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HOWCO Environmental Services

RESOURCE RECOVERY & EMERGENCY RESPONSE



USED OIL FACILITY PERMIT APPLICATION



109 AZALEA POINT DRIVE SOUTH • PONTE VEDRA BEACH • FLORIDA • 32082

February 8, 2011

Florida Department of Environmental Protection
Hazardous Waste Regulation
Attn: Mr. Bheem Kothur, P.E.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal

Reference: FDEP Draft Letter Dated November 5, 2010.

Dear Mr. Kothur,

This letter is in response to the Florida Department of Environmental Protection (FDEP) draft letter dated November 5, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services – St. Petersburg Facility. The following comments are provided pursuant to your request. The proposed permit language is provided in regular print and the revised permit language is provided in italics.

Part I - GENERAL AND STANDARD CONDITIONS

29. To prevent overflow, the Permittee shall notify the Department when the volume of the used oil stored in any of the tanks exceeds ninety-five (95) percent of the maximum storage capacity of the tank as specified in Attachment II of the permit application and Attachment B of the permit.

29. *Delete.*

Comment: Normal practice is to fill the tanks to a maximum of ninety-five (95) percent capacity. The notification at 95percent capacity would result in numerous FDEP notifications that are part of normal operations. HOWCO Environmental Services uses visual tank inspections 62 F.A.C. 761.640(1)(a)2. and manual tank gauging 62 F.A.C. 761.640(1)(a)4 as a release detection method to prevent overflow. The monthly inspection form used also meets the 40 C.F.R. Part 112 requirements.

32. (b) (2) Capable of detecting and collecting releases and run-on until the collected material is removed;

32. (b) (2) *Capable of visual leak detection and collecting releases and run-on until the collected material is removed;*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54.

32. (b) (5) *Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;*

32. (b) (5) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection in accordance with 40 C.F.R Part 112.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R. Part 112.

33. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps, prior to beginning operation. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].
33. *The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps once a month. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps with caulking the same day of discovery and shall permanently fix the cracks or gaps within seven (7) days. [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].*

Comment: The proposed language defines the response action to be taken if a crack or gap is found in the secondary containment.

39. (a) Developing and following a schedule and procedure for inspecting overfilling controls;
- (b) Inspecting at least once each operating day the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. However, the Permittee shall document the daily inspections at least once a week; and
39. (a) *Developing and following a schedule and procedure for inspecting pump controls, alarms, valves, pipes and tanks;*
- (b) *Inspecting at least once each month the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage*

area. The Permittee shall document the monthly inspections in writing on the monthly inspection form submitted with the permit application; and

Comment: The HOWCO Used oil permit application Attachment #7 has a monthly inspection form that meet the federal Spill Prevention, Control and Countermeasures (SPCC) requirements of 40 CFR Part 112.

40. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and managed in accordance with Spill Prevention Control and Countermeasures Plan (SPCC) And Contingency Plan of the permit application.
40. *The Permittee shall remove spilled or leaked waste within three (3) days and accumulated precipitation from the secondary containment areas within one (1) week and these wastes shall be managed in accordance with the HOWCO Spill Prevention Control and Countermeasures Plan (SPCC) and Contingency Plan of the permit application.*

Comment: Small spills inside containment and small rainfall events are normally cleaned up and removed very quickly. Large spills and major rainfall events may require more than a 24-hour period to clean up or remove the rainwater from secondary containment. Should used oil get into the secondary containment area it is important to clean it up in a timely manner so that there is no discharge outside the secondary containment area.

43. The Permittee shall maintain reports of all releases that are greater than one (1) gallon, as part of its on-site operating records. The reports shall include amount and time of release and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service.
43. *The Permittee shall maintain reports of discharges that are greater than twenty-five (25) gallons, as part of its on-site operating records. The reports shall include amount and time of discharge and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all of the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of service.*

Comment: Significant quantities of used oil that are discharged to the environment are important to report to FDEP, however deminimus quantities of used oil that fall on secondary containment and are not discharged should not be reported.

- 45.(e) All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.

- 45.(e) *Compliance sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. Incoming, process control and outgoing used oil analysis will be completed by HOWCO's laboratory. One monthly outgoing used oil sample will be sent to an outside laboratory that meets the National Environmental Laboratory Accreditation Conference (NELAC) certification in Chapter 62-160.*

Comment: HOWCO has a long history of meeting the used oil on specification requirements. The historical information is such that monthly sampling is sufficient for verifying compliance.

PART II – USED OIL PROCESSING CONDITIONS

- 1 (a)(4) Waste stream approval number and the off load tank number.

1 (a)(4) Delete

Comment: This information is not required to be recorded for incoming shipments.

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than one (1) gallon shall include the amount, time of the release, time of the response and a description of the response.

Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of the service.

3. *The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than twenty-five (25) gallons shall include the amount, time of the release, time of the response and a description of the response.*

Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of the service.

Comment: The tanks are taken out of service on a routine basis for preventative maintenance.

6. (b) (2) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

6. (b) (2) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R Part 112.

6. (b) 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. (b) 5. *Provided with visual leak detection to detect failure of either the primary or secondary containment structures or the presence of any release within one month.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R Part 112.

PART IV – TANK AND CONTAINER CONDITIONS

1. (b) (2) Capable of detecting and collecting releases and run-on until the collected material is removed;

1. (b) (2) *Capable of visual leak detection and collecting releases and run-on until the collected material is removed;*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54 and 40 C.F.R Part 112.

1. (b) (5) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

1. (b) (5) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54 and 40 C.F.R Part 112.

10. To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

10. Delete.

Comment: HOWCO prefers to have this permit condition deleted. Normal practice is to fill the tanks to a maximum of ninety-five (95) percent capacity. The notification at 95percent capacity would result in numerous FDEP notifications that are part of normal operations. HOWCO Environmental Services uses visual tank inspections 62 F.A.C. 761.640(1)(a)2. and manual tank gauging 62 F.A.C. 761.640(1)(a)4 as a release detection method to prevent overflow. The monthly inspection form used also meets the 40 C.F.R. Part 112 requirements.

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

(d) Permittee shall perform Solid Waste Processing as follows:

(1) A Maximum of 20% (40,000 gallons) of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.

(2) A maximum of 80% (200,000 gallons) of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.

(3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

2.A trained spotter will be present when waste is being received to inspect the waste streams for unauthorized, non-approved and nonconforming waste streams. The spotter will indentify and stop the following waste from entering the facility: hazardous waste, PCB's asbestos waste, explosives, putrescible, toxic waste, biohazardous waste, non-approved and nonconforming waste streams. The spotter duties will be completed in the receiving area where the waste containers are opened up for incoming inspection.

3.Unauthorized wastes non-approved and nonconforming waste streams will be placed in a proper D.O. T. shipping container. The containers are placed in a secondary containment unit, which will be located between the west loading /unloading area and the drum storage. The unauthorized waste will be marked "UNAUTHORIZED WASTE" and will be wrapped with yellow caution tape. Pursuant to Rule 62-701.710(4)(b), stored putrescible wastes shall not be allowed to remain at the facility for more than 48 hours. The putrescible waste will be shipped to a permitted solid waste facility for proper treatment or disposal. Any other unauthorized

waste received such as hazardous waste, PCB's asbestos waste, explosives, toxic waste, biohazardous waste, non-approved and nonconforming waste streams by the facility shall be segregated and transported to an authorized disposal or recycling facility within 30 days of receipt. The waste generator and the Florida Department of Environmental Protection will be notified of the unauthorized waste.

(d) Permittee shall perform Solid Waste Processing as described in the used oil processing permit application.

(1) A Maximum of 20% of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.

(2) A minimum of 80% of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.

(3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

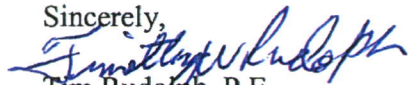
(2) Delete.

(3) Delete.

COMMENT: The solid waste will be processed to stabilize the waste to pass the paint filter test. Used oil will be recovered from the solid waste to the extent it can be economically be recovered. Used oil will not be commingled with solid waste by HOWCO. Used oil will not be disposed of with solid waste by HOWCO.

The enclosure (1) solid waste section of the used oil permit has been revised and is provided to replace the existing Attachment #4. If you have any questions or comments, I can be reached at (904) 665-0100.

Sincerely,



Tim Rudolph, P.E.

President and CEO

<COMMENT LETTER FDEP-3947-1-F>

cc: Tim Hagan, President and CEO, HOWCO Environmental Services

HOWCO - St. Petersburg
Solid Waste Processing

Provided below are estimates of the volumes of solid waste that may be processed for 2007 based on previous years history and anticipated market conditions. As a matter of context, in 2005, liquids processed at the facility (i.e., used oil, oily waters, PCW, antifreeze, water soluble oil, and gasoline) totaled 7,458,672 gallons. The 243,000 gallons of solid waste anticipated to be processed in 2007 represents approximately 3% of the total volume of materials processed at the facility.

Material	Amount	Ultimate disposal	How managed
Drummed absorbents, pads and booms	15,000 gallon	Mostly Landfill, some to WTE if we have MSDS sheets	consolidated into larger rollofs, no reclamation
Petroleum Sludge Most comes from offsite, but some is generated onsite	160,000 gallons	Waste to Energy	reclamation, solids sent to WTE. .
Petroleum Contaminated Soils	15,000 gallons	Landfill	consolidated into larger rollofs, no reclamation
Petroleum Contaminated Debris	40,000 gallons	Most can go to Waste to Energy, some will go to Landfill	they try to do some reclamation
Drums of grease or asphaltic material	13,000 gallons	Landfill	Drums sent directly for disposal, may reclaim free liquids
Waste Water Treatment Sludge generated on-site	25,000 gallon	Landfill	no reclamation

The above totals 268,000 gallons. However, the waste water treatment sludge is not a solid waste accepted for processing at the facility, it is a waste that is generated by the facility. While this material clearly needs to be properly managed, it has not been counted towards the amount of solid waste accepted by the facility. Therefore, we are using 243,000 gallons for this number.

HOWCO anticipates that approximately 200,000 gallons, or 82 percent of the solid waste accepted at the facility will be processed for oil reclamation, water recovery and treatment for subsequent use by the City of St. Petersburg's recycled water program, with remaining solids sent for energy recovery to a waste to energy facility. Approximately 43,000 gallons, or 18 percent of the solid waste received, will be disposed of with little or no processing. This means that about 0.6% of the total material accepted at the facility is being disposed of with no attempt at energy recovery.

ATTACHMENT 4 SOLID WASTE HANDLING

HOWCO recovers and processes a variety of non-hazardous and petroleum contaminated solids, sludges, absorbents and residues.

Removal of oily solids from used oil processing

The oily solids discussed in this section are generated by HOWCO.

Oily solids are removed from used oil at the vibrating mesh screen, tanker trucks and tanks. The oily solids may be placed in drums, roll-off containers, or other containers for storage.

- Mesh screen
Solids are removed from processed oil by a vibrating mesh screen and collected in drums. When a drum is full the solids are removed via vacuum truck. Once separated, the oily solids are mixed with a solidification agent. The solids are loaded into roll off trucks for transportation to a permitted landfill or thermal remediation facility for disposal.
- Storage tanks – oily solids removed from storage tanks are pumped and/or vacuumed into a treatment tank, sludge box, vacuum box or drums for solids solidification.
- Wastewater treatment sludge is removed from several tanks and may be processed/dewatered through an on-site filter press. The solids are then placed in a roll-off container and mixed with other dry solids or a solidification agent may be added.

A representative sample will be taken annually by a plant technician or chemist. Each sample will be collected in an 8 ounce jar using a scoop. The properly preserved sample will be sent to an outside lab to be analyzed for the full Toxicity Characteristic Leaching Procedure (TCLP) test for metals, volatiles, semi-volatiles, herbicides and pesticides using EPA Test Method 1311 in accordance with SW-846. This analysis will be used to provide the base information for "Generator Product Knowledge".

Non-Hazardous and Petroleum Contaminated Solids From Customers

The company receives a variety of petroleum contaminated solids from customer sources. The petroleum contaminated solids may contain a recoverable amount of oil, however; some solids that are received may be of a consistency that would preclude or be unfeasible to recover any quantifiable amount of oil. Non-hazardous and petroleum contaminated solids consist of absorbents, petroleum contaminated soils and oily sludges. These solids will be received in vacuum trucks and drums and may be pumped into a treatment tank, sludge box, vacuum box for oil reclamation and/or solids processing. Solidification may also be done in these containers.

Receiving and Processing of Oily Solids

Oily solids arriving in drums will be offloaded on a coated concrete pad prior to processing. The solids from the drums may be bulked in roll-off containers or dump trailer where oil and oily

liquids may be removed for recycling or further processing. Solidification agents may be added to these containers prior to off-site shipment to a permitted thermal unit or landfill.

Oily solids arriving in vacuum trucks or other type bulk shipments will be offloaded into other containers or Oily Solids Batch Treatment Tank, 111 or the Cone Bottom Tank, 110. Tanks 110 and 111 will be utilized to remove and recover oils and oily waters for processing. The remaining solids from this process will be gravity fed into a roll-off container or dump trailer for further processing and then shipped off-site to a permitted thermal unit or landfill. Solidification agents may be added to these containers prior to shipment.

A waste determination in accordance with 40 CFR Part 262.11 will be made once a year on the oily solids removed from the Oily Solids Batch Treatment Tank, 111 or the Cone Bottom Tank, 110.

Solids entering the facility in containers from customers will be recertified annually to attest to the lack of change in consistency and characteristics of the waste and that no process changes have occurred.

Design Requirements

The facility does not have any tipping, processing, sorting, storage or compaction areas that are enclosed. The entire facility is equipped with a fence that is used as a litter control device.

The facility has containment and sloped drainage that prevents stormwater from leaving the property. The facility is designed with secondary containment for the regulated tanks that contain petroleum. The yard area is sloped with a drainage trench with a low collection point. Stormwater is not allowed to be discharged off the property, unless it has been collected and properly pretreated for discharge to a permitted Publicly Owned Treatment Facility (POTF). Howco has a permitted industrial wastewater pretreatment facility onsite. The solid waste that Howco processes does not come into contact with stormwater. The solid waste does not generate leachate, since the facility is a Materials Recovery Facility. The facility was designed to minimize standing water accumulation. The facility is appropriately designed to hold the permitted amount of solid waste for processing until the waste is transferred for disposal or recycling. An oil water separator is located at the south end of the facility. Rainwater that is not contaminated and does not have an oily sheen is discharged through the oil water separator after the rainfall event.

Operational Requirements

Recyclable materials are currently managed at the Howco facility. The facility does not store non-processable or residue materials. Non-Processable wastes are not received by the facility and have not been received in the past five years. The materials received by the facility are stored, processed and shipped to a permitted treatment, storage or disposal facility. Residues are not received by and are not generated by the facility and are not stored on site.

Financial Assurance

The required financial assurance is provided as enclosure (1).

Stormwater

Stormwater coming in contact with used oil or solid waste processing areas including the tank farm, the associated secondary containment, sludge press and the oil water separator is visually inspected before it is allowed to flow off site. If any visible contamination is present, the stormwater is contained and treated in the onsite permitted Industrial Wastewater Pretreatment Facility before discharge to a POTF. Stormwater does not discharge directly off site. The stormwater is contained on the property.

The St. Petersburg facility has applied for No Exposure Certification for Exclusion from NPDES Stormwater Permitting in April of 2010 to the Florida Department of Environmental Management. A copy of the letter is provided as enclosure (2).

Record Keeping

Howco shall maintain operational records on-site to include a daily log of the quantity of solid waste received, processed, stored and removed from the site for recycling or disposal. The country of origin for the waste will be recorded, if known. These records shall include each type of solid waste, recovered materials, residuals and unacceptable waste which is processed, recycled and disposed. Such records shall be compiled on a monthly basis and shall be available for inspection by the Department. Records shall be retained at the facility for at least three years. No construction or demolition debris is accepted at the facility.

Enforcement History

A data base compliance search was done on the FDEP website and no solid waste enforcement actions were found going back as far as records were available. The first inspection obtained by the data base search was in 1999 and there was no violations noted.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
DRAFT
11/5/2010

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Hagan Holding Company
d/b/a Howco Environmental Services
3701 Central Avenue
St. Petersburg, Florida 33713

I.D. Number: FLD 152 764 767
Permit Number: 33721-HO-002
Permit Number: 33721-SO-003
Date of Issue: DRAFT
Expiration Date: August 3, 2015
County: Pinellas County
Lat/Long: 27°45' 47" N/82° 41' 32" W

Attention:
Mr. Arthur Timothy Hagan, President

Project: Used Oil and Material Processing Facility

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

TO OPERATE: To operate a Used Oil Processing Facility hereinafter referred to as "Facility". The Used Oil Processing Facility is located on an approximately five (5) acre parcel of land owned by Timco Real Estate, Inc. in Pinellas County at 843 43rd Street South, St. Petersburg, Florida, 33711. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B, respectively), Tank capacity and its contents are shown in Table (Attachment - B) of this permit.

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

The Facility consists of a total of 48 Aboveground Storage Tanks ("ASTs") inside Secondary Containment. Twenty-five of these tanks may be used to store or process used oil, petroleum contact water, oily wastewater and other non-hazardous wastewater. Presently, nineteen (19) tanks are dedicated to used oil, one (1) tank is dedicated to water/antifreeze, and one (1) tank is dedicated to burner fuel; however, the contents of each tank may change from time-to-time based on market conditions, provided appropriate marking/placarding is provided in accordance with applicable law. The use and the capacities of the ASTs and related appurtenances currently in use at the Facility are listed in Attachment B of this permit.

OTHER ACTIVITIES

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

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Renewal Application Dated July 11, 2005 and additional information submitted dated January 9, 2006 and December 1, 2006.
2. Howco Solid Waste Processing Facility Estimate Document Drafted in September 2006.
3. Used Oil Processing Facility Permit 92465-HO06-001, Issued August 3, 2000.
4. Used Oil Processing Facility Permit Renewal Application Dated May 28, 2010 and received on June 8, 2010.
5. Used Oil Processing Facility Permit Renewal Application NOD-1, Dated July 12, 2010 and the Facility NOD-1 Responses Dated August 11, 2010 and DEP Received on August 17, 2010.
6. Used Oil Processing Facility Permit renewal Application NOD-2, Dated September 21, 2010 and the Facility NOD-2 Responses Dated October 14, 2010 and DEP Received on October 19, 2010.

This renewal Permit replaces Permit # 33721-HO-001

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Part I - GENERAL AND STANDARD CONDITIONS

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

- (c) Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the Permittee does not comply with, or will be unable to comply with, any condition or limitation specified in this permit, the Permittee shall immediately notify and provide the Department with the following information:

- (a) A description of and cause of non-compliance; and
- (b) The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

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

- (b) The Permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and
- (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The person responsible for performing the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The person responsible for performing the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- 15. When requested by the Department, the Permittee shall, within a reasonable period of time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.
- 16. The Permittee shall comply with the following requirements during the life of this permit:
 - (a) The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C.
 - (b) This facility shall be constructed, operated and maintained in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, 62-730, 62-740, and 62-762, F.A.C., and all other applicable requirements of Department Rules.
 - (c) By acceptance of this permit, the Permittee certifies that he has read and understand the obligations imposed by the General and Standard Conditions contained herein, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.
 - (d) Nothing contained in General and Standard Condition 10 of this permit shall be deemed to waive any right Permittee has under Florida Statutes or Department rules to oppose application of any such changes to the facility if Permittee is otherwise legally entitled to do so.
- 17. Submittals in response to these conditions shall be submitted as follows:
 - (a) One (1) hard copy and one (1) electronic copy shall be submitted to:

Environmental Administrator
Hazardous Waste Regulation Section

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

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

Hazardous Waste Program Manager
Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

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

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

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

- (d) Financial Assurance Mechanism:

The Permittee shall maintain, in good standing, the financial mechanisms established to demonstrate proof of financial assurance. Supporting documentation and required adjustments shall be submitted within the time frames specified in Rule 62-701.630, F.A.C. as adopted by reference in Rule 62-710.800(6), F.A.C. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection
Financial Coordinator – Solid Waste Section
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

- (e) Annual Closing Cost Estimate Adjustment:

The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7). Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. An owner or operator shall submit the adjusted cost estimate between January 1 and March 1. All submittals in response to this specific condition shall be sent to the addresses on the cost estimate form.

18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-730.900(1)(b) in accordance with Rule 62-710.500, F.A.C.
19. The Permittee shall display the validated registration form and identification number in a prominent place at the facility location [Rule 62-710.500(4), F.A.C].
20. The Permittee shall submit an annual report covering used oil processing facility activities conducted during the previous calendar year to the Department on DEP Form 62-710.901(3) by

March 1 of each year in accordance with Rule 62-710.510(5), F.A.C. The report shall summarize the records kept pursuant to Rule 62-710.510, F.A.C. and 62-740.300(5), F.A.C.

21. Before transferring ownership or operation of this facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of 40 CFR Part 279 and Rule 62-710, F.A.C. The Permittee shall also submit an application for transfer of the permit, at least thirty (30) days prior to transferring the facility, on DEP Form 62-1.201(1) accompanied with an appropriate application fee, required pursuant to Rule 62-4.050, F.A.C.
22. Before closing or making any substantial modification to the facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-4.080 and 62-710.800(3), F.A.C. The engineering aspects of the request must be certified by a Professional Engineer registered in the State of Florida in accordance with Chapter 471, F.S.
23. The Department may modify, revoke, reissue, or terminate for cause, this permit in accordance with the provisions of Rule 62-710.800, F.A.C. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee may submit any subsequent revisions to the Department for approval. These revisions shall meet the requirements of Rules 62-4.050 and 62-710.800(3), F.A.C. and must be accompanied with an appropriate application fee.
24. The Permittee shall submit a complete application for renewal of the permit, on DEP form 62-710.901(6) and in a manner prescribed by the Department, sixty (60) days before the expiration of this permit, unless the facility is to be closed prior to the expiration date of this permit per the requirements of Rule 62-710.800(4), F.A.C.
25. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludge, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52.
26. The Permittee shall not accept or store any hazardous wastes in the permitted tanks or in any other area at the facility without receiving written approval from the Department.
27. The Permittee is allowed to store used oil only in the aboveground tanks within the secondary containment, and or with double walled tanks as shown in Attachment - A of the permit. The permitted units are as shown in Attachment B of this permit.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of the permit application in Attachment II and Attachment B of the permit.
29. ~~To prevent overflow, the Permittee shall notify the Department when the volume of the used oil stored in any of the tanks exceeds ninety-five (95) percent of the maximum storage capacity of the tank as specified in Attachment II of the permit application and Attachment B of the permit.~~
30. Tanks installed on or after July 13, 1998 shall comply with the performance standards of F.A.C., Rule 62-762.501. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C. [Rule 62-710.300(3), F.A.C.].

Comment [art1]: Facility cites underground storage tank rules and 40 CFR 112. The DEP cites nothing.

31. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping shall be maintained in the Permittee operating record. [Rule 62-710.510, F.A.C.].

32. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the Attachment No. 6 of the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:

(a) All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;

(b) Pursuant to 40 CFR 279.54, the secondary containment system shall be:

(1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;

(2) Capable of ~~visual leak detection~~ ~~detecting~~ and collecting releases and run-on until the collected material is removed;

Comment [art2]: I see no problem if they want to specify the leak detection method.

(3) Constructed of or lined with materials compatible with the waste to be stored and have sufficient structural strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses which may be induced by the environment;

(4) Placed on a foundation or base capable of providing support to the secondary containment system;

(5) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within ~~24 hours~~ one month by documented visual inspection in accordance with 40 C.F.R. Part 112;

Comment [art3]: Visual inspections are monthly, but no more than 35 days, apart. You cannot detect release within 24 hours unless you inspect every 24 hours. 62-762.601(1) (d) & (e)

(6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and

(7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

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

33. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps, ~~prior to beginning operation once a month~~. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps with caulking the same day of discovery and shall permanently fix the cracks or gaps within seven (7) days prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

Comment [art4]: Since the facility is already operating this change is approved.

34. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 CFR 279.54(f)].

35. The Permittee shall label or mark all containers or tanks which are solely used for the storage of Petroleum Contact Water with the words "Petroleum Contact Water" or "PCW" [Rule 62-740, F.A.C.].
36. The Permittee shall store used oil, PCW, used oil residues or used oil filters only in those containers or tanks which are made of or lined with materials that will not react with and are otherwise compatible with the waste to be stored.
37. If a container or tank holding used oil, PCW, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.22].
38. As part of the general operating requirements, the Permittee shall:
 - (a) Not place used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
 - (b) Use appropriate controls and practices to prevent spills and overflows;
 - (c) Follow the operating procedures described in Attachments II and III of the permit application; and
 - (d) Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
39. The Permittee shall inspect the tank system in accordance with Attachments 7 of the permit application. These requirements include:

- (a) Developing and following a schedule and procedure for inspecting pump controls, alarms, valves, pipes and tanks; overfilling controls;
- (b) Inspecting at least once each operating day/month the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. The Permittee shall document the monthly inspections in writing on the monthly inspection form submitted with the permit application; and However, the Permittee shall document the daily inspections at least once a week; and
- (c) The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.

Comment [art5]: They are specifying their overfilling controls. I would add the phrase "and any other overfilling controls" to the end of their specific list.

Comment [art6]: What did the facility submit in Attachment 7 of their application?

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40. The Permittee shall remove spilled or leaked waste within three (3) days and accumulated precipitation from the secondary containment areas within one (1) week 24 hours of detection and these wastes shall be managed in accordance with the HOWCO Spill Prevention Control and Countermeasures Plan (SPCC) And-and Contingency Plan of the permit application.
41. Pursuant to the requirements of 40 CFR 279.52(a), concerning preparedness and prevention, the Permittee shall:

Comment [art7]: 62-762.821(1)(d)

Comment [art8]: 62-762.701(2)(b)1 unless specified differently in Spill Prevention Control Countermeasures plan or a Department Permit.

- (a) Maintain a copy of the preparedness and prevention plan, of the permit application, at the facility;
- (b) Equip the facility with the required emergency equipment described in SPCC Plan of the permit application [40 CFR 279.52(a)(2)];

- (c) Test and maintain the required emergency equipment in accordance with the requirements of 40 CFR 279.52(a)(3);
 - (d) Provide all facility personnel involved in used oil processing operations with immediate access to an internal alarm or emergency communication device, as described in SPCC Plan of the permit application [40 CFR 279.52(a)(4)]; and
 - (e) Make arrangements with the local authorities as described in SPCC Plan of the permit application [40 CFR 279.52(a)(6)] and Attachment 6 of the permit application dated July 11, 2005 and the revised dated October 12, 2010
42. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall comply with the "Specific Spill Containment Procedures" of Attachment 6 of the permit application dated July 11, 2005 and as revised October 12, 2010. In the event of a Spill or Other Emergency:
- (a) Immediately carry out the provisions of the Attachment 6, Contingency Plan, and SPCC Plan of the permit application, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);
 - (b) Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);
 - (c) Amend the plan and submit the amended plan for Department approval within seven (7) days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven (7) days of the change in the plan. All amended plans must be distributed to the appropriate agencies;
 - (d) Comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator; and
 - (e) Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Southwest District office may be contacted at (813) 632-7600.
43. The Permittee shall maintain reports of ~~discharges that are greater than twenty-five (25) gallons, and releases that are greater than one (1) gallon;~~ as part of its on-site operating records. The reports shall include amount and time of ~~discharge~~release and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all ~~of~~ the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department ~~immediately within fourteen (14) days~~ if a release requires the Permittee to take any of the tanks out of service.
44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment 6 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 CFR 279.52.

Comment [art9]: 61-762.821(2)(d)2 requires taking system out-of-service within 3 days if found to be leaking, in accordance with subsection 62-762.801(2), F.A.C., until repaired, replaced or closed. But that is specific for leaking.

Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedules must be maintained as part of the operating record of the facility [40 CFR 279.54].

45. Pursuant to 40 CFR 279.55, concerning the written analysis plan, 40 CFR 279.56, concerning Tracking, the Permittee shall:
- (a) Sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment 3 of the permit application;
 - (b) Test all containers of the same waste stream for the parameters listed in Attachment IV of the permit application, if any of the samples fail the analysis required by General and Standard Condition 45.(a), the Permittee may collect a representative sample from containers received from the same generator for this analysis;
 - (c) Reject any incoming containers of used oil which fail the analysis required by the General and Standard Condition 45.(a). The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and
 - (d) Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in Attachment 3 of the permit application to determine whether the used oil is on-specification or off-specification. However, the testing is not required if it is sent to another Used Oil processor for further processing.
 - (e) Compliance sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. Incoming, process control and outgoing used oil analysis will be completed by HOWCO's laboratory. One monthly outgoing used oil sample will be sent to an outside laboratory that meets the National Environmental Laboratory Accreditation Conference (NELAC) certification in Chapter 62-160. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.
 - (f) A copy of the written analysis plan must be kept at the facility.

Comment [art10]: Unless NELAC certified the HOWCO lab results are nothing more than screening.

PART II – USED OIL PROCESSING CONDITIONS

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: the Permittee shall maintain records on DEP Form 62-701.900 (2) or on substantially equivalent forms which contain at least the same information as the Department form.
- (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
- (1) The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
 - (2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;

(3) The quantities of each type of used oil accepted and date of acceptance; and

~~(4) Waste stream approval number and the off load tank number.~~

Comment [art11]: Facility states this information is not required.

(b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

(1) The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;

(2) The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;

(3) The quantities of used oil shipped and date of shipment; and

(4) The laboratory analytical results.

(c). Record Retention: The records described in paragraph (a) and (b) of this section must be maintained for at least five years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.

(d). The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements set forth in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006.

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; and described in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006.

(b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).

(c) All records required by condition 1 of this Part

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than ~~one (1)~~ five (25) gallons shall include the amount, time of the release, time of the response and a description of the response.

Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department ~~immediately within fourteen (14)~~ days if a release requires the Permittee to take any of the tanks out of the service.

Comment [art12]: All stated earlier.

4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludge, residues or constituents to air,

soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).

5. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501, F.A.C., for existing shop fabricated/field erected tanks of Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.
6. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a). All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.
 - (b). The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:
 1. Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
 2. ~~Capable of detecting and collecting releases and run on until the collected material is removed. Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection.~~
 3. Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 4. Placed on a foundation or base capable of providing support to the secondary containment system.
 5. Provided with visual leak detection ~~system designed and operated~~ to detect failure of either the primary or secondary containment structures or the presence of any release within ~~24 hours~~ one month.
 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.

Comment [art13]: Specific to facility and time period discussed earlier.

Comment [art14]: All discussed earlier.

PART III – PETROLEUM CONTACT WATER PROCESSING CONDITIONS

1. The Permittee shall ship or accept petroleum contact water (PCW) only by using a transporter who is a registered hazardous waste transporter in compliance with Rule 62- 730-170, F.A.C., or has

received a DEP/EPA ID number by notifying the Department on DEP/EPA Form 8700-12FL of its intent to transport PCW.[62-740.200(2), F.A.C.]

2. The Permittee shall label or mark all containers or tanks which are used for the storage of petroleum contact water with the words "Petroleum Contact Water" or "PCW". [62-740.100, F.A.C.]
3. The Permittee shall store PCW only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored. PCW received into the Facility may be commingled and stored in Facility tanks with other petroleum or used oil-contaminated water for processing and recovery in accordance with Attachment 2 of the permit application.
4. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
5. The Permittee shall store or treat PCW in tanks registered under the specifications of Rule 62-762, F.A.C. or in containers or tanks that do not require registration but meet the requirements of 62-740.100(2), F.A.C. [62-740.300(2)(a) and (b), F.A.C.]
6. The Permittee shall test and manage all waste residuals after the recovery of product from PCW in accordance with Chapter 62-730, F.A.C., or other applicable rules of the Department [62-740.300(6), F.A.C.].
7. The Permittee shall maintain the following records for a minimum of three years [62-740.300(2)(c), F.A.C.
 - (a) For each shipment of PCW received.
 - (1) Name and address of the PCW producer.
 - (2) Name and address of the PCW transporter.
 - (3) Date of receipt of the PCW shipment.
 - (4) Volume of PCW received.
 - (5) A copy of the shipping paper used for shipment of the PCW.
 - (6) Have on file written assurances from the producers that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW [62-740.300(4), F.A.C.].
 - (b) Weekly PCW container or tank inspections as required in 62-740.100(2)(e), F.A.C.
 - (c) Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW [62-740.300(3), F.A.C.].
8. The Permittee shall submit an annual report covering petroleum contact water (PCW) activities for the previous year by March 1 of each year. The report shall include:
 - (a) The total quantity of PCW received during the previous calendar year.

- (b) An estimate of the total quantity of product recovered from the PCW as described in Attachment 2 of the permit renewal application dated July 11, 2005 and as revised on May 25, 2010 and pursuant to 62-740.300(5), F.A.C.

PART IV – TANK AND CONTAINER CONDITIONS

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

1. The Permittee shall prevent the release of petroleum contact water, used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a) All new components shall have secondary containment as required by 40 CFR Part 279.54 and Parts (b) and (c) of this condition prior to being put into service.
 - (b) The secondary containment system shall meet the requirements of 40 CFR 279.54 and Rule 62-762, F.A.C. shall be:
 - (1) Designed, installed and operated to prevent any migration of waste or accumulated liquid to the soil, groundwater or surface waters.
 - (2) Capable of detecting and collecting releases and run-on until the collected material is removed.
 - (3) Constructed of, or lined with materials compatible with the waste to be stored and of sufficient strength to sustain the stresses induced by failure of the primary containment system as well as other stresses that may be induced by the environment.
 - (4) Placed on a foundation or base capable of providing support to the secondary containment system.
 - (5) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within ~~24 hours~~ one month by documented visual inspection.
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - (c) Ancillary equipment shall be provided with secondary containment.
2. The Permittee shall, in the event of a release:
 - (a) Stop the release;
 - (b) Contain the release;

Comment [art15]: Discussed earlier.

- (c) Clean up and manage properly the released waste and other materials; and
 - (d) If necessary, repair or replace any leaking storage containers or tanks prior to returning them to service [40 CFR Part 279.54(g)].
3. The Permittee shall, as part of the general operating requirements:
 - (a) Not place petroleum contact water, used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
 - (b) Use appropriate controls and practices to prevent spills and overflows;
 - (c) Follow the Operating Procedures described in Attachment 2 of the permit application; and
 - (d) Comply with the requirements of 40 CFR Part 279.54(g) if a leak or spill occurs.
 4. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words "Used Oil". [40 CFR 279.54(f)]
 5. The Permittee shall store used oil only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.
 6. If a container holding used oil is not in good condition (e.g. rusting, bulging) or begins to leak. The Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
 7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment 7 of the permit application dated July 11, 2005 and as revised on October 12, 2010.
 8. The Permittee must initiate the removal of spilled or leaked waste from the secondary containment areas within twenty-four hours of the incident and the waste should be completely removed within three (3) days of discovery [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within twenty-four hours after a rainfall event [Rule 62-762.701(2)(b), F.A.C.]. The above materials shall be managed in accordance Attachment 2 of the permit application dated July 11, 2005 and as revised on May 25, 2010.
 9. The Permittee shall keep containers closed except when adding or removing waste.
 10. ~~To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.~~

Comment [art16]: Discussed earlier.

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

1. The facility may accept petroleum contaminated non-hazardous solid wastes including without limitations those generated from petroleum contaminated soils, sludges, and debris, Personal Protection Equipment (PPE) or other petroleum non-hazardous waste streams. Such wastes not containing removable used oil can be sent to the Facility for bulking and/ or sent directly to a

permitted Solid Waste Disposal facility. Permittee shall bulk and/or process such waste for acceptance at permitted solid waste disposal or processing facilities.

- (a) Permittee shall receive all wastes delivered to the Facility for solidification and processing in drums, roll-offs, and/or vacuum trucks. All drums and roll-offs will be temporarily stored on the solid waste pad. Vacuum truck waste will be off-loaded into treatment tank #111 or cone bottom tank #110. Further processing shall be in accordance with Attachment 4 of the permit application.
- (b) Permittee shall analyze all waste in accordance with the Analysis Plan in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006. Only non-hazardous waste may be processed. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste, in accordance with the provisions of Paragraph 18 of Part I.
- (c) The amount of waste at the Facility shall not exceed 120 tons of solids in drums and roll off containers, plus 22, 000 gallons of liquids in drums (not including used oil filters in drums and containers).

- (d) Permittee shall perform Solid Waste Processing as described in the used oil processing permit application, follows:

(1) A Maximum of 20% ~~(40,000 gallons)~~ of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.

(2) A maximum of 80% ~~(200,000 gallons)~~ of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.

(3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

Comment [art17]: The facility submitted an updated Attachment #4 which I have not seen. I do not object to repeating specifics from their application if needed.

Comment [art18]: I do not object to specifying quantity as long as the units are the same.

~~2. A trained spotter will be present when waste is being received to inspect the waste streams for unauthorized, non-approved and nonconforming waste streams. The spotter will identify and stop the following waste from entering the facility: hazardous waste, PCB's asbestos waste, explosives, putrescible, toxic waste, biohazardous waste, non-approved and nonconforming waste streams. The spotter duties will be completed in the receiving area where the waste containers are opened up for incoming inspection.~~

~~3. Unauthorized wastes non-approved and nonconforming waste streams will be placed in a proper D.O. T. shipping container. The containers are placed in a secondary containment unit, which will be located between the west loading /unloading area and the drum storage. The unauthorized waste will be marked "UNAUTHORIZED WASTE" and will be wrapped with yellow caution tape. Pursuant to Rule 62-701.710(4)(b), stored putrescible wastes shall not be allowed to remain at the facility for more than 48 hours. The putrescible waste will be shipped to a permitted solid waste facility for proper treatment or disposal. Any other unauthorized waste received such as hazardous waste, PCB's asbestos waste, explosives, toxic waste, biohazardous waste, non-approved and nonconforming waste~~

~~streams by the facility shall be segregated and transported to an authorized disposal or recycling facility within 30 days of receipt. The waste generator and the Florida Department of Environmental Protection will be notified of the unauthorized waste.~~

PART VI – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 CFR 279.54(h), 62-710.800(9), F.A.C. and Attachment 8, closure plan of the permit application dated July 11, 2005 and as revised on January 9, 2006. The closure plan requires at a minimum the following:
 - (a) Test residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment 8 of the permit application dated July 11, 2005 and as revised on January 9, 2006.
 - (b) Remove and properly dispose any non-hazardous residue.
 - (c) Triple rinse the tanks, piping and ancillary equipment.
 - (d) Remove the tanks and piping to a scrap steel dealer.
 - (e) Submit a closure report, within thirty (30) days after closing these tanks, that describes the closure process and includes documentation of:
 - (1) The weight of #1 heavy metal scrap sold.
 - (2) The weight of other scrap sold, by classification.
 - (3) The weight of scrap disposed and how disposed.
 - (4) An inventory of the valves and fittings that were retained for future application.
 - (5) A statement that the tanks and piping have been completely removed and that everything removed is included in the above listing.
2. The Permittee shall maintain an approved written closure plan and it must demonstrate how the facility will be closed in accordance with Attachment 8 of the permit application dated July 11, 2005 and subsequent revisions dated January 9, 2006 in order to meet the following requirements that:
 - (a) There will be no need for further Facility maintenance;
 - (b) Used oil will not contaminate soil, surface water or groundwater;
 - (c) All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
 - (d) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C.
 - (e) Permittee who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 CFR 279.54(h), remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soil, and structures and

equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11;

- (f) The closure plan, as described in Attachment 8 of the renewal permit application dated July 11, 2005 and as revised on January 9, 2006 shall be updated whenever significant operational changes occur or design changes are made;
 - (g) The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
 - (h) The Permittee shall submit an updated and detailed plan to the Department at least sixty (60) days prior to the schedule date of closing the Facility; and
 - (i) The Permittee shall submit a certification of closure completion to the Department that demonstrates that the Facility was closed in substantial compliance with the approved closure plan, within thirty (30) days after closing the Facility.
3. Within ninety (90) days of determining that the Facility cannot be clean closed under this permit, the Permittee shall submit a permit application to close the tank system(s) and perform post-closure care in accordance with the closure and post-closure requirements of 40 CFR 264.310 that apply to hazardous waste landfills and in accordance with Chapter 62-770, F.A.C..
4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 CFR 279.54(h), comply with the following requirements:
- (a) At closure, containers holding used oil or residues of used oil must be removed from the site; and
 - (b) The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.
7. Solid Waste: All solid waste will be removed from the site and recycled or disposed in accordance with the requirements of Chapter 62-701.710(6).
8. At closure, containers, drums, and disposal quantities are as identified in Howco's letter dated December 1, 2006 and DEP approved letter dated December 22, 2006.

Issued _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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

FILING AND ACKNOWLEDGMENT

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

CLERK

DATE

This is to certify that this Notice of Permit was e-posted before the close of business on

_____.

**ATTACHMENT- A
SITE MAP**

ATTACHMENT B

TANK TABLE

Table 1**Processing Tanks - Containment #1A**

Tank Number	Capacity (gallons)	Product
100	30300	Used oil treatment
101	28800	Used oil treatment
130	7950	Oil receiving
131	3950	Oil receiving
132	3950	Oil receiving
133	3950	Oil receiving
134	3950	Screened oil
135	6000	Light ends, condensate
136	10000	Light ends
137	10570	Burner fuel oil
170	11150	Used oil, water soluble oil, antifreeze or wastewater

Products stored in various tanks may change from time to time depending on market conditions.

Table 2**Processing Tanks - Containment 1B**

Tank Number	Capacity (gallons)	Product
120	19550	Unprocessed oil
121	28900	Processed oil
122	29730	Processed oil
123	29730	Processed oil
124	29730	Processed oil
125	19210	Processed oil
126	20820	Processed oil
127	19470	Processed oil
128R1	19470	Receiving oil
129	23460	Processed oil

Products stored in various tanks may change from time to time depending on market conditions.

Containment area 2 has no tanks.

Table 3**Containment Area #5**

Tank Number	Capacity (gallons)	Product
108	9980	IWPP Sludge
109	3225	Used Oil
110	6415	Oily Solids
111	19380	Oily Solids

1

PERMIT

2

TITLE PAGE / CHANGE LTRS / NOD

3

APPLICATION - PART 1

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Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

June 02, 2011

SENT VIA E-MAIL
thagan@howcousa.com

Mr. Arthur Timothy Hagan, President
d/b/a Howco Environmental Services
3701 Central Avenue
Saint Petersburg, Florida 33713

SUBJECT: Howco Environmental Services.
Used Oil and Material Processing Facility Renewal Permit
E.P.A. I.D. Number: FLD 152 764 767
Permit Numbers: 33721-HO-002; 33721-SO-003
Pinellas County

Dear Mr. Hagan:

Enclosed are Permit Numbers 33721-HO-002 and 33721-SO-003 issued to Howco Environmental Services pursuant to Section 403.815, Florida Statutes (F.S.), and Chapters 62-4, 62-701, 62-710 and 62-740, Florida Administrative Code (F.A.C.).

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

The notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you have any questions, please contact Bheem Kothur at (850) 245-8781 or via e-mail: bheem.kothur@dep.state.fl.us.

Sincerely,

Anthony R. Tripp
for Tim Bahr

Tim J. Bahr, Administrator
Hazardous Waste Regulation

June 02, 2011
Page Two

TJB/at
Enclosure

cc: Jim Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Florida Fish and Wildlife Conservation Commission,
FWCCConservationPlanningServices@myfwc.com
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Georgiana, Holmes , OGC/Tallahassee, Georgiana.holmes@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Tim Rudolph, Environeering, Inc./Jacksonville, timenvironeering@bellsouth.net
Mayor, City of St. Petersburg, mayor@stpete.org
Chair, Pinellas County Board of Commissioners, countycommissioners@co.pinellas.fl.us
Richard Dillen, Howco Environmental Services/ St. Petersburg, rdillen@howcousa.com



Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

PERMITTEE:

Hagan Holding Company
d/b/a Howco Environmental Services
3701 Central Avenue
Saint Petersburg, Florida 33713

I.D. Number: FLD 152 764 767
Permit Number: 33721-HO-002
Permit Number: 33721-SO-003
Date of Issue: June 2, 2011
Expiration Date: August 3, 2015
County: Pinellas County
Lat/Long: 27°45' 47" N/82° 41' 32" W

Attention:
Mr. Arthur Timothy Hagan, President

Project: Used Oil and Material Processing Facility

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

TO OPERATE: To operate a Used Oil Processing Facility hereinafter referred to as "Facility". The Used Oil Processing Facility is located on an approximately five (5) acre parcel of land owned by Timco Real Estate, Inc. in Pinellas County at 843 43rd Street South, Saint Petersburg, Florida, 33711. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B, respectively), Tank capacity and its contents are shown in Table (Attachment - B) of this permit.

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

The Facility consists of a total of 48 Aboveground Storage Tanks ("ASTs") inside secondary containment. Twenty-five of these tanks may be used to store or process used oil, petroleum contact water, oily wastewater and other non-hazardous wastewater. Presently, nineteen (19) tanks are dedicated to used oil, one (1) tank is dedicated to water/antifreeze, and one (1) tank is dedicated to burner fuel; however, the contents of each tank may change from time-to-time based on market conditions, provided appropriate marking/placarding is provided in accordance with applicable law. The use and the capacities of the ASTs and related appurtenances currently in use at the Facility are listed in Attachment B of this permit.

OTHER ACTIVITIES

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

Hagan Holding Company
Howco Environmental Services
Saint Petersburg, Florida

I.D. Number FLD 152 764 767
Permit Number : 33721-HO-002, 33721-SO-003
Date of Expiration : August 03, 2015

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Renewal Application Dated July 11, 2005 and additional information submitted dated January 9, 2006 and December 1, 2006.
2. Howco Solid Waste Processing Facility Estimate Document Drafted in September 2006.
3. Used Oil Processing Facility Permit 92465-HO06-001, Issued August 3, 2000.
4. Used Oil Processing Facility Permit Renewal Application Dated May 28, 2010 and received on June 8, 2010.
5. Used Oil Processing Facility Permit Renewal Application NOD-1, Dated July 12, 2010 and the Facility NOD-1 Responses Dated August 11, 2010 and DEP Received on August 17, 2010.
6. Used Oil Processing Facility Permit renewal Application NOD-2, Dated September 21, 2010 and the Facility NOD-2 Responses Dated October 14, 2010 and DEP Received on October 19, 2010.

This renewal Permit replaces Permit # 33721-HO-001

Hagan Holding Company
Howco Environmental Services
Saint Petersburg, Florida

I.D. Number FLD 152 764 767
Permit Number : 33721-HO-002, 33721-SO-003
Date of Expiration : August 03, 2015

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Part I - GENERAL AND STANDARD CONDITIONS

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

Hagan Holding Company
Howco Environmental Services
Saint Petersburg, Florida

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- (c) Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the Permittee does not comply with, or will be unable to comply with, any condition or limitation specified in this permit, the Permittee shall immediately notify and provide the Department with the following information:
- (a) A description of and cause of non-compliance; and
 - (b) The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.
- The Permittee shall be responsible for any and all damages that may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.
9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-710.800, F.A.C., as applicable. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction, operation, or closure.
13. This permit also constitutes:
- (a) Determination of Best Available Control Technology (BACT);
 - (b) Determination of Prevention of Significant Deterioration (PSD);
 - (c) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500); and
 - (d) Compliance with New Source Performance Standards.
14. The Permittee shall comply with the following monitoring and record keeping requirements:
- (a) Upon request, the Permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action;

- (b) The Permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule; and
- (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The person responsible for performing the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The person responsible for performing the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- 15. When requested by the Department, the Permittee shall, within a reasonable period of time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.
- 16. The Permittee shall comply with the following requirements during the life of this permit:
 - (a) The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, F.A.C.
 - (b) This facility shall be constructed, operated and maintained in accordance with all applicable requirements of Chapters 62-4, 62-701, 62-710, 62-730, 62-740, and 62-762, F.A.C., and all other applicable requirements of Department Rules.
 - (c) By acceptance of this permit, the Permittee certifies that he has read and understand the obligations imposed by the General and Standard Conditions contained herein, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.
 - (d) Nothing contained in General and Standard Condition 10 of this permit shall be deemed to waive any right Permittee has under Florida Statutes or Department rules to oppose application of any such changes to the facility if Permittee is otherwise legally entitled to do so.
- 17. Submittals in response to these conditions shall be submitted as follows:
 - (a) One (1) hard copy and one (1) electronic copy shall be submitted to:

Hagan Holding Company
Howco Environmental Services
Saint Petersburg, Florida

I.D. Number FLD 152 764 767
Permit Number : 33721-HO-002, 33721-SO-003
Date of Expiration : August 03, 2015

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

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

Hazardous Waste Program Manager
Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

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

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

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

- (d) Financial Assurance Mechanism:

The Permittee shall maintain, in good standing, the financial mechanisms established to demonstrate proof of financial assurance. Supporting documentation and required adjustments shall be submitted within the time frames specified in Rule 62-701.630, F.A.C. as adopted by reference in Rule 62-710.800(6), F.A.C. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection
Financial Coordinator – Solid Waste Section
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

- (e) Annual Closing Cost Estimate Adjustment:

The Permittee shall annually adjust the closing cost estimate for inflation using Form 62-710.901(7). Adjustments shall be made in accordance with Rule 62-710.800(6), F.A.C. An owner or operator shall submit the adjusted cost estimate between January 1 and March 1. All submittals in response to this specific condition shall be sent to the addresses on the cost estimate form.

18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-730.900(1)(b) in accordance with Rule 62-710.500, F.A.C.

Hagan Holding Company
Howco Environmental Services
Saint Petersburg, Florida

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

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29. Tanks installed on or after July 13, 1998 shall comply with the performance standards of F.A.C., Rule 62-762.501. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C. [Rule 62-710.300(3), F.A.C.].
30. The inspection records and release detection monitoring required in Rule 62-762.601, F.A.C. for aboveground process and storage tanks and integral piping shall be maintained in the Permittee operating record. [Rule 62-710.510, F.A.C.].
31. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the Attachment No. 6 of the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a) All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
 - (b) Pursuant to 40 CFR 279.54, the secondary containment system shall be:
 - (1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters;
 - (2) Capable of visual leak detection and collecting releases and run-on until the collected material is removed;
 - (3) Constructed of or lined with materials compatible with the waste to be stored and have sufficient structural strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses which may be induced by the environment;
 - (4) Placed on a foundation or base capable of providing support to the secondary containment system;
 - (5) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection in accordance with 40 C.F.R. Part 112 and 62-762.601(1)(d)&(e), F.A.C.
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
 - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - (c) Ancillary equipment shall be provided with secondary containment.
32. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps once a month. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps with caulking the same day of discovery and shall permanently fix the cracks or gaps within seven (7) days [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].

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33. The Permittee shall label or mark all containers and aboveground tanks, used for storage or processing of used oil, with the words "Used Oil" [40 CFR 279.54(f)].
34. The Permittee shall label or mark all containers or tanks which are solely used for the storage of Petroleum Contact Water with the words "Petroleum Contact Water" or "PCW" [Rule 62-740, F.A.C.].
35. The Permittee shall store used oil, PCW, used oil residues or used oil filters only in those containers or tanks which are made of or lined with materials that will not react with and are otherwise compatible with the waste to be stored.
36. If a container or tank holding used oil, PCW, used oil residues or used oil filters is not in good condition (e.g., rusting, bulging) or begins to leak, the Permittee shall transfer the waste to another container or tank which is in good condition [40 CFR 279.22].
37. As part of the general operating requirements, the Permittee shall:
 - (a) Not place used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
 - (b) Use appropriate controls and practices to prevent spills and overflows;
 - (c) Follow the operating procedures described in Attachments II and III of the permit application; and
 - (d) Comply with the requirements of 40 CFR 279.54(g) if a leak or spill occurs.
38. The Permittee shall inspect the tank system in accordance with Attachments 7 of the permit application. These requirements include:
 - (a) Developing and following a schedule and procedure for inspecting pump controls, alarms, valves, pipes, tanks, and other applicable overfilling controls.
 - (b) Inspecting at least once each month the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. The Permittee shall document the monthly inspections in writing on the monthly inspection form submitted with the permit application; and
 - (c) The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
39. The Permittee shall remove spilled or leaked waste within three (3) days [62-762.821(1)(d), F.A.C.] and accumulated precipitation from the secondary containment areas within one (1) week [62-762.701(2)(b), F.A.C.] and these wastes shall be managed in accordance with the Howco Spill Prevention Control and Countermeasures Plan (SPCC) and Contingency Plan of the permit application.
40. Pursuant to the requirements of 40 CFR 279.52(a), concerning preparedness and prevention, the Permittee shall:

- (a) Maintain a copy of the preparedness and prevention plan, of the permit application, at the facility;
 - (b) Equip the facility with the required emergency equipment described in SPCC Plan of the permit application [40 CFR 279.52(a)(2)];
 - (c) Test and maintain the required emergency equipment in accordance with the requirements of 40 CFR 279.52(a)(3);
 - (d) Provide all facility personnel involved in used oil processing operations with immediate access to an internal alarm or emergency communication device, as described in SPCC Plan of the permit application [40 CFR 279.52(a)(4)]; and
 - (e) Make arrangements with the local authorities as described in SPCC Plan of the permit application [40 CFR 279.52(a)(6)] and Attachment 6 of the permit application dated July 11, 2005 and the revised dated October 12, 2010
41. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall comply with the "Specific Spill Containment Procedures" of Attachment 6 of the permit application dated July 11, 2005 and as revised October 12, 2010. In the event of a Spill or Other Emergency:
- (a) Immediately carry out the provisions of the Attachment 6, Contingency Plan, and SPCC Plan of the permit application, and follow the emergency procedures described by 40 CFR 279.52(b)(6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater that threatens or could threaten human health or the environment. The Permittee shall give proper notification to the Department if an emergency situation arises and within fifteen (15) days must submit to the Department a written report which includes all information required in 40 CFR 279.52(b)(6)(ix);
 - (b) Maintain a copy of the contingency plan at the facility and submit copies to all local police departments, fire departments, hospitals, and State and local emergency response teams pursuant to the requirements of 40 CFR 279.52(b)(3);
 - (c) Amend the plan and submit the amended plan for Department approval within seven (7) days of meeting any criteria listed in 40 CFR 279.52(b)(4). Any other changes to the plan must be submitted to the Department within seven (7) days of the change in the plan. All amended plans must be distributed to the appropriate agencies;
 - (d) Comply with the requirements of 40 CFR 279.52(b)(5), concerning the emergency coordinator; and
 - (e) Notify the Department of Environmental Protection's 24-hour emergency telephone number [(800) 320-0519] in the case of emergency. During normal business hours, the Department's Southwest District office may be contacted at (813) 632-7600.
42. The Permittee shall maintain reports of discharges that are greater than twenty-five (25) gallons, as part of its on-site operating records. The reports shall include amount and time of discharge and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all of the releases that are greater than fifty (50) gallons.

The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of service.

43. Within three days of the discovery of a discharge the Permittee shall test the system in accordance with subsection 62-762.641(3), F.A.C., and if found to be leaking, place the system out-of-service in accordance with 62-762.802(2), F.A.C., until repaired, replaced or closed. [62-762.821(2)(d), F.A.C.]
44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment 6 of the permit application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 CFR 279.52. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedules must be maintained as part of the operating record of the facility [40 CFR 279.54].
45. Pursuant to 40 CFR 279.55, concerning the written analysis plan, 40 CFR 279.56, concerning Tracking, the Permittee shall:
 - (a) Sample and analyze each incoming shipment for the parameters listed in Attachment 3 of the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with Attachment 3 of the permit application;
 - (b) Test all containers of the same waste stream for the parameters listed in Attachment IV of the permit application, if any of the samples fail the analysis required by General and Standard Condition 45.(a), the Permittee may collect a representative sample from containers received from the same generator for this analysis;
 - (c) Reject any incoming containers of used oil which fail the analysis required by the General and Standard Condition 45.(a). The Permittee shall maintain documentation of any shipment of used oil which is refused due to suspected mixing with hazardous waste in the facility operating record; and
 - (d) Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in Attachment 3 of the permit application to determine whether the used oil is on-specification or off-specification. However, the testing is not required if it is sent to another Used Oil processor for further processing.
 - (e) Compliance sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. Incoming, process control and outgoing used oil analysis will be completed by Howco's laboratory. One biweekly outgoing used oil sample will be sent to an outside laboratory that meets the National Environmental Laboratory Accreditation Conference (NELAC) certification in Chapter 62-160.
 - (f) A copy of the written analysis plan must be kept at the facility.

PART II – USED OIL PROCESSING CONDITIONS

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: the Permittee shall maintain records on DEP

Form 62-701.900 (2) or on substantially equivalent forms which contain at least the same information as the Department form.

- (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
 - (1) The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;
 - (2) The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
 - (3) The quantities of each type of used oil accepted and date of acceptance; and
 - (b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
 - (1) The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
 - (2) The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
 - (3) The quantities of used oil shipped and date of shipment; and
 - (4) The laboratory analytical results.
 - (c). Record Retention: The records described in paragraph (a) and (b) of this section must be maintained for at least five years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
 - (d). The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements set forth in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006.
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; and described in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006.
 - (b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).

(c) All records required by condition 1 of this Part

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than twenty-five (25) gallons shall include the amount, time of the release, time of the response and a description of the response. Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of the service.
4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludge, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).
5. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-762.501, F.A.C., for existing shop fabricated/field erected tanks of Rule 62-762.511, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-762.701, F.A.C.
6. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a). All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.
 - (b). The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:
 - (1) Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
 - (2) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection.
 - (3) Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 - (4) Placed on a foundation or base capable of providing support to the secondary containment system.
 - (5) Provided with visual leak detection to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days.

- (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
- (c). Ancillary equipment shall be provided with secondary containment.

PART III – PETROLEUM CONTACT WATER PROCESSING CONDITIONS

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

- (5) A copy of the shipping paper used for shipment of the PCW.
- (6) Have on file written assurances from the producers that the PCW does not contain levels of hazardous constituents above those found in the source of the PCW [62-740.300(4), F.A.C.].
- (b) Weekly PCW container or tank inspections as required in 62-740.100(2)(e), F.A.C.
- (c) Records to demonstrate that, under normal operating practices, the Facility recovers product from PCW [62-740.300(3), F.A.C.].
- 8. The Permittee shall submit an annual report covering petroleum contact water (PCW) activities for the previous year by March 1 of each year. The report shall include:
 - (a) The total quantity of PCW received during the previous calendar year.
 - (b) An estimate of the total quantity of product recovered from the PCW as described in Attachment 2 of the permit renewal application dated July 11, 2005 and as revised on May 25, 2010 and pursuant to 62-740.300(5), F.A.C.

PART IV – TANK AND CONTAINER CONDITIONS

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

- 1. The Permittee shall prevent the release of petroleum contact water, used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
 - (a) All new components shall have secondary containment as required by 40 CFR Part 279.54 and Parts (b) and (c) of this condition prior to being put into service.
 - (b) The secondary containment system shall meet the requirements of 40 CFR 279.54 and Rule 62-762, F.A.C. shall be:
 - (1) Designed, installed and operated to prevent any migration of waste or accumulated liquid to the soil, groundwater or surface waters.
 - (2) Capable of detecting and collecting releases and run-on until the collected material is removed.
 - (3) Constructed of, or lined with materials compatible with the waste to be stored and of sufficient strength to sustain the stresses induced by failure of the primary containment system as well as other stresses that may be induced by the environment.
 - (4) Placed on a foundation or base capable of providing support to the secondary containment system.

- (5) Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month, but no more than 35 days, by documented visual inspection.
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7) Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
- (c) Ancillary equipment shall be provided with secondary containment.
- 2. The Permittee shall, in the event of a release:
 - (a) Stop the release;
 - (b) Contain the release;
 - (c) Clean up and manage properly the released waste and other materials; and
 - (d) If necessary, repair or replace any leaking storage containers or tanks prior to returning them to service [40 CFR Part 279.54(g)].
- 3. The Permittee shall, as part of the general operating requirements:
 - (a) Not place petroleum contact water, used oil, other wastes or treatment reagents in a tank system if the possibility exists that this may cause the tank system to fail;
 - (b) Use appropriate controls and practices to prevent spills and overflows;
 - (c) Follow the Operating Procedures described in Attachment 2 of the permit application; and
 - (d) Comply with the requirements of 40 CFR Part 279.54(g) if a leak or spill occurs.
- 4. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words "Used Oil". [40 CFR 279.54(f)]
- 5. The Permittee shall store used oil only in those containers or tanks which are made of or lined with materials which will not react with and are otherwise compatible with the waste to be stored.
- 6. If a container holding used oil is not in good condition (e.g. rusting, bulging) or begins to leak. The Permittee shall either over pack the container or transfer the waste to another container or tank which is in good condition. [40 CFR 279.22]
- 7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment 7 of the permit application dated July 11, 2005 and as revised on October 12, 2010.
- 8. The Permittee shall remove spilled or leaked waste within three (3) days [Rule 62-762.821(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-762.701(2)(b), F.A.C.]. The above materials shall be

managed in accordance with Attachment 2 of the permit application dated July 11, 2005 and as revised on May 25, 2010.

9. The Permittee shall keep containers closed except when adding or removing waste.

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

1. The facility may accept petroleum contaminated non-hazardous solid wastes including without limitations those generated from petroleum contaminated soils, sludges, and debris, Personal Protection Equipment (PPE) or other petroleum non-hazardous waste streams. Such wastes not containing removable used oil can be sent to the Facility for bulking and/ or sent directly to a permitted Solid Waste Disposal facility. Permittee shall bulk and/or process such waste for acceptance at permitted solid waste disposal or processing facilities.
 - (a) Permittee shall receive all wastes delivered to the Facility for solidification and processing in drums, roll-offs, and/or vacuum trucks. All drums and roll-offs will be temporarily stored on the solid waste pad. Vacuum truck waste will be off-loaded into treatment tank #111 or cone bottom tank #110. Further processing shall be in accordance with Attachment 4 of the permit application.
 - (b) Permittee shall analyze all waste in accordance with the Analysis Plan in Attachment 3 of the permit application dated July 11, 2005 and as revised on January 9, 2006. Only non-hazardous waste may be processed. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste, in accordance with the provisions of Paragraph 18 of Part I.
 - (c) The amount of waste at the Facility at any one time shall not exceed 120 tons of solids in drums and roll off containers, plus 22, 000 gallons of liquids in drums (not including used oil filters in drums and containers).
 - (d) Permittee shall perform Solid Waste Processing as described in the used oil processing permit application.
 - (1) A maximum of 20% (40,000 gallons) of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.
 - (2) A minimum of 80% (200,000 gallons) of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.
 - (3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

2. The Permittee shall within 30-days of the permit issuance date develop an internal training program for approval by the Department in accordance with 62-701.320(15), F.A.C., to adequately train personnel to inspect the waste streams for unauthorized, non-approved and nonconforming waste streams. This training program shall be implemented within 30 days of approval and shall contain provisions for initial training with continuing education training every three years with documentation of the training. The spotter duties will be completed in the receiving area where the waste containers are opened up for incoming inspection.
3. A trained spotter will be present when waste is being received to inspect the waste streams for unauthorized, non-approved and nonconforming waste streams. The spotter will be able to identify and stop the following waste from entering the facility: hazardous waste, PCB's, asbestos waste, explosives, putrescible, toxic waste, biohazardous waste, non-approved and nonconforming waste streams.
4. Training records for spotters shall be maintained at the facility for three years. New personnel shall not be allowed to act as spotters without undergoing spotter training. New personnel that have demonstrated to the facility manager a competency based on experience, education, and training may perform as an interim spotter. An interim spotter must become a trained spotter within three months of employment as an interim spotter.
5. Unauthorized wastes non-approved and nonconforming waste streams will be placed in a proper Department of Transportation shipping container. The containers are placed in a secondary containment unit, which will be located between the west loading/unloading area and the drum storage area. The unauthorized waste will be marked "UNAUTHORIZED WASTE" and will be wrapped with yellow caution tape. Pursuant to Rule 62-701.710(4)(b), F.A.C., stored putrescible wastes shall not be allowed to remain at the facility for more than 48 hours. The putrescible waste will be shipped to a permitted solid waste facility for proper treatment or disposal. Any other unauthorized waste received such as hazardous waste, PCB's asbestos waste, explosives, toxic waste, biohazardous waste, non-approved and nonconforming waste streams by the facility shall be segregated and transported to an authorized disposal or recycling facility within 30 days of receipt. The waste generator and the Florida Department of Environmental Protection Southwest District will be notified of the unauthorized waste.

PART VI – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 CFR 279.54(h), 62-710.800(9), F.A.C. and Attachment 8, closure plan of the permit application dated July 11, 2005 and as revised on January 9, 2006. The closure plan requires at a minimum the following:
 - (a) Test residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment 8 of the permit application dated July 11, 2005 and as revised on January 9, 2006.
 - (b) Remove and properly dispose any non-hazardous residue.
 - (c) Triple rinse the tanks, piping and ancillary equipment.
 - (d) Remove the tanks and piping to a scrap steel dealer.

- (e) Submit a closure report, within thirty (30) days after closing these tanks, that describes the closure process and includes documentation of:
 - (1) The weight of #1 heavy metal scrap sold.
 - (2) The weight of other scrap sold, by classification.
 - (3) The weight of scrap disposed and how disposed.
 - (4) An inventory of the valves and fittings that were retained for future application.
 - (5) A statement that the tanks and piping have been completely removed and that everything removed is included in the above listing.
- 2. The Permittee shall maintain an approved written closure plan and it must demonstrate how the facility will be closed in accordance with Attachment 8 of the permit application dated July 11, 2005 and subsequent revisions dated January 9, 2006 in order to meet the following requirements that:
 - (a) There will be no need for further Facility maintenance;
 - (b) Used oil will not contaminate soil, surface water or groundwater;
 - (c) All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;
 - (d) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-762.801, F.A.C.
 - (e) Permittee who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 CFR 279.54(h), remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soil, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11;
 - (f) The closure plan, as described in Attachment 8 of the renewal permit application dated July 11, 2005 and as revised on January 9, 2006 shall be updated whenever significant operational changes occur or design changes are made;
 - (g) The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
 - (h) The Permittee shall submit an updated and detailed plan to the Department at least sixty (60) days prior to the schedule date of closing the Facility; and
 - (i) The Permittee shall submit a certification of closure completion to the Department that demonstrates that the Facility was closed in substantial compliance with the approved closure plan, within thirty (30) days after closing the Facility.

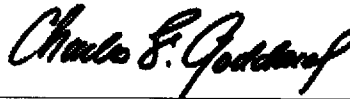
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Date of Expiration : August 03, 2015

3. Within ninety (90) days of determining that the Facility cannot be clean closed under this permit, the Permittee shall submit a permit application to close the tank system(s) and perform post-closure care in accordance with the closure and post-closure requirements of 40 CFR 264.310 that apply to hazardous waste landfills and in accordance with Chapter 62-770, F.A.C..
4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 CFR 279.54(h), comply with the following requirements:
 - (a) At closure, containers holding used oil or residues of used oil must be removed from the site; and
 - (b) The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.
5. Solid Waste: All solid waste will be removed from the site and recycled or disposed in accordance with the requirements of Chapter 62-701.710(6).
6. At closure, containers, drums, and disposal quantities are as identified in Howco's letter dated December 1, 2006 and DEP approved letter dated December 22, 2006.

Issued June 2, 2011

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

FILING AND ACKNOWLEDGMENT

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

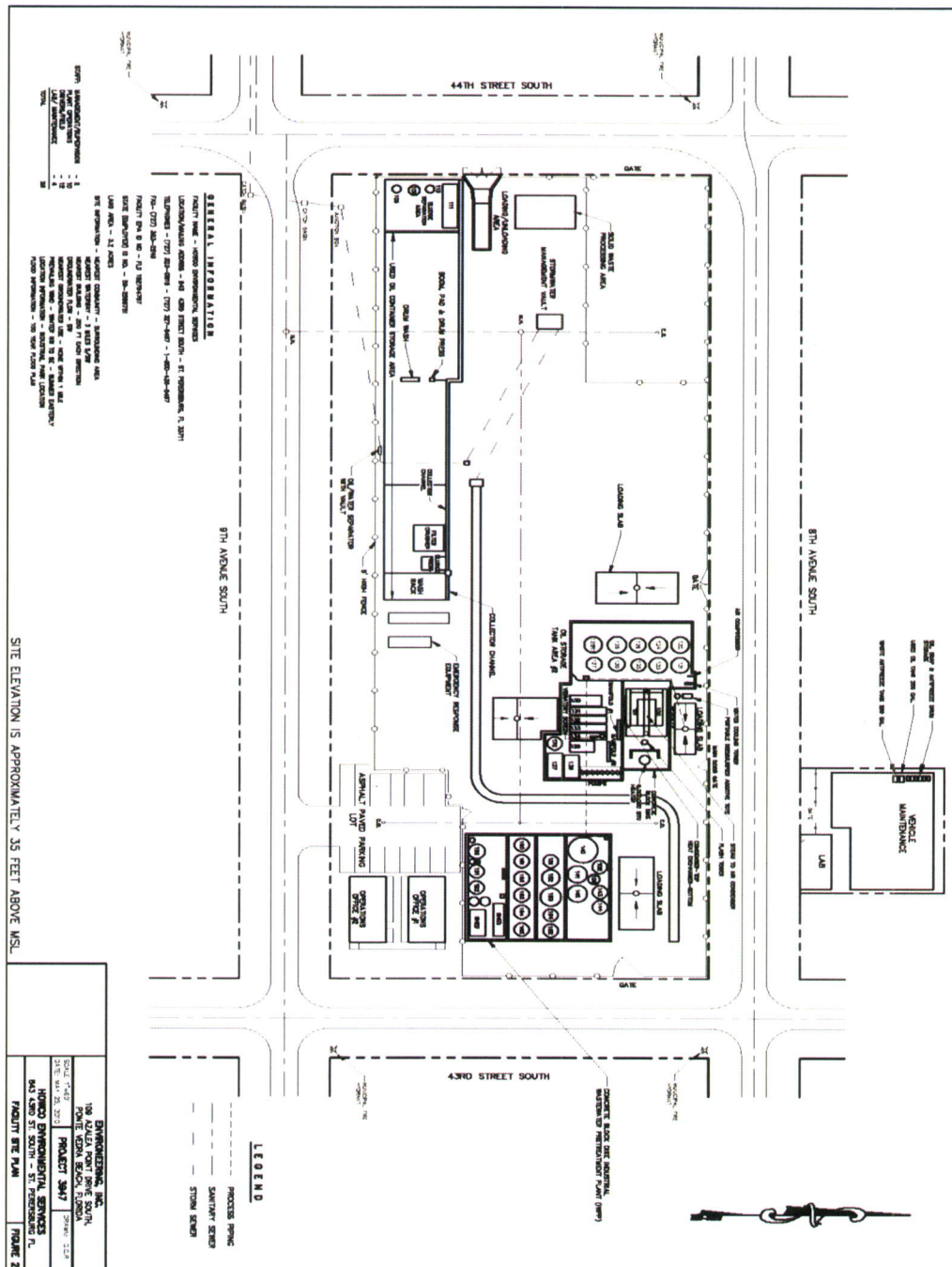


CLERK

June 2, 2011

DATE

ATTACHMENT-A SITE MAP



ATTACHMENT B
TANK TABLE

Table 1
Processing Tanks - Containment #1A

Tank Number	Capacity (gallons)	Product
100	30300	Used oil treatment
101	28800	Used oil treatment
130	7950	Oil receiving
131	3950	Oil receiving
132	3950	Oil receiving
133	3950	Oil receiving
134	3950	Screened oil
135	6000	Light ends, condensate
136	10000	Light ends
137	10570	Burner fuel oil
170	11150	Used oil, water soluble oil, antifreeze or wastewater

Products stored in various tanks may change from time to time depending on market conditions.

Table 2
Processing Tanks - Containment 1B

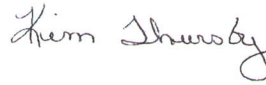
Tank Number	Capacity (gallons)	Product
120	19550	Unprocessed oil
121	28900	Processed oil
122	29730	Processed oil
123	29730	Processed oil
124	29730	Processed oil
125	19210	Processed oil
126	20820	Processed oil
127	19470	Processed oil
128R1	19470	Receiving oil
129	23460	Processed oil

Products stored in various tanks may change from time to time depending on market conditions.

Containment area 2 has no tanks.

Table 3
Containment Area #5

Tank Number	Capacity (gallons)	Product
108	9980	IWPP Sludge
109	3225	Used Oil
110	6415	Oily Solids
111	19380	Oily Solids



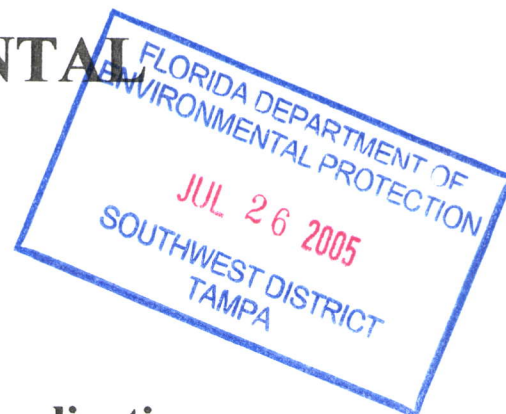
Digitally signed by Kim Thursby
DN: cn=Kim Thursby, o=Florida DEP,
ou=Hazardous Waste Regulation Section,
email=kim.thursby@dep.state.fl.us, c=US
Date: 2011.06.06 08:10:58 -04'00'

From: [Richard Dillen](#)
To: [Epost HWRS](#)
Cc: [Tim Hagan](#); [Tim Rudolph](#)
Subject: HOWO St. Petersburg - Final Permit
Date: Thursday, June 02, 2011 8:40:05 AM

HOWCO confirms receipt of the Final Permit, dated June 2nd, 2011.

Richard Dillen
Q.A.O.
HOWCO Env. Services
(727)-437-4059

HOWCO ENVIRONMENTAL SERVICES



Used Oil Processor Permit Renewal Application

4
Saint Petersburg, Florida Facility
FLD 152 763 767
843 43rd Street South
St. Petersburg, Florida 33711

July 15, 2005

Prepared by:
Jones Ecosystem Management
11587 W. Atlantic Blvd., Suite 27
Coral Springs, Florida 33071

HOWCO Environmental Services

Dept. Of Environmental Protection

JUN 04 2010

Southwest District

May 28, 2010

Used Oil Permit Coordinator
MS 4560
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: FLD 152 764 767 – renewal

To whom it may concern,

Please find attached the following documents:

- Two (2) sets, renewal 'Application for a Used Oil Processing Permit'.
- Two (2) sets, renewal 'Application for a Solid Waste Permit'.
- One (1) check for the amount of \$ 2,000.00, processing fee Used Oil Permit.
- One (1) check for the amount of \$ 1,000.00, processing fee Solid Waste Permit.

The following changes were made since the last application, identified as Revision 5:

1) Attachment 1, page 1: Solids removed from the pretreatment of industrial wastewater are shipped off-site to a permitted facility or processed in a sludge press.

2) Attachment 2, page 4: The light ends are blended into processed oil tanks during batch processing and/or burned as fuel on-site.

Note: The blending of light ends and burning as off-specification used oil fuel on-site, is regulated in Permit No. 1030153-010-AC.

3) Attachment 2, page 6: Table 2, strike 'Containment areas 3 and 4 are used for water treatment only'.

4) Attachment 2, rename Table 3, 'Containment Area #5'.

5) Attachment 2, rename product in Tank-109, 'Used Oil'.

6) Attachment 2, rename product in Tank-110 and 111, 'Oily Solids'.

7) Attachment 4, revised to reflect the latest applicable Solid Waste rules.

8) Attachment 6, page 21: strike, 'c. Estimated quantity of accumulation'.

Note: It is impossible to estimate the quantity of accumulation.

8) Attachment 7, page 23: item 4 strike, 'estimated quantity of accumulation'.

Note: See 7).

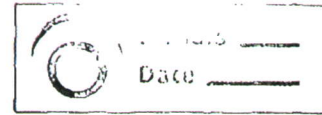
Sincerely,

A handwritten signature in black ink, appearing to read 'RDillen', with a long horizontal flourish extending to the right.

Richard Dillen

Q.A.O.

Cc: Mr. Jim Dregne, FDEP/Tampa



August 11, 2010

Florida Department of Environmental Protection
Hazardous Waste Regulation
Attn: Mr. Bheem Kothur, P.E.
2600 Blau Stone Road
Tallahassee, Florida 32399-2400

Received

AUG 17 2010

BSHW

RE HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA ID No. FLD 152 764 767
Permit Number 33721-HO-002
Used Oil Processing Facility Permit Renewal
FDEP Response Letter Dated July 12, 2010

Dear Mr. Kothur,

This letter is in response to the Florida Department of Environmental Protection (FDEP) comment letter dated July 12, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services - St. Petersburg Facility.

The enclosed response to the items in the comment letter have been addressed and changes to the Permit Renewal Application have been completed by Environeering, Incorporated.

If you have any questions or comments, I can be reached at (727) 327-8467.

Sincerely,

Jim Hagan
President and CEO
HOWCO Environmental Services

<COMMENT LETTER FDEP-3947-1-A>

RECEIVED
RCRA
AUG 17 2010
Hazardous Waste Regulation



August 17, 2010

Mr. Bheem Kothur, P.E. III
Florida Department of Environmental Protection
Hazardous Waste Regulation
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Received
AUG 23 2010
BSHW

Subject : Extension for Response to Comments to FDEP Letter Dated July 27, 2010

RE: HOWCO Environmental Services
Astor Facility
EPA I.D. No. FLD 101 828 689
Permit Numbers: 27221-HO-004; 27221-SO-005
USED Oil Processing Permit Renewal

RECEIVED
RCRA
AUG 24 2010

Dear Mr. Kothur:

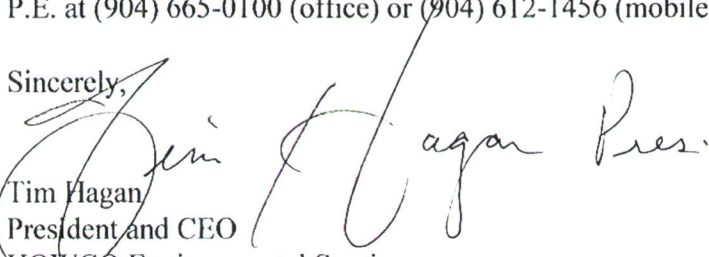
Hazardous Waste Regulation

HOWCO Environmental Services respectfully requests an extension for the Response to Comments to the letter from the FDEP dated July 27, 2010. The FDEP letter addresses several items associated with the solid waste and used oil permit renewal for the above referenced facility. Environeering, Incorporated will be preparing the response letter.

Schedule: The required items and the general comments in the FDEP letter dated July 27, 2010 will be addressed and submitted in a Response to Comments letter on September 3, 2010. The required revisions to the permit application will be included in the submittal.

If you have any questions, please contact our environmental engineer, Mr. Timothy Rudolph, P.E. at (904) 665-0100 (office) or (904) 612-1456 (mobile) or myself at (727) 327-8467.

Sincerely,


Tim Hagan
President and CEO
HOWCO Environmental Services



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

July 12, 2010

SENT VIA E-MAIL
thagan@howcousa.com

Mr. Tim Hagan, President & CEO
Howco Environmental Services- St. Petersburg
3701 Central Avenue
St. Petersburg, FL 33713

RE: Howco Environmental Services
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal
Notice of Deficiency - 1

Dear Mr. Hagan:

The Florida Department of Environmental Protection (the Department) has received your permit renewal application dated May 28, 2010 and received on June 8, 2010 and reviewed to operate a Used Oil Processing facility at 3701 Central Avenue, St. Petersburg, Florida, 33713.


The review of the permit renewal application NOD Comments indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. Tim Hagan, President & CEO
July 12, 2010
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Bheem Kothur at (850) 245-8781, e-mail: kothur@dep.state.fl.us

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Jim Dregne, DEP/South West District, james.dregne@dep.state.fl.us
Tim Rudolph, Environeering, Inc./Ponte Verda, timenvironeering@bellsouth.net
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Georgiana, Holmes, OGC/Tallahassee, Georgiana.holmes@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Richard Dillen, Howco Environmental Services/St. Petersburg, rdillen@howcousa.com

ATTACHMENT
July 12, 2010
Howco Environmental Services
St. Petersburg, Florida
EPA I.D Number: FLD 152 764 767
Notice of Deficiency - 1

Please address the following items.

1. Attachment 4, Solid Waste Rules and Their Revisions: Under the Operational Requirements for Attachment 4, the narrative indicates "the unauthorized waste will be shipped off site as soon as it can be scheduled and when it is economically feasible possible." 62-701.710(4)(b) identifies specific storage timeframes for unauthorized wastes, please include the specific timeframes described in the rule in attachment 4.

General Comments:

1. Table 3, Containment Area #5: It appears that the Containment Products are revised from "Oil Filter Crusher" To "Used Oil", "Carbon bottom" To "Oily Solids", and "Oily Solids batch treatment" To "Oily Solids" in Tanks 109, 110 and 111 respectively.

Please clarify what exactly you meant or revise the closure cost estimates as appropriate to reflect these changes.

2. Site Map and Tank Table: Please provide both a hard copy and an electronic formatted (PDF) copy of a tank table (8 ½"X11") and a site map (8 1/2"X11). The Tank table shall identify the tank number, capacity and content.

The hard copies of these items will be attached to the revised application. Please send a copy of the tank table and site map via e-mail so they can be attached to the draft renewal permit.

HOWCO Environmental Services

August 11, 2010

Florida Department of Environmental Protection
Hazardous Waste Regulation
Attn: Mr. Bheem Kothur, P.E.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dept. Of Environmental Protection
AUG 16 2010
Southwest District

RE: HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal
FDEP Response Letter Dated July 12, 2010

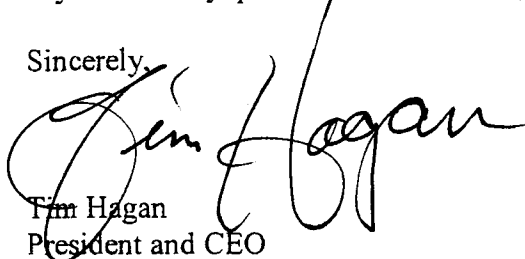
Dear Mr. Kothur,

This letter is in response to the Florida Department of Environmental Protection (FDEP) comment letter dated July 12, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services – St. Petersburg Facility.

The enclosed response to the items in the comment letter have been addressed and changes to the Permit Renewal Application have been completed by Environeering, Incorporated.

If you have any questions or comments, I can be reached at (727) 327-8467.

Sincerely,



Tim Hagan
President and CEO
HOWCO Environmental Services

<COMMENT LETTER FDEP-3947-1-A>



109 AZALEA POINT DRIVE SOUTH • PONTE VEDRA BEACH • FLORIDA • 32082

August 11, 2010

Mr. Tim Hagan
President and CEO
HOWCO Environmental Services
3701 Central Avenue
St. Petersburg, Florida 33713

RE: HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal
FDEP Response Letter Dated July 12, 2010

Dept. Of Environmental Protection
AUG 16 2010
Southwest District

Dear Mr. Hagan,

This letter is in response to the Florida Department of Environmental Protection (FDEP) comment letter dated July 12, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services – St. Petersburg Facility. The responses are provided in the same order as listed in the referenced FDEP letter.

1. Attachment 4

In item Number 1, the FDEP letter dated July 12, 2010, indicated that a specific timeframe needs to be included in the used oil permit for the storage of unauthorized waste at the above referenced facility. Pursuant to rule 62-701.710(4)(b), a timeframe for the storage of unauthorized waste has been included into the Used Oil Permit for the facility in Attachment 4 – Solid Waste Handling. The revised permit body is provided as enclosure (1).

General Comments

1 – Table 3 Under General Comments, Number 1 of the FDEP letter dated July 12, 2010, clarification was requested for the changes made to Table 3, Containment Area # 5. The information in Table 3 reflects what materials will be stored in Tanks 109, 110 and 111. There are no changes to the closure cost estimates as the content of the tanks have not changed.

Tank # 109 contains used oil collected from the used oil filter crushing operation. Tank 109 is registered with the FDEP as an above ground storage tank. It is listed in the FDEP database under STCM # 10424 and is listed as Tank # 181 – Waste oil.

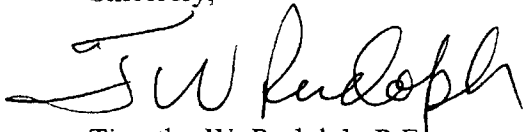
Environeering, Inc.
August 11, 2010
Page 2 of 2

Tank # 110 is a cone bottom shaped tank and is used to collect oily solids. Tank # 111 is also used to collect oily solids. Free liquids are drained from both tanks after gravity separation has occurred.

2 – Site Map and Tank Table Under General Comments, Number 2 of the FDEP letter dated July 12, 2010, a hard copy and an electronic copy of a Tank Table (8 1/2" X 11") and Site Map (11" X 17") identifying the tank number, capacity and content was requested. An 8 1/2" X 11" Tank Table and an 8 1/2" X 11" Site Map are provided as enclosures (2) and (3). The facility is too large to show the entire facility on an 8 1/2" X 11" page. An electronic PDF copy of both the Tank Table and the Site Map will also be provided by e-mail.

If you have any questions or comments, I can be reached at (904) 665-0100 (office) or at (904) 612-1456 (mobile).

Sincerely,



Timothy W. Rudolph, P.E.
Environmental Engineer

<COMMENT LETTER-3947-1-A>

HOWCO Environmental Services

October 14, 2010

Florida Department of Environmental Protection
Hazardous Waste Regulation
Attn: Mr. Bheem Kothur, P.E.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dept. Of Environmental Protection

OCT 15 2010

Southwest District

RE: HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal
FDEP Response Letter Dated July 12, 2010

Dear Mr. Kothur,

This letter is in response to the Florida Department of Environmental Protection (FDEP) comment letter dated September 21, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services – St. Petersburg Facility.

The enclosed response to the items in the comment letter have been addressed and changes to the Permit Renewal Application have been completed by Environeering, Incorporated.

If you have any questions or comments, I can be reached at (727) 327-8467.

Sincerely,



Richard Dillen
Quality Assurance Officer
HOWCO Environmental Services

Cc: Mr. Jim Dregne, FDEP/Tampa



109 AZALEA POINT DRIVE SOUTH • PONTE VEDRA BEACH • FLORIDA • 32082

February 8, 2011

Florida Department of Environmental Protection
Hazardous Waste Regulation
Attn: Mr. Bheem Kothur, P.E.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: HOWCO Environmental Services
St. Petersburg Used Oil Facility
EPA I.D. No. FLD 152 764 767
Permit Number: 33721-HO-002
Used Oil Processing Facility Permit Renewal

Reference: FDEP Draft Letter Dated November 5, 2010.

Dear Mr. Kothur,

This letter is in response to the Florida Department of Environmental Protection (FDEP) draft letter dated November 5, 2010, concerning the Used Oil Permit Renewal for the HOWCO Environmental Services – St. Petersburg Facility. The following comments are provided pursuant to your request. The proposed permit language is provided in regular print and the revised permit language is provided in italics.

Part I - GENERAL AND STANDARD CONDITIONS

29. To prevent overflow, the Permittee shall notify the Department when the volume of the used oil stored in any of the tanks exceeds ninety-five (95) percent of the maximum storage capacity of the tank as specified in Attachment II of the permit application and Attachment B of the permit.

29. *Delete.*

Comment: Normal practice is to fill the tanks to a maximum of ninety-five (95) percent capacity. The notification at 95percent capacity would result in numerous FDEP notifications that are part of normal operations. HOWCO Environmental Services uses visual tank inspections 62 F.A.C. 761.640(1)(a)2. and manual tank gauging 62 F.A.C. 761.640(1)(a)4 as a release detection method to prevent overflow. The monthly inspection form used also meets the 40 C.F.R. Part 112 requirements.

32. (b) (2) Capable of detecting and collecting releases and run-on until the collected material is removed;

32. (b) (2) *Capable of visual leak detection and collecting releases and run-on until the collected material is removed;*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54.

32. (b) (5) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

32. (b) (5) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection in accordance with 40 C.F.R Part 112.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R. Part 112.

33. The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps, prior to beginning operation. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps prior to beginning operation of the used oil processing facility [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].
33. *The Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps once a month. If any cracks or gaps are found, the Permittee shall repair the cracks and gaps with caulking the same day of discovery and shall permanently fix the cracks or gaps within seven (7) days. [40 CFR 279.54(d)(2) and 40 CFR 279.54(e)(2)].*

Comment: The proposed language defines the response action to be taken if a crack or gap is found in the secondary containment.

39. (a) Developing and following a schedule and procedure for inspecting overfilling controls;
- (b) Inspecting at least once each operating day the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage area. However, the Permittee shall document the daily inspections at least once a week; and
39. (a) *Developing and following a schedule and procedure for inspecting pump controls, alarms, valves, pipes and tanks;*
- (b) *Inspecting at least once each month the aboveground portions of the tank system, and the construction materials and area immediately surrounding the tank storage*

area. The Permittee shall document the monthly inspections in writing on the monthly inspection form submitted with the permit application; and

Comment: The HOWCO Used oil permit application Attachment #7 has a monthly inspection form that meet the federal Spill Prevention, Control and Countermeasures (SPCC) requirements of 40 CFR Part 112.

40. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and managed in accordance with Spill Prevention Control and Countermeasures Plan (SPCC) And Contingency Plan of the permit application.

40. *The Permittee shall remove spilled or leaked waste within three (3) days and accumulated precipitation from the secondary containment areas within one (1) week and these wastes shall be managed in accordance with the HOWCO Spill Prevention Control and Countermeasures Plan (SPCC) and Contingency Plan of the permit application.*

Comment: Small spills inside containment and small rainfall events are normally cleaned up and removed very quickly. Large spills and major rainfall events may require more than a 24-hour period to clean up or remove the rainwater from secondary containment. Should used oil get into the secondary containment area it is important to clean it up in a timely manner so that there is no discharge outside the secondary containment area.

43. The Permittee shall maintain reports of all releases that are greater than one (1) gallon, as part of its on-site operating records. The reports shall include amount and time of release and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of service.

43. *The Permittee shall maintain reports of discharges that are greater than twenty-five (25) gallons, as part of its on-site operating records. The reports shall include amount and time of discharge and a schedule that details the corrective action taken. The Permittee shall submit a written report to the Department within fourteen (14) days for all of the releases that are greater than fifty (50) gallons. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of service.*

Comment: Significant quantities of used oil that are discharged to the environment are important to report to FDEP, however deminimus quantities of used oil that fall on secondary containment and are not discharged should not be reported.

45.(e) All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.

- 45.(e) *Compliance sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C. Incoming, process control and outgoing used oil analysis will be completed by HOWCO's laboratory. One monthly outgoing used oil sample will be sent to an outside laboratory that meets the National Environmental Laboratory Accreditation Conference (NELAC) certification in Chapter 62-160.*

Comment: HOWCO has a long history of meeting the used oil on specification requirements. The historical information is such that monthly sampling is sufficient for verifying compliance.

PART II – USED OIL PROCESSING CONDITIONS

- 1 (a)(4) Waste stream approval number and the off load tank number.

1 (a)(4) *Delete*

Comment: This information is not required to be recorded for incoming shipments.

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than one (1) gallon shall include the amount, time of the release, time of the response and a description of the response.

Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department immediately if a release requires the Permittee to take any of the tanks out of the service.

3. *The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, F.A.C., for aboveground storage tanks, integral piping, and process tanks. Reports of releases greater than twenty-five (25) gallons shall include the amount, time of the release, time of the response and a description of the response.*

Reports of releases greater than fifty (50) gallons shall be submitted to the Department within fourteen (14) days. The Permittee shall inform the Department within fourteen (14) days if a release requires the Permittee to take any of the tanks out of the service.

Comment: The tanks are taken out of service on a routine basis for preventative maintenance.

6. (b) (2) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

February 8, 2011

6. (b) (2) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R Part 112.

6. (b) 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. (b) 5. *Provided with visual leak detection to detect failure of either the primary or secondary containment structures or the presence of any release within one month.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 C.F.R. Part 279.54 and 40 C.F.R Part 112.

PART IV – TANK AND CONTAINER CONDITIONS

1. (b) (2) Capable of detecting and collecting releases and run-on until the collected material is removed;

1. (b) (2) *Capable of visual leak detection and collecting releases and run-on until the collected material is removed;*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54 and 40 C.F.R Part 112.

1. (b) (5) Provided with a leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;

1. (b) (5) *Provided with a visual leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within one month by documented visual inspection.*

Comment: HOWCO uses visual release detection that meets the requirements of 40 CFR Part 279.54 and 40 C.F.R Part 112.

10. To prevent overflow, the Permittee shall notify the Department when the volume of used oil, oily wastewater or PCW stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

10. Delete.

Comment: HOWCO prefers to have this permit condition deleted. Normal practice is to fill the tanks to a maximum of ninety-five (95) percent capacity. The notification at 95percent capacity would result in numerous FDEP notifications that are part of normal operations. HOWCO Environmental Services uses visual tank inspections 62 F.A.C. 761.640(1)(a)2. and manual tank gauging 62 F.A.C. 761.640(1)(a)4 as a release detection method to prevent overflow. The monthly inspection form used also meets the 40 C.F.R. Part 112 requirements.

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

(d) Permittee shall perform Solid Waste Processing as follows:

(1) A Maximum of 20% (40,000 gallons) of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.

(2) A maximum of 80% (200,000 gallons) of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.

(3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

2.A trained spotter will be present when waste is being received to inspect the waste streams for unauthorized, non-approved and nonconforming waste streams. The spotter will indentify and stop the following waste from entering the facility: hazardous waste, PCB's asbestos waste, explosives, putrescible, toxic waste, biohazardous waste, non-approved and nonconforming waste streams. The spotter duties will be completed in the receiving area where the waste containers are opened up for incoming inspection.

3.Unauthorized wastes non-approved and nonconforming waste streams will be placed in a proper D.O. T. shipping container. The containers are placed in a secondary containment unit, which will be located between the west loading /unloading area and the drum storage. The unauthorized waste will be marked "UNAUTHORIZED WASTE" and will be wrapped with yellow caution tape. Pursuant to Rule 62-701.710(4)(b), stored putrescible wastes shall not be allowed to remain at the facility for more than 48 hours. The putrescible waste will be shipped to a permitted solid waste facility for proper treatment or disposal. Any other unauthorized

waste received such as hazardous waste, PCB's asbestos waste, explosives, toxic waste, biohazardous waste, non-approved and nonconforming waste streams by the facility shall be segregated and transported to an authorized disposal or recycling facility within 30 days of receipt. The waste generator and the Florida Department of Environmental Protection will be notified of the unauthorized waste.

(d) Permittee shall perform Solid Waste Processing as described in the used oil processing permit application.

(1) A Maximum of 20% of solid waste accepted at the facility annually can be disposed of with little or no processing to permitted solid waste landfill. Solid waste qualifying for this disposal option includes petroleum contaminated soils, petroleum contaminated debris, and drums of grease and asphaltic material.

(2) A minimum of 80% of solid waste accepted at the facility annually must be processed for oil reclamation and water recovery. The solids remaining following processing must go for energy recovery.

(3) Waste water treatment sludges generated at the facility will not be counted towards the facility annual solid waste accepted total. It is a solid waste generated at the facility.

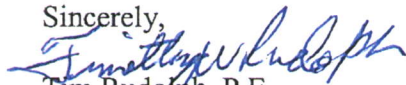
(2) Delete.

(3) Delete.

COMMENT: The solid waste will be processed to stabilize the waste to pass the paint filter test. Used oil will be recovered from the solid waste to the extent it can be economically be recovered. Used oil will not be commingled with solid waste by HOWCO. Used oil will not be disposed of with solid waste by HOWCO.

The enclosure (1) solid waste section of the used oil permit has been revised and is provided to replace the existing Attachment #4. If you have any questions or comments, I can be reached at (904) 665-0100.

Sincerely,



Tim Rudolph, P.E.

President and CEO

<COMMENT LETTER FDEP-3947-1-F>

cc: Tim Hagan, President and CEO, HOWCO Environmental Services



Florida Department of Environmental Protection

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

DEP Form #: 62-701.900(4), F.A.C.

Form Title: Application to Construct, Operate, or Modify
a Waste Processing Facility

Effective Date: January 6, 2010

Incorporated in Rule: 62-701.710(2), F.A.C.

APPLICATION TO CONSTRUCT, OPERATE, OR MODIFY A WASTE PROCESSING FACILITY

GENERAL REQUIREMENT: Solid Waste Management Facilities shall be permitted pursuant to Section 403.707, Florida Statutes (F.S.) and in accordance with Florida Administrative Code (F.A.C.) Chapter 62-701. A minimum of four copies of the application shall be submitted to the Department District Office having jurisdiction over the facility. The appropriate fee in accordance with Rule 62-701.315(4), F.A.C., shall be submitted with the application by check made payable to the Department of Environmental Protection (DEP). Complete appropriate sections for the type of facility for which application is made and include all additional information, drawings, and reports necessary to evaluate the facility.

Please Type or Print in Ink

A. GENERAL INFORMATION

1. Type of facility (check all that apply):

☐ Transfer Station

☒ Materials Recovery Facility:

☐ C&D Recycling

☐ Class III MRF

☐ MSW MRF

☒ Other Describe: Used oil & used oil filter recycling.

☐ Other Facility That Processes But Does Not Dispose Of Solid Waste On-Site:

☐ Storage, Processing or Disposal for Combustion Facilities (not addressed in another permit)

☐ Other Describe: _____

NOTE: C&D Disposal facilities that also recycle C&D, shall apply on DEP FORM 62-701.900(6), F.A.C.

2. Type of application:

☐ Construction/Operation

☒ Operation without Additional Construction

3. Classification of application:

☐ New

☐ Substantial Modification

☒ Renewal

☐ Intermediate Modification

☐ Minor Modification

4. Facility name: HOWCO Environmental Services - St. Petersburg

5. DEP ID number: FLD 152 764 767 County: Pinellas

6. Facility location (main entrance): 843 43rd street South, St. Petersburg, Florida

Northwest District
160 Government Center
Pensacola, FL 32501-5794
850-595-8360

Northeast District
7825 Baymeadows Way Ste 200B
Jacksonville, FL 32256-7590
904-807-3300

Central District
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3767
407-894-7555

Southwest District
13051 N. Telecom Pky.
Temple Terrace, FL
813-632-7600

South District
2295 Victoria Ave., Ste. 364
Fort Myers, FL 33901-3881
239-332-6975

Southeast District
400 North Congress Ave.
West Palm Beach, FL 33401
561-681-6600

DEP of Environmental Protection
JUN 04 2010
Southwest District

7. Location coordinates:
Section: 27 Township: 31S Range: 16E
Latitude: 27° 45' 47" Longitude: 82° 41' 32"
Datum: NAD83 Coordinate Method: Geographic Coordinates
Collected by: N/A Company/Affiliation: N/A
8. Applicant name (operating authority): HOWCO Environmental Services
Mailing address: 3701 Central Avenue St. Petersburg FL 33713
Street or P.O. Box City State Zip
Contact person: Tim Hagan Telephone: (727) 327-8467
Title: President & CEO thagan@howcousa.com
E-Mail address (if available)
9. Authorized agent/Consultant: Environeering, Inc.
Mailing address: 109 Azalea Point Drive South Ponte Vedra FL 32082
Street or P.O. Box City State Zip
Contact person: Tim Rudolph Telephone: (904) 665-0100
Title: Environmental Engineer timenvironeering@bellsouth.net
E-Mail address (if available)
10. Landowner (if different than applicant): N/A
Mailing address: N/A
Street or P.O. Box City State Zip
Contact person: N/A Telephone: () N/A
N/A
E-Mail address (if available)
11. Cities, towns and areas to be served: West central and south central Florida.
12. Date site will be ready to be inspected for completion: N/A
13. Estimated costs:
Total Construction: \$ N/A Closing Costs: \$ 105,000.00
14. Anticipated construction starting and completion dates:
From: N/A To: N/A
15. Expected volume of waste to be received: 3 yds³/day 3 tons/day
16. Provide a brief description of the operations planned for this facility: Process used oil and oily wastes

B. ADDITIONAL INFORMATION

Please attach the following reports or documentation as required.

1. Provide a description of the solid waste that is proposed to be collected, stored, processed or disposed of by the facility, a projection of those waste types and quantities expected in future years, and the assumptions used to make the projections (Rule 62-701.710(2)(a), F.A.C.).
2. Attach a site plan, signed and sealed by a professional engineer registered under Chapter 471, F.S., with a scale not greater than 200 feet to the inch, which shows the facility location, total acreage of the site, and any other relevant features such as water bodies or wetlands on or within 200 feet of the site, potable water wells on or within 500 feet of the site (Rule 62-701.710(2)(b), F.A.C.).
3. Provide a description of the operation and functions of all processing equipment that will be used, with design criteria and expected performance. The description shall show the flow of solid waste and associated operations in detail, and shall include (Rule 62-701.710(2)(c), F.A.C.):
 - a. Regular facility operations as they are expected to occur;
 - b. Procedures for start up operations, and scheduled and unscheduled shut down operations; and
 - c. Potential safety hazards and control methods, including fire detection and control.
4. Provide a description of the loading, unloading, storage and processing areas (Rule 62-701.710(2)(d), F.A.C.).
5. Provide the identification and capacity of any on-site storage areas for recyclable materials, non-processable wastes, unauthorized wastes, and residues (Rule 62-701.710(2)(e), F.A.C.).
6. Provide a plan for disposal of unmarketable recyclable materials and residue, and for waste handling capability in the event of breakdowns in the operations or equipment (Rule 62-701.710(2)(f), F.A.C.).
7. Provide a boundary survey, legal description, and topographic survey of the property (Rule 62-701.710(2)(g), F.A.C.).
8. Provide a description of the design requirements for the facility which demonstrate how the applicant will comply with Rule 62-701.710(3), F.A.C.
9. Provide an operation plan which describes how the applicant will comply with Rule 62-701.710(4), F.A.C. (Rule 62-701.710(2)(h), F.A.C.).
10. Provide a closure plan which describes generally how the applicant will comply with Rule 62-701.710(6), F.A.C. (Rule 62-701.710(2)(i), F.A.C.).
11. Unless exempted by Rule 62-701.710(10)(a), F.A.C., provide the financial assurance documentation required by Rule 62-701.710(7), F.A.C. (Rule 62-701.710(2)(j), F.A.C.).
12. Provide documentation to show that stormwater will be controlled according to the requirements of Rule 62-701.710(8), F.A.C.
13. Provide documentation to show that the applicant will comply with the recordkeeping requirements of Rule 62-701.710(9), F.A.C.
14. Provide a history and description of any enforcement actions by the applicant described in subsection 62-701.320(3), F.A.C. relating to solid waste management facilities in Florida. (Rules 62-701.710(2), F.A.C. and 62-701.320(7)(i), F.A.C.)

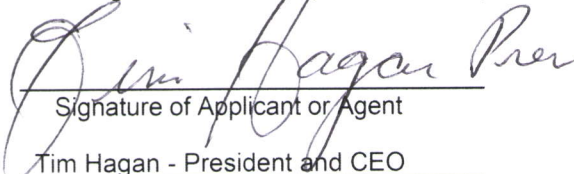
C. CERTIFICATION BY APPLICANT AND ENGINEER OR PUBLIC OFFICER

1. Applicant:

The undersigned applicant or authorized representative of HOWCO Environmental Services - St. Petersburg

is aware that statements made in this form and attached information are an application for a Solid Waste

Processing Permit from the Florida Department of Environmental Protection and certifies that the information in this application is true, correct and complete to the best of his/her knowledge and belief. Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules and regulations of the Department. It is understood that the Permit is not transferable, and the Department will be notified prior to the sale or legal transfer of the permitted facility.



Signature of Applicant or Agent

Tim Hagan - President and CEO
Name and Title (please type)

thagan@howcousa.com

E-Mail address (if available)

3701 Central Avenue

Mailing Address

St. Petersburg, FL 33713

City, State, Zip Code

(727) 327-8467

Telephone Number

June 2, 2010

Date

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

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

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



Signature

Tim Rudolph, P.E. - Engineer
Name and Title (please type)

109 Azalea Point Drive South

Mailing Address

Ponte Vedra, FL 32082

City, State, Zip Code

timenvroneering@bellsouth.net

E-Mail address (if available)

39617

Florida Registration Number
(please affix seal)

(904) 665-0100

Telephone Number

June 2, 2010

Date



APPLICATION FORM FOR A USED OIL PROCESSING FACILITY PERMIT

Part I

TO BE COMPLETED BY ALL APPLICANTS (Please type or print)

A. General Information

1. New ☐ Renewal ☒ Modification ☐ Date old permit expires 08/03/2010

2. Revision number 0

3. NOTE: Processors must also meet all applicable subparts, (describe compliance in process description for applicable standards) if they are:

- ☒ generators (Subpart C)
☒ transporters (Subpart E)
☒ burners of off-spec used oil (Subpart G)
☒ marketers (Subpart H)

or

☐ are disposing of used oil (Subpart I)

4. Date current operation began: 1972

5. Facility name: HOWCO Environmental Services - St. Petersburg

6. EPA identification number: FLD 152 764 767

7. Facility location or street address: 843 43rd Street South, St. Petersburg, FL 33711

8. Facility mailing address:
3701 Central Avenue St. Petersburg Florida 33713
Street or P.O. Box City State Zip Code

9. Contact person: Tim Hagan Telephone: (727) 327 - 8467
Title: President & CEO
Mailing Address:
3701 Central Avenue St. Petersburg Florida 33713
Street or P.O. Box City State Zip Code

10. Operator's name: HOWCO Environmental Services Telephone: (727) 327 - 8467
Mailing Address:
3701 Central Avenue St. Petersburg Florida 33713
Street or P.O. Box City State Zip Code

11 Facility owner's name: Hagan Holding Company Telephone: (727) 327 - 8467
Mailing Address:
3701 Central Avenue St. Petersburg Florida 33713
Street or P.O. Box City State Zip Code

12 Legal structure:
☒ corporation (indicate state of incorporation) Florida
☐ individual (list name and address of each owner in spaces provided below)
☐ partnership (list name and address of each owner in spaces provided below)
☐ other, e.g. government (please specify) _____

If an individual, partnership, or business is operating under an assumed name, enter the county and state where the name is registered: County _____ State _____

Name: _____

Mailing Address: _____

Street or P.O. Box _____ City _____ State _____ Zip Code _____

Name: _____

Mailing Address: _____

Street or P.O. Box _____ City _____ State _____ Zip Code _____

Name: _____

Mailing Address: _____

Street or P.O. Box _____ City _____ State _____ Zip Code _____

Name: _____

Mailing Address: _____

Street or P.O. Box _____ City _____ State _____ Zip Code _____

- 13 Site ownership status: ☒ owned ☐ to be purchased ☐ to be leased _____ years
☐ presently leased; the expiration date of the lease is: _____

If leased, indicate:

Land owner's name: _____

Mailing Address: _____

Street or P.O. Box _____ City _____ State _____ Zip Code _____

- 14 Name of professional engineer Tim Rudolph Registration No. 39617

Mailing Address:

109 Azalea Point Drive South, Ponte Vedra, FL 32082

Street or P.O. Box _____ City _____ State _____ Zip Code _____

Associated with: Enviroengineering, Inc.

B. SITE INFORMATION

1. Facility location:

County: Pinellas

Nearest community: City of St. Petersburg

Latitude: 27° 45' 47" Longitude: 82° 41' 32"

Section: 27 Township: 31S

Range: 16E

UTM # 17-8988729/ 486 / 17.1079053/ 158

2. Facility size (area in acres): 3.2

3. Attach a topographic map of the facility area and a scale drawing and photographs of the facility showing the location of all past, present and future material and waste receiving, storage and processing areas, including size and location of tanks, containers, pipelines and equipment. Also show incoming and outgoing material and waste traffic pattern including estimated volume and controls.

C. OPERATING INFORMATION

1. Hazardous waste generator status (SQG, LQG) CESQG

2. List applicable EPA hazardous waste codes:

Possible D001, D007, & D008

3. Attach a brief description of the facility operation, nature of the business, and activities that it intends to conduct, and the anticipated number of employees. No proprietary information need be included in this narrative.

A brief description of the facility operation is labeled as Attachment 1, Rev5, 5/25/10 (enclosed)

4. Attach a detailed description of the process flow should be included. This description should discuss the overall scope of the operation including analysis, treatment, storage and other processing, beginning with the arrival of an incoming shipment to the departure of an outgoing shipment. Include items such as size and location of tanks, containers, etc. A detailed site map, drawn to scale, should be attached to this description. (See item 4, page 4).

The facility's detailed process description is labeled as Attachment 2, Rev5, 5/25/10 (enclosed)

5. The following parts of the facility's operating plan should be included as attachments to the permit application. (See item 5 on pages 4 and 5):

a. An analysis plan which must include:

- (i) a sampling plan, including methods and frequency of sampling and analyses;
- (ii) a description of the fingerprint analysis on incoming shipments, as appropriate; and
- (iii) an analysis plan for each outgoing shipment (one batch/lot can equal a shipment, provided the lots are discreet units) to include: metals and halogen content.

The analysis plan is labeled as Attachment 3, Rev2, 1/9/06

b. A description of the management of sludges, residues and byproducts. This must include the characterization analysis as well as the frequency of sludge removal.

Sludge, residue and byproduct management description is labeled as Attachment 4, Rev5, 5/25/10 (enclosed)

c. A tracking plan which must include the name, address and EPA identification number of the transporter, origin, destination, quantities and dates of all incoming and outgoing shipments of used oil.

The tracking plan is included as Attachment 5, Rev2, 1/9/06

6. Attach a copy of the facility's preparedness and prevention plan. This requirement may be satisfied by modifying or expounding upon an existing SPCC plan. Describe how the facility is maintained and operated to minimize the possibility of a fire, explosion or any unplanned releases of used oil to air, soil, surface water or groundwater which could threaten human health or the environment. (See item 6, page 5).

The preparedness and prevention plan is labeled as Attachment 6, Rev5, 5/25/10 (enclosed)

7. Attach a copy of the facility's Contingency Plan. This requirement should describe emergency management personnel and procedures and may be met using a modifying or expounding on an existing SPCC plan or should contain the items listed in the Specific Instructions. (see item 7 on pages 5 and 6).

The contingency plan is labeled as Attachment 7, Rev5, 5/25/10 (enclosed)

8. Attach a description of the facility's unit management for tanks and containers holding used oil. This attachment must describe secondary containment specifications, inspection and monitoring schedules and corrective actions. This attachment must also provide evidence that all used oil process and storage tanks meet the requirements described in item 8b on page 6 of the specific instructions, and should be certified by a professional engineer, as applicable.

The unit management description is labeled as Attachment 8, Rev2, 1/9/06

9. Attach a copy of the facility's Closure plan and schedule. This plan may be generic in nature and will be modified to address site specific closure standards at the time of closure. (See item 9, pages 6 and 7).

The closure plan is labeled as Attachment 9, Rev2, 1/9/06

10. Attach a copy of facility's employee training for used oil management. This attachment should describe the methods or materials, frequency, and documentation of the training of employees in familiarity with state and federal rules and regulations as well as personal safety and emergency response equipment and procedures. (See item 10, page 7).

A description of employee training is labeled as Attachment 10, Rev2, 1/9/06

APPLICATION FORM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

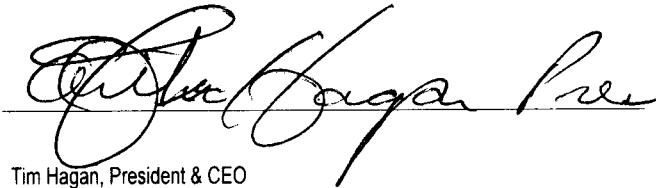
TO BE COMPLETED BY ALL APPLICANTS

Form 62-710.901(a). Operator Certification

Facility Name: HOCWCO Environmental Services EPA ID# FLD 152 764 767

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 gathered and evaluated 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 or knowing violations. Further, I agree to comply with the provisions of Chapter 403, Florida Statutes, Chapters 62-701 and 62-710, F.A.C., and all rules and regulations of the Department of Environmental Protection

Signature of the Operator or Authorized Representative*



Tim Hagan, President & CEO

Name and Title (Please type or print)

Date: 6/2/10 Telephone: (727) 327-8467

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(6)(b)
Form Title	<u>Used Oil Processing Facility</u> <u>Permit Application</u>
Effective Date	<u>June 9, 2005</u>

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(b). Facility Owner Certification

Facility Name: HOWCO Environmental Services EPA ID# FLD 152 764 767

This is to certify that I understand this application is submitted for the purpose of obtaining a permit to construct, or operate a used oil processing facility. As the facility owner, I understand fully that the facility operator and I are jointly responsible for compliance with the provisions of Chapter 403, Florida Statutes, Chapters 62-701 and 62-710, F.A.C. and all rules and regulations of the Department of Environmental Protection.



Signature of the Facility Owner or Authorized Representative*

Tim Hagan, President & CEO

Name and Title (Please type or print)

Date: 6/2/05 Telephone: (727) 327-8467

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(6)(c)
Form Title	Used Oil Processing Facility Permit Application
Effective Date	June 9, 2005

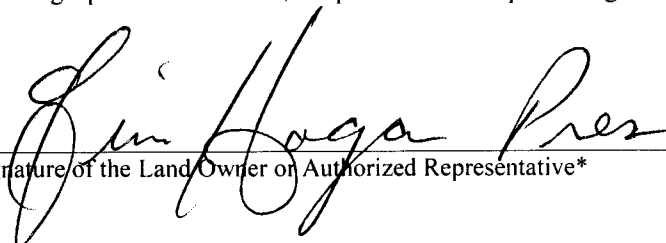
APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(c) Land Owner Certification

Facility Name: HOWCO Environmental Services EPA ID# FLD 152 764 767

This is to certify that I, as land owner, understand that this application is submitted for the purpose of obtaining a permit to construct, or operate a used oil processing facility on the property as described.


Signature of the Land Owner or Authorized Representative*

Tim Hagan, President & CEO

Name and Title (Please type or print)

Date: 6/2/10 Telephone: (727) 327-8467

* If authorized representative, attach letter of authorization.

DEP Form#	62-710.901(6)(d)
Form Title	Used Oil Processing Facility
	Permit Application
Effective Date	June 9, 2005

APPLICATION FORM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(d) P. E. Certification [Complete when required by Chapter 471, F.S. and Rules 62-4.050, 62-761, 62-762, 62-701 and 62-710, F.A.C.]

Use this form to certify to the Department of Environmental Protection for:

1. Certification of secondary containment adequacy (capacity), structural integrity (structural strength), and underground process piping for storage tanks, process tanks, and container storage.
2. Certification of leak detection.
3. Substantial construction modifications.
4. Those elements of a closure plan requiring the expertise of an engineer.
5. Tank design for new or additional tanks.
6. Recertification of above items.

Please Print or Type

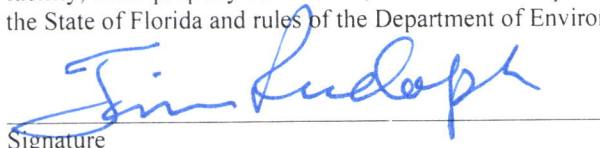
_____ Initial Certification _____ X _____ Recertification

1. DEP Facility ID Number: FLD-152-764-767 2. Tank Numbers: See Tables 1, 2, & 3

3. Facility Name: HOWCO Environmental Services - St. Petersburg

4. Facility Address: 843 43rd St. South, St. Petersburg, FL 33711

This is to certify that the engineering features of this used oil processing facility have been designed/examined by me and found to conform to engineering principles applicable to such facilities. In my professional judgment, this facility, when properly constructed, maintained and operated, or closed, will comply with all applicable statutes of the State of Florida and rules of the Department of Environmental Protection.


Signature

Mr. Tim Rudolph
Name (please type)

Florida Registration Number: 39617

Mailing Address: 109 Azalea Point Dr. South
Street or P. O. Box

Ponte Vedra FL 32082
City State Zip

Date: 6/2/10 Telephone () 904-665-0100

[PLEASE AFFIX SEAL]



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copy

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FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
MAR 23 2006
SOUTHWEST DISTRICT
TAMPA