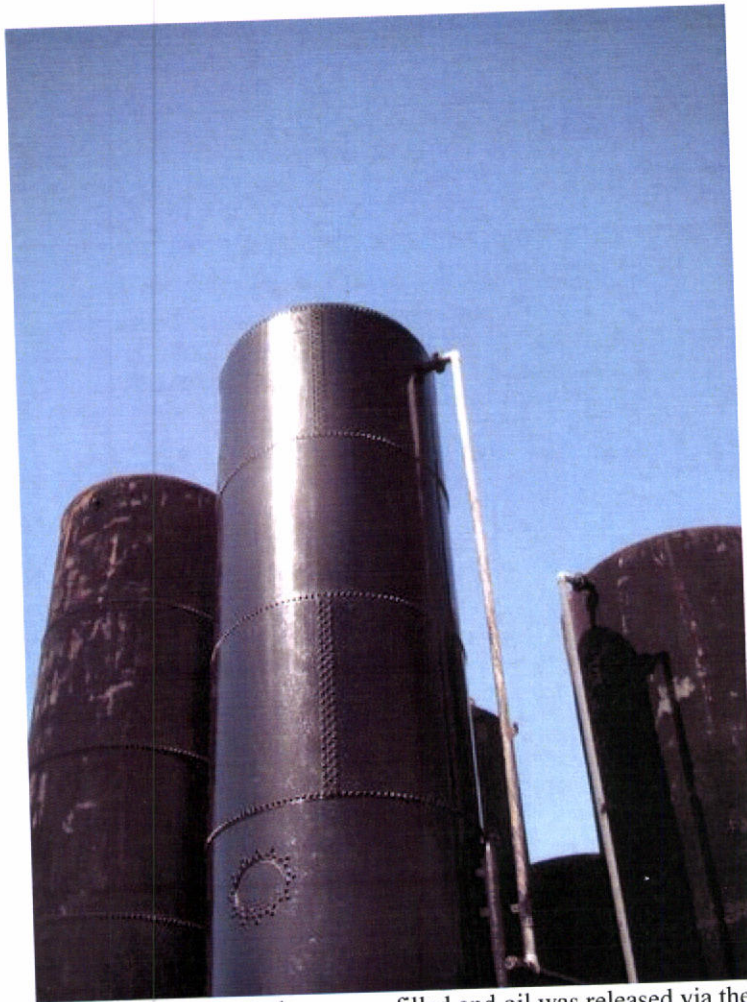
3 of 18: Secondary Containment view looking east.



4 of 18: Spill at NE Corner of Secondary Containment.



5 of 18: Spill at NE Corner of Secondary Containment



6 of 18: West oil tank - source of spill. Tank was overfilled and oil was released via the pressure relief valve at the top of tank.



7 of 18: Worker cleaning up oil spillage to ground.



8 of 18: Worker cleaning up oil spillage to ground.



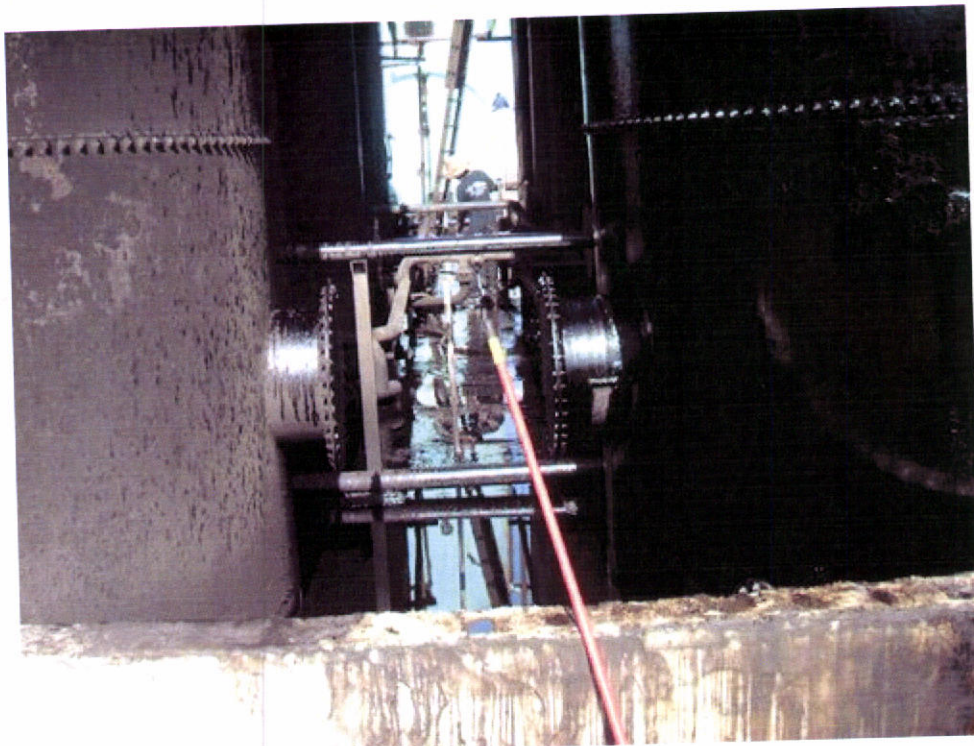
9 of 18: Worker cleaning up oil spillage to ground.



10 of 18: Worker cleaning up oil spillage to ground.



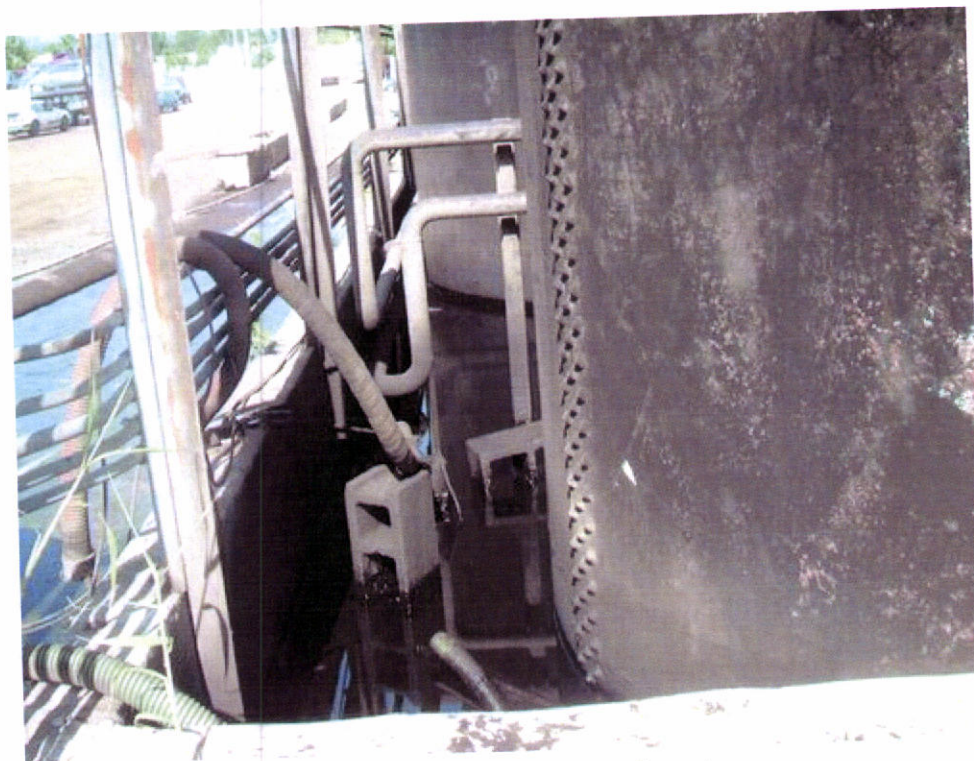
11 of 18: Secondary Containment.



12 of 18: Oil in secondary containment.



13 of 18: Owner of World Environmental arrives onsite.



14 of 18: Oil in secondary containment.



15 of 18: South side of secondary containment.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gene K. Glasser, Esq. Registered Agent
2021 Tyler St.
Hollywood, FL 33022

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Kay Spann

☐ Agent

☐ Addressee

B. Received by (Printed Name)

KAY SPANN

C. Date of Delivery

9-29-06

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

#W/KR
9/22/06

#W206-0165/H206
SEP

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

RECEIVED

OCT 05 2006

DEPT OF ENV PROTECTION

7000 0600 0024 1601 8245

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Judd Gilbert, Owner
 Petroleum Management, Inc.
 2191 SW 115 Terrace
 Davie, FL 33325

2. Article Number

(Transfer from service label)

7000

Serial

0024

1601

8252

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature] ☐ Agent ☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/23/06

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

9/22/06 HW/KK
 #WL06-0165 HW'06 SED

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

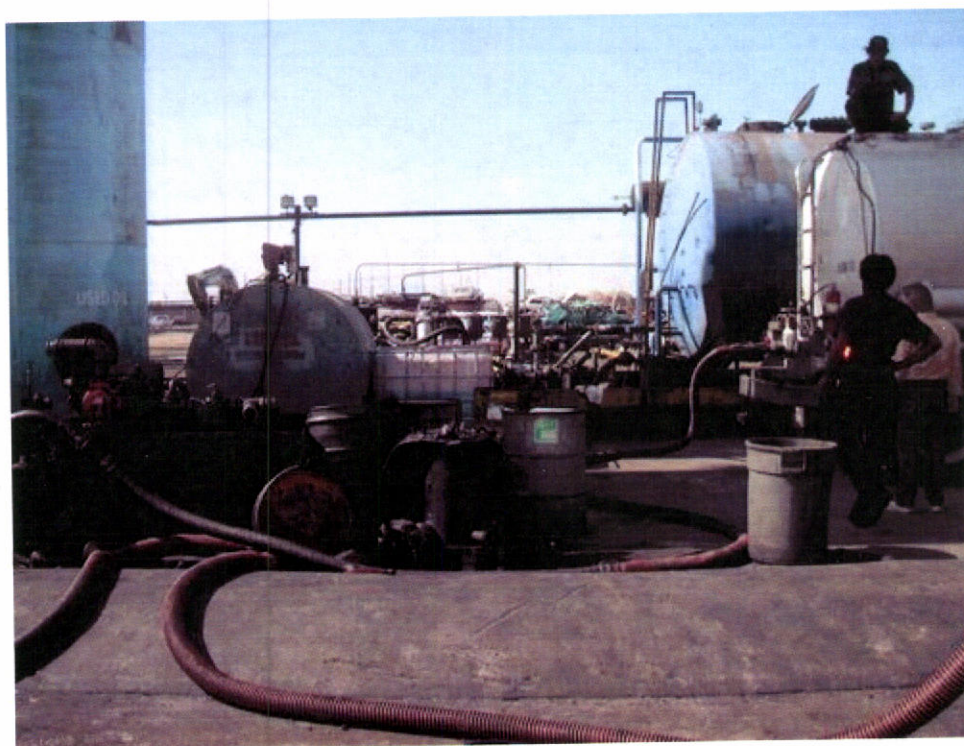
RECEIVED
 SEP 23 2006
 DEPT OF ENV PROTECTION
 WEST PALM BEACH

Domestic Return Receipt

102595-02-M-1540



16 of 18: Spill site.



17 of 18: PMI side of tank farm.



18 of 18: Drive looking west.

Kantor, Karen E.

From: Posner, Augusta
Sent: Tuesday, August 08, 2006 2:15 PM
To: Kothur, Bheem; Simmons, Juliette
Cc: Outley, Debra; Bahr, Tim
Subject: FW: ORD - Closing File.pdf

This document should go into Oculus for both Petroleum Management Inc and Perma-Fix of Ft Lauderdale. Thanks!

Agusta P. Posner
State of Florida Department
of Environmental Protection
3900 Commonwealth Blvd. MS 35
Tallahassee, FL 32399-2000
ph (850) 245-2282
FAX (850) 245-2302
augusta.posner@dep.state.fl.us

-----Original Message-----

From: Brown, Lisa L.
Sent: Tuesday, August 08, 2006 1:12 PM
To: Posner, Augusta
Subject: ORD - Closing File.pdf

Here's the PMI order you wanted scanned.

Lisa



ORD - Closing
File.pdf

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETROLEUM MANAGEMENT, INC.,

Petitioner,

vs.

OGC CASE NO. 05-2860

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

ORDER CLOSING FILE

On January 9, 2006, the Florida Department of Environmental Protection ("Department") received a petition for administrative hearing from Petroleum Management, Inc. ("PMI"). The petition challenged the Department's December 9, 2005, final agency letter to Perma-Fix of Ft. Lauderdale (FLD 981 018 773) which determined that:

there is sufficient evidence from the sampling results to demonstrate that the Spill Area is not a contributing source to the residual contamination detected at the Petroleum Management, Inc. (PMI) property. The Department finds that no further facility-wide or off-site corrective action is necessary for the Spill Area or any other SWMU at the PFFL facility . . .

On January 30, 2006, the Department forwarded said petition to the Division of Administrative Hearings.

On July 31, 2006, the parties filed a Settlement Agreement Withdrawing Petition and Joint Motion to Relinquish Jurisdiction. On August 1, 2006, Administrative Law Judge Donald Alexander issued an Order Closing File, relinquishing jurisdiction back to the Department.

There being no further matters to consider,


IT IS ORDERED:

The petition having been withdrawn, the Department's file in this matter is closed. Any party to this order has the right to seek judicial review of the order under Section 120.68, Florida Statutes by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate

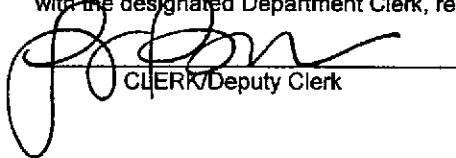
Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date this order is filed with the clerk of the Department.

DONE AND ORDERED this 8th day of August, 2006, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000

FILED on this date, pursuant to S.120.52 Florida Statutes,
with the designated Department Clerk, receipt of which is hereby acknowledged.


CLERK/Deputy Clerk

August 8th, 2006
Date

CERTIFICATE OF SERVICE


I HEREBY CERTIFY THAT a the original and a true and correct copy of the foregoing has been furnished this 8th day of August, 2006, to:

Craig M. Harada
7737 N. University Drive, Suite 206
Tamarac, FL 33321

Via Facsimile ONLY
954-597-9191

Shawn Lennon
Perma-Fix of Ft. Lauderdale
3701 SW 47th Ave.
Ft. Lauderdale, FL 33314

Via U.S. Mail ONLY


AGUSTA POSNER, Assistant General Counsel
DEPT. OF ENVIRONMENTAL PROTECTION
3900 Commonwealth Boulevard, MS #35
Tallahassee, Florida 32399-3000
Telephone (850) 245-2242
Facsimile (850) 245-2302

Insert

Catalog

Hazardous Waste
Hazardous Waste_Restricted
Solid Waste
Solid Waste_Restricted
Storage Tanks
Storage Tanks_Restricted

Profile

Administrative
Cleanup
Discovery_Compliance
Enforcement_Legal
Fiscal
Green Yards
Guidance
Notification_Source
Permitting_Authorization

Fill in the index criteria: * indicates a required field

County *

BROWARD

Facility-Site ID *

FLD980709075

PETROLEUM MANAGEMENT INC

Document Date *

08-29-2007 (MM-DD-YYYY)

Received Date *

08-29-2007 (MM-DD-YYYY)

Document Type *

CONSENT ORDER

Contractor ID

Facility Type

REGISTERED USED OIL HANDLER (RUOH)

Document Subject

Executed Short Form Consent Order OGC#07-0283

Next

Clear

Object Type

Document

☐ Create supplemental index☐ Insert into a folder

OCULUS™

 Contractor Lookup search insert workspace autoindex help logout

Summary

General

Catalog	Hazardous Waste	Profile	Enforcement_Legal
Object Type	Document		

Property

Document Date	08-29-2007	County	BROWARD
Facility-Site ID	FLD980709075	Facility Type	REGISTERED USED OIL HANDLER (RUOH)
Received Date	08-29-2007	Document Type	CONSENT ORDER
Document Subject	Executed Short Form Consent Order OGC#07-0283		

Folder

Insert into folder None

Workflow

Entity will not be added to the workflow.

Select file to insert



AUG 29 2007

Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL # 7006 2760 0005 5726 8498

RETURN RECEIPT REQUESTED

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

CERTIFIED MAIL No.: 7006 2760 0005 5726 8504

RETURN RECEIPT REQUESTED

Gene K. Glasser, Esquire, Registered Agent
Petroleum Management, Inc.
100 W Cypress Creek Road, Suite 700
Ft. Lauderdale, FL 33309

RE: Settlement of Department of Environmental Protection v. Petroleum Management, Inc., 3650
SW 47th Avenue, Davie, FL 33314, OGC Number: 07-0283

Dear Mr. Gilbert:

Enclosed for your implementation is a copy of the fully executed and filed Consent Order in the above styled case. Please ensure that the compliance dates and terms of this Consent Order are accomplished in a timely manner.

Questions concerning this matter please

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ *Judd Gilbert* ☐ Agent
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

8-29-07
☐ Yes
☒ No

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

8/29/07, HW/KK/am, exec. SFCO,
Petroleum Management, OGC#07-0283

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7006 2760 0005 5726 8498

Domestic Return Receipt

Lea Crandall, OGC, DC

102595-02-M-1540

"More Protection, Less Process"
www.dep.state.fl.us



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Jul 27 2007
CERTIFIED MAIL No.: 7007 0710 0001 6981 0641
RETURN RECEIPT REQUESTED

Mr. Judd Gilbert, Owner
Petroleum Management, Inc.
2191 SW 115 Terrace
Davie, FL 33325

Broward County
HW- Petroleum Management, Inc.

CERTIFIED MAIL No.: 7007 0710 0001 6981 0634
RETURN RECEIPT REQUESTED

Gene K. Glasser, Esquire, Registered Agent
Petroleum Management, Inc.
100 W Cypress Creek Road, Suite 700
Ft. Lauderdale, FL 33309

RECEIVED

AUG 21 2007

**DEPT of ENV PROTECTION
WEST PALM BEACH**

RE: Proposed Settlement in Florida Department of Environmental Protection v. Mr. Judd Gilbert and
Petroleum Management, Inc., OGC File Number 07-0283

Dear Mr. Gilbert:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated September 22, 2006, a copy of which is attached. On May 7, 2007, the Department issued a proposed Consent Order for settlement of the above case, which was received by you on May 12, 2007. To date, you have not signed nor returned the proposed ~~Consent Order. The timeframe for your response has expired and the proposed Consent Order has~~ been withdrawn.

In the interim, it has been determined that the corrective actions required to bring your facility into compliance have been performed as recorded in correspondence from the Department's Solid Waste Section dated May 15, 2007, a copy of which is attached. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, your company is assessed civil penalties in the amount of \$5,000.00, along with \$500.00 to reimburse the Department's costs for a total of \$5,500.00. The original civil penalty in this case includes at least one violation of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. Within 30 days of the effective date of this letter, Petroleum Management, Inc., shall make the payment to the Department. The payment must be made by cashier's check or money order payable to the Department of Environmental Protection and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, Waste Program Administrator, Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401.

Your signing this letter constitutes acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated

above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes. The effective date of the letter is the date on which it is filed with the clerk.

If you do not sign and return this letter to the Department at the District address within 20 days, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Jack Long
District Director
Southeast District

JL/JL/KW/kk

Date

7/26/07

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

For Petroleum Management, Inc.:

For the Department:

Judd Gilbert
President

for Jack Long
District Director
Southeast District

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 29th day of August, 2007 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Andreell D. f.
Clerk

AUG 29 2007

Date

Attachments: Copy of Warning Letter dated September 22, 2006
Copy of DEP Letter dated May 15, 2007

cc: West Palm Beach DEP File
Hazardous Waste Archboard

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

Florida Department
Department of Environmental Protection
Interoffice Memorandum

ENFORCEMENT/COMPLIANCE CASE OVERVIEW

DATE:

TO:

☐ Jack Long, District Director

FROM/THROUGH:

8/24/06

☒ Joe Lurix, Program Administrator

8/24/07

☒ Kathy Winston, Environmental Manager

8/23/07

☒ Karen Kantor, Environmental Specialist *(KIC)*

FILE NAME: PETROLEUM MANAGEMENT INC.

FDEP ID# FLD980709075

PROGRAM: HAZARDOUS WASTE

COUNTY: BROWARD

WL# WL06-0165HW06SED

OGC # 07-0283

TYPE OF DOCUMENT:

- ☐ INSPECTION REPORT
☐ WARNING LETTER
☐ PENALTY AUTHORIZATION

- ☐ DRAFT OR ☒ FINAL
☒ CONSENT ORDER
☐ FINAL ORDER

- ☐ NOV
☐ CASE REPORT

DESCRIPTION OF VIOLATIONS:

Failed to meet the financial assurance requirements for closure costs as a used oil processor. Violations related to the release of used oil were addressed through a separate consent order with the responsible party, who is a tenant at this facility.

CASE SUMMARY:

The Department took enforcement against PMI for the release of used oil that occurred on or about August 11, 2006, and for failure to provide closure cost estimates and subsequent financial assurance (FAC 62-710.800); a Warning Letter for this case was issued on September 22, 2006. The release occurred at the fault of the facility's tenant, World Petroleum Corp., who was subject to enforcement as well and settled through a separate Short Form Consent Order. The petroleum discharge is being addressed under the authority of Broward County Environmental Protection Department through their contract with the Department. A draft Consent Order was issued on May 7, 2007. PMI did not sign and return the Consent Order, but has since corrected the outstanding violations. Therefore, a Short Form Consent Order with negotiated penalties is proposed as an alternative to settle this case within EPA timeframes.

PENALTY SUMMARY:

PENALTY AMOUNT: \$5,000.00

EXPENSES: \$500

TOTAL PENALTY AMOUNT: \$5,500.00

ATTACHMENT(S): SFCO Execution Checklist, SFCO, copy of Notice of Rights (not returned)

CHECKLIST FOR CONSENT ORDER (EXECUTION)

CASE NAME/NO.

Petroleum Management, Inc. / OGC07-0283

Case Manager: Please check off all items that apply to this order.

STEP # 1:	<input checked="" type="checkbox"/>	Cover Letter (Director Signs)	ENFORCEMENT TRACKING	
Contents	<input checked="" type="checkbox"/>	Consent Order (Director Signs)	INITIAL	DATE
Checklist		Copy of Inspection Report and/or Checklist	<i>Kio</i>	<i>8/23/07</i>
		Exhibit(s):	<i>Kew</i>	<i>8/23/07</i>
		No. of Exhibits		
	<input checked="" type="checkbox"/>	Notice of Rights (Short Form CO only) COPY		
		Other/Comments:		
		Record in PA/Director Log		

STEP # 2:	<u>Receive</u>	Cover Letter (Signed by Director)
Copying & Mailing Procedure		Consent Order: Signed (Respondent & (2) Director)
		Clerk Signs and Date Consent Order
		Original Consent Order with Signatures Remains in File (Executed by Director)
		Copy of Consent Order to Respondent
		Copies of Letter & Consent Order to CC's
		Copies of Letter & Consent Order to Archboard
		Special Instructions: _____
		Record Date Mailed in PA/Director Log

STEP # 3:	<p>CASE FILE:</p> <p>Filing Procedures _____ Original Consent Order with Signatures Remains in File (Executed by Director)</p> <p>ARCHBOARD:</p> <p>_____ Copies of Letter & Consent Order</p> <p>_____ SPECIAL INSTRUCTIONS: _____</p>
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Florida Department
Department of Environmental Protection
Interoffice Memorandum

ENFORCEMENT/COMPLIANCE CASE OVERVIEW

DATE:

TO:

☐ Jack Long, District Director

FROM/THROUGH:

7-25-07

☒ Joe Lurix, Program Administrator

7-25-07

☒ Kathy Winston, Environmental Manager

7/23/07

☒ Karen Kantor, Environmental Specialist

FILE NAME: PETROLEUM MANAGEMENT INC.

FDEP ID# FLD980709075

PROGRAM: HAZARDOUS WASTE

COUNTY: BROWARD

WL# WL06-0165HW06SED

OGC # 07-0283

TYPE OF DOCUMENT:

- ☐ INSPECTION REPORT
☐ WARNING LETTER
☐ PENALTY AUTHORIZATION

- ☐ DRAFT OR ☐ FINAL
☒ CONSENT ORDER
☐ FINAL ORDER

- ☐ NOV
☐ CASE REPORT

DESCRIPTION OF VIOLATIONS:

Failed to meet the financial assurance requirements for closure costs as a used oil processor. Violations related to the release of used oil were addressed through a separate consent order with the responsible party, who is a tenant at this facility.

CASE SUMMARY:

The Department took enforcement against PMI for the release of used oil that occurred on or about August 11, 2006, and for failure to provide closure cost estimates and subsequent financial assurance (FAC 62-710.800); a Warning Letter for this case was issued on September 22, 2006. The release occurred at the fault of the facility's tenant, World Petroleum Corp., who was subject to enforcement as well and settled through a separate Short Form Consent Order. The petroleum discharge is being addressed under the authority of Broward County Environmental Protection Department through their contract with the Department. A draft Consent Order was issued on May 7, 2007. PMI did not sign and return the Consent Order, but has since corrected the outstanding violations. Therefore, a Short Form Consent Order with negotiated penalties is proposed as an alternative to settle this case within EPA timeframes.

PENALTY SUMMARY:

PENALTY AMOUNT: \$5,000.00

EXPENSES: \$500

TOTAL PENALTY AMOUNT: \$5,500.00

ATTACHMENT(S): Proposed SFCO Checklist, SFCO, Notice of Rights, Copy of Warning Letter

CHECKLIST FOR CONSENT ORDER (PROPOSED)

Case Name/No.: Petroleum Management Inc., OGC # 07-0283

Case Manager: Please check off all items that apply to this order.		
STEP # 1:		Cover Letter (Not required for Short Form) (Director Signs)
Contents	<input checked="" type="checkbox"/>	Consent Order (Director Signs Short Form)
Checklist	<input checked="" type="checkbox"/>	Copy of Inspection Report and/or Checklist <i>Warning Letter</i>
		Exhibit(s):
		No. of Exhibits
	<u>File Only</u>	Penalty Calculation Sheets. If Recalculated (Do Not Mail)
	<input checked="" type="checkbox"/>	Notice of Rights (Short Form CO only) <i>Really Just a Notice</i>
		Other/Comments:
		Record in PA/Director Log

ENFORCEMENT TRACKING	
INITIAL	DATE
(PW)	7/6/07

STEP # 2:	Always Send Certified To Respondent
Copying & Mailing Procedure	Respondent: Cover Letter, Consent Order, Inspection Report —Date Stamp, Exhibits, Notice of Rights
	Cc: Copy of Cover Letter, Consent Order Inspection Report and Exhibits
	File Copy: Entire Package
	Archboard: Letter, Consent Order, Exhibits
	Other: _____
	Record Date Mailed in PA/Director Log

STEP # 3:	CASE FILE:
Filing Procedures	Cover Letter, Consent Order Inspection Report and Exhibits
	Penalty Calculation Sheets
	ARCHBOARD:
	Cover Letter, Consent Order, Inspection Report, Exhibits
	SPECIAL INSTRUCTIONS: _____

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