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February 22, 2011

Dept Of Environmental Protection

FEB 23 2011

Southwest District

VIA FEDERAL EXPRESS

Mr. Bheem Kothur
Florida Department of Environmental Protection
2600 Blair Stone Road
MS 4560
Tallahassee, FL 32399-2400

Re: Revision to Piping Plan for Florida Recycling Solutions, LLC Used Oil and
Material Processing facility Permit
EPA ID No.: FLR 000 034 033
FDEP Permit No.: 294693-HO-001; and 294693-SO-002
Lakeland, Polk County, Florida

Dear Mr. Kothur:

Pursuant to our recent telephone conversation, the purpose of this correspondence is to provide additional information to the Florida Department of Environmental Protection in connection with a revision to the approved plans and drawings for the Florida Recycling Solutions, LLC ("FRS") used oil and material processing facility in Lakeland, Polk County, Florida. As we discussed, FRS is preparing to initiate construction of the used oil and material processing facility which is authorized by the above-referenced Permit issued by the Department.

The engineers and contractors retained by FRS have identified a more simplistic and effective piping layout and plan for regulated Tanks 6, 7 and 8 identified in the above-referenced Permit. We have enclosed three separate drawings which identify the minor revisions for the simplification of the piping plan for Tanks 6, 7 and 8. The "revision" areas are highlighted and identified on each of these three drawings.

All of the piping, pumps and other appurtenances for these tanks will still be located within the designated secondary containment structures set forth in the above-referenced permit. FRS and this office are requesting the Department's review of this correspondence and the attached drawings to confirm that no formal Permit Modification or Permit Modification Application is required in connection with this minor revision to the piping plan. If the Department is in agreement that no formal Permit Modification is required in connection with this revision, FRS and its consultants will construct the facility and identify the revisions on the

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Mr. Bheem Kothur
February 22, 2011
Page 2

final As-Built Drawings which will be submitted to the Department after the facility is constructed pursuant to the terms and provisions of the Permit.

After the Department has an opportunity to review this correspondence and the enclosed drawings, we simply request brief written confirmation or an e-mail from the Department confirming that no formal Permit Modification is required in connection with this matter. We want to thank the Department in advance for its review and consideration of this request, and we look forward to the Department's written confirmation at your earliest possible convenience. In the interim, please do not hesitate to contact me should you have any questions regarding the above matters or if you require any additional information.

Sincerely yours,

FOWLER WHITE BOGGS P.A.



Ron H. Noble

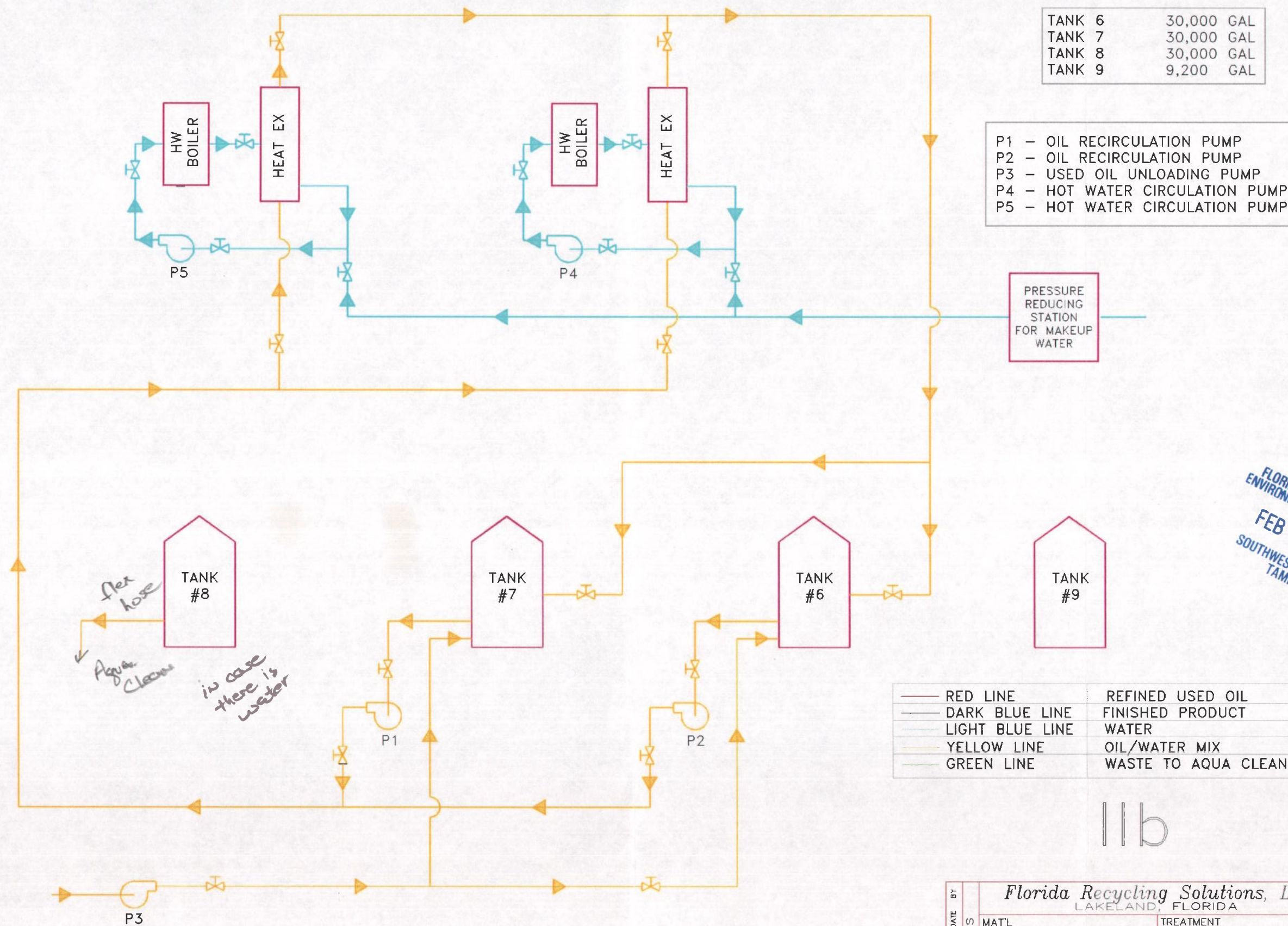
cc: Mr. James. Dregne (w/encl.)
Mr. W.D. Miller (w/o encl.)

Enclosure

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FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
FEB 23 2011
SOUTHWEST DISTRICT
TAMPA

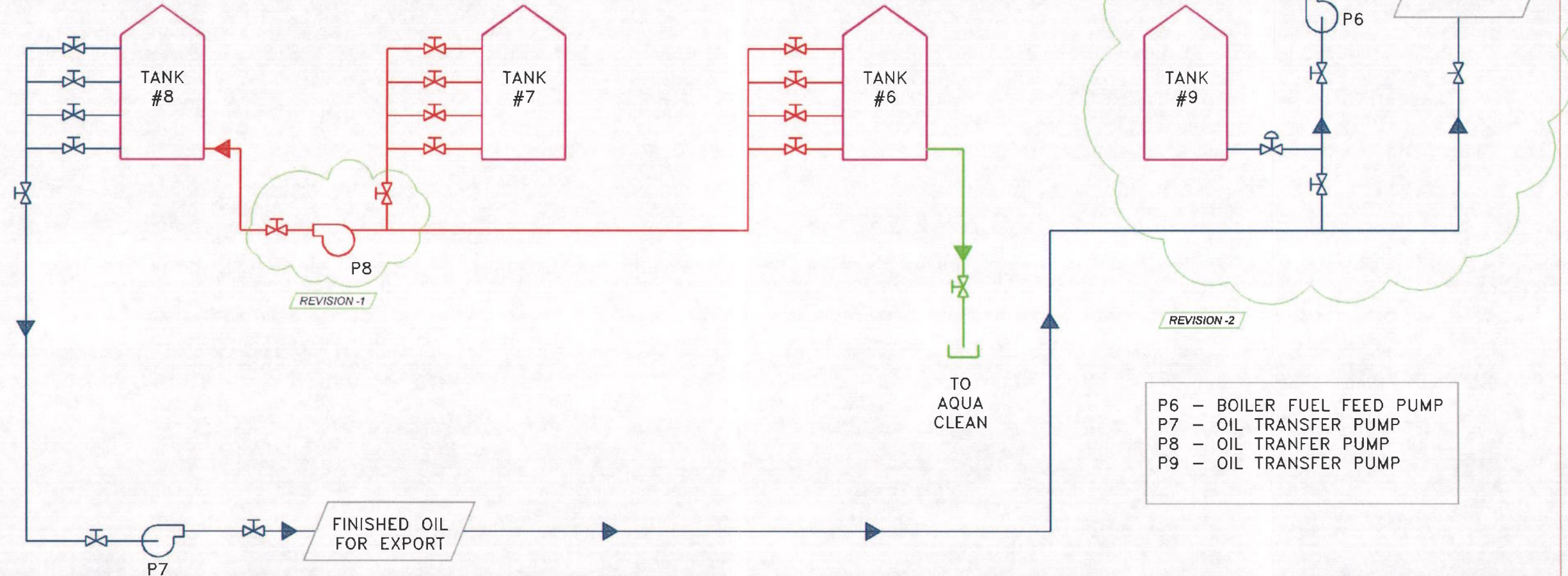
This drawing, and the subject-matter disclosed therein, embody proprietary information which is confidential property of Florida Recycling Solutions, LLC, none of which is to be copied, reproduced, disclosed to others, published, or used in whole or in part, for any purpose, without the express advance written permission of a duly authorized officer of the Company. This drawing is subject to recall by Florida Recycling Solutions, LLC, inc. at any time.

Florida Recycling Solutions, LLC.	
LAKELAND, FLORIDA	
MAT'L	TREATMENT
TITLE OIL SEPERATION FLOW DIAGRAM	
CH'KD	DATE
DW'N BY SPC	SCALE 1:1
DWG NO.	REV.
003	

Dept. Of Environmental Protection
FEB 23 2011
Southwest District

RED LINE	REFINED USED OIL
DARK BLUE LINE	FINISHED PRODUCT
LIGHT BLUE LINE	WATER
YELLOW LINE	OIL/WATER MIX
GREEN LINE	WASTE TO AQUA CLEAN

TANK 6	30,000 GAL
TANK 7	30,000 GAL
TANK 8	30,000 GAL
TANK 9	9,200 GAL



P6 - BOILER FUEL FEED PUMP
P7 - OIL TRANSFER PUMP
P8 - OIL TRANSFER PUMP
P9 - OIL TRANSFER PUMP

11a

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SPC				SPC				BY				REVISIONS				Florida Recycling Solutions, LLC. LAKELAND, FLORIDA											
2/14/11				2/2/11				DATE								MAT'L				TREATMENT							
CHANGED DISCHARGE PIPEING				SIMPLIFIED PIPING				DESCRIPTION OF CHANGE				TITLE				FINISHED OIL FLOW DIAGRAM											
-2				-1				REV.				DWN BY SPC				SCALE 1:1				DW'G NO.				REV.			
												CH'KD				DATE				002				-2			



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

May 12, 2010

SENT VIA E-MAIL
deemiller@tampabay.rr.com

Mr. W.D. Miller, III, P.E.
Vice President and General Manager
3210 Whitten Road
Lakeland, Florida 33813

SUBJECT: Florida Recycling Solutions, LLC
Intent to Issue New Used Oil and Material Processing Permit
EPA I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Polk County

Dear Mr. Miller:

Enclosed are Permit Numbers 294693-HO-001 and 294693-SO-002 issued to Florida Recycling Solutions, LLC pursuant to Section 403.815, Florida Statutes (F.S.), and Chapters 62-4, 62-701, and 62-710, Florida Administrative Code (F.A.C.).

This permit is final and effective on the date filed with the Clerk of the Department. When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by 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,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

Mr. Dee Miller, Vice President and General Manager
May 12, 2010
Page Two

TJB/bk
Enclosure

cc: J James Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com
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Bob English, Chairman, Polk County Commission, bobenglish@polk-county.net
Ron H. Noble, Fowler White Boggs/Tampa, rnoble@fowlerwhite.com



Florida Department of Environmental Protection

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

Charlie Crist
Governor

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Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

Attention:
Mr. W. D. Miller III, P.E.
Vice President and General Manager

I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Date of Issue: May 12, 2010
Expiration Date: May 12, 2015
County: Polk
Lat/Long: 28.005389 N / 82.042878 W

Project: Used Oil and Material Processing Facility

This permit is issued under the provisions of Section 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 (C.F.R.) 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 and Material Processing Facility hereinafter referred to as the "Facility". The Used Oil and Material Processing Facility is located on an approximately 5.86-acre parcel of land to be leased by Florida Recycling Solutions, LLC in Polk County at 3210 Whitten Road, Lakeland, FL, 33811. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B, respectively), Tank capacities and tank numbers are shown in the Tank Table (Attachment - B) of this permit.

The facility is authorized to process used oil, accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline/diesel/water mixtures from petroleum storage facilities; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

The Facility consists of a total of three tanks (6, 7, and 8) with a total capacity of 90,000 gallons and one 9,200 gallon capacity tank (9) of used oil. These tanks are located in a concrete secondary containment structure that is sealed and impervious to petroleum products and all are shown on the drawing in Attachment A of this permit.

Used oil filters are also received in 55-gallons drums and other Department of Transportation containers. The drummed oil filters are stored on the pad under tank 17. The storage containers are stored on an oil impermeable surface, or reinforced concrete surface in the covered area beneath tank 17 coated with Carboline #890 Epoxy Seal or equivalent (15 mil dry film thickness). The permitted Used Oil facility is constructed over a 60 mil. thick HDPE liner.

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application Dated February 23, 2009 and FDEP received on February 24, 2009.
2. Revised Used Oil Processing Facility Application Dated May 21, 2009 and FDEP received on May 26, 2009.
3. Revised Used Oil Processing Facility Permit Application, NOD Letter Dated March 31, 2009 and the Facility Responses Dated May 20, 2009 and received on May 26, 2009.
4. Revised Used Oil Processing Facility NOD Letter Dated September 11, 2009 and the Facility Responses Dated October 28, 2009 and received on October 29, 2009.
5. Solid Waste Permit Application, DEP Form 62-701.900(4), F.A.C., and Part –IV Draft Permit Conditions, dated March 10, 2010 and DEP revised draft permit condition dated March 30, 2010.

All of these documents numbered 1 through 5 are hereinafter collectively referred to as the Permit Application.

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
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Expiration Date : May 12, 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

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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, Public Law 92-500); and
 - d. Compliance with New Source Performance Standards.
14. The Permittee shall comply with the following monitoring and record keeping requirements:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

- 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 C.F.R. 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 understands 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:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

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

Environmental Administrator
Hazardous Waste Regulation Section
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 Administrator
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:

Environmental Administrator
Hazardous Waste Regulation Section
Department of Environmental Protection
2600 Blair Stone Road, M.S. 4560
Tallahassee, Florida 32399-2400

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

- d. Financial Assurance Mechanism:

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

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

- e. Annual Closing Cost Estimate Adjustment:

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

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18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.901(1) 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 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 C.F.R. 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.
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 C.F.R. 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 aboveground tanks within secondary containment, and/or in double-walled tanks as shown in Attachment - A of the permit. The permitted units are Tanks 6 through 9.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of Attachment II of the Permit Application and Attachment B of the permit

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Lakeland, FL 33811

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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.].
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's 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 systems shall be maintained in accordance with Attachment Nos. IV and V of the Permit Application and shall comply with the requirements of 40 C.F.R. 279.54, including the requirements set forth below:
 - a. All new tank systems shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
 - b. Pursuant to 40 C.F.R. 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 detecting and collecting releases and run-on until the collected material is removed;
 - (3). Constructed of, or lined with, materials compatible with the waste to be stored and have sufficient 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. All tank systems shall be provided with secondary containment.
33. Prior to beginning operation, the Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. 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 C.F.R. 279.54(d)(2) and 40 C.F.R. 279.54(e)(2)].

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 C.F.R. 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 62-740.100, 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 C.F.R. 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 I and II of the Permit Application; and
 - d. Comply with the requirements of 40 C.F.R. 279.54(g) if a leak or spill occurs.
39. The Permittee shall inspect the tank system in accordance with Attachments V of the Permit Application. These requirements include:
 - 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
 - c. The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
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.
41. Pursuant to the requirements of 40 C.F.R. 279.52(a), concerning preparedness and prevention, the Permittee shall:

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Lakeland, FL 33811

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- 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 C.F.R. 279.52(a)(2)];
 - c. Test and maintain the required emergency equipment in accordance with the requirements of 40 C.F.R. 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 C.F.R. 279.52(a)(4)]; and
 - e. Make arrangements with the local authorities as described in SPCC Plan of the Permit Application [40 C.F.R. 279.52(a)(6)].
42. Pursuant to the requirements of 40 C.F.R. 279.52(b), concerning the contingency plan, the Permittee shall:
- a. Immediately carry out the provisions of the SPCC Plan and Contingency Plan, Attachments II and IV, respectively, of the Permit Application, and follow the emergency procedures described by 40 C.F.R. 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 C.F.R. 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 C.F.R. 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 C.F.R. 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 C.F.R. 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 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.

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44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment IV of the Permit Application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 C.F.R. 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 C.F.R. 279.54].
45. Pursuant to 40 C.F.R. 279.55, concerning the written analysis plan, 40 C.F.R. 279.56, concerning Tracking, the Permittee shall:
 - a. Sample and analyze each incoming shipment by EPA Method 9077 or a Tek Mate Sniffer as set forth in the Permit Application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with the Permit Application;
 - b. Test all containers of the same waste stream for the parameters listed in Attachment III 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 C 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. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.
 - f. The Permittee must keep a copy of the written analysis plan at the facility.

PART II – USED OIL PROCESSING CONDITIONS

1. Pursuant to 40 C.F.R. 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.
 - 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-refiner 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.
2. Pursuant to 40 C.F.R. 279.57, the Permittee must keep and maintain a written operating record at the Facility 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 C.F.R. 279.55; and described in Attachment III (a) and III (b) of the Permit Application.
 - b. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 C.F.R. 279.52(b).
 3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, 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 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 C.F.R. 279.52(1).

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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 C.F.R. 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 C.F.R. 279.54 and shall be:
 - (1). Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
 - (2). Capable of detecting and collecting releases and run-on until the collected material is removed.
 - (3). Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 - (4). Placed on a foundation or base capable of providing support to the secondary containment system.
 - (5). Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. Ancillary equipment shall be provided with secondary containment.
7. Permittee shall submit as built drawings for any changes to tanks during the Permit Application review period or the permit Intent to Issue process period for the proposed and constructed tanks within thirty (30) days of issuing this permit. Each drawing shall be signed and sealed and certified by a Professional Engineer registered in the State of Florida.
8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new tanks until the Final Permit is Issued and the as built drawings for any changes to any tank have been

approved by the Department. Then the Permittee may start using those tanks to store the used oil and processing it.

PART III – TANK AND CONTAINER CONDITIONS

“Storage Tank System”, as defined in 62-762.201(77), F.A.C., for the purpose of Part III of this permit, refers to storage tank(s) 6 through 9, appurtenant equipment and secondary containment structures comprising the Permittee’s 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 C.F.R. 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 C.F.R.279.54 and 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. Ancillary equipment shall be provided with secondary containment.
2. The Permittee shall, in the event of a release:
 - a. Stop the release;

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Lakeland, FL 33811

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- 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.
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 II of the Permit Application; and
 - d. Comply with the requirements of 40 C.F.R. 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 C.F.R. 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 C.F.R. 279.22]
7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment IV of the Permit Application.
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 [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. The above materials shall be managed in accordance with Attachment IV of the permit application dated February 23, 2009 and received February 24, 2009.
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 stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may only accept non-hazardous, oil contaminated solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom,

filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal facilities.

- a. All non-hazardous oil contaminated solid waste received at the site for solidification will be received either in drums or containers in the drum storage area or in bulk via vacuum truck into the existing on-site mixing pad. The mixing pad will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed dump truck or trailer for transportation to a solid waste disposal facility.
- b. Prior to acceptance of oil contaminated solid waste at the facility, the Permittee shall obtain from the generator a signed Profile Document which demonstrates that the waste is non-hazardous. The profile must be supported by laboratory analytical results (MSDS sheets may be accepted for virgin, unused materials). The Permittee shall perform, or shall require the generator to perform, the sampling and analysis. The minimum required analysis shall include TCLP Metals (As, Cd, Cr, Pb) and TCLP Volatile Organics. For small volumes of waste, generator's knowledge may be applied on a case by case basis to support a claim that an oil contaminated solid waste is non-hazardous.
- c. Sealed dump trucks or trailers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste accumulated at the permitted facility at any given time shall not exceed fifty 55-gallon drums (or their equivalent volume) and three 35 cubic yard containers or trailers.
- d. The maximum amount of solid waste to be brought into and processed at the permitted facility shall not exceed 720 cubic yards per year.
- e. The permitted facility shall maintain records of total amount of oil contaminated solid waste delivered, processed and disposed of annually. The records shall be maintained a minimum of three (3) years.

PART V – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 C.F.R. 279.54(h), 62-710.800(5), F.A.C., and Attachment VI (closure plan) of the permit application dated May 20, 2009. The closure plan requires at a minimum the following:
 - a. Testing of residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment VI of the permit application dated May 20, 2009.
 - b. Remove and properly dispose of any non-hazardous residue.
 - c. Triple rinse the tanks, piping and ancillary equipment and properly dispose of the rinsate.
 - d. Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

- 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 VI of the permit application dated May 20, 2009 and subsequent revisions in order to meet the following requirements that:
 - a. There will be no need for further Facility maintenance;
 - b. Used oil will not, and does 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. Permittees who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11;
 - f. The closure plan, as described in Attachment VI of the permit application dated May 20, 2009 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 (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

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

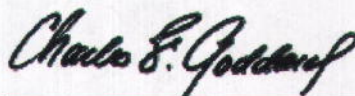
FLR 000 034 033
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in accordance with the closure and post-closure requirements of 40 C.F.R. 264.310 that apply to hazardous waste landfills.

4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11.

Issued May 12, 2010

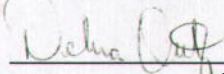
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

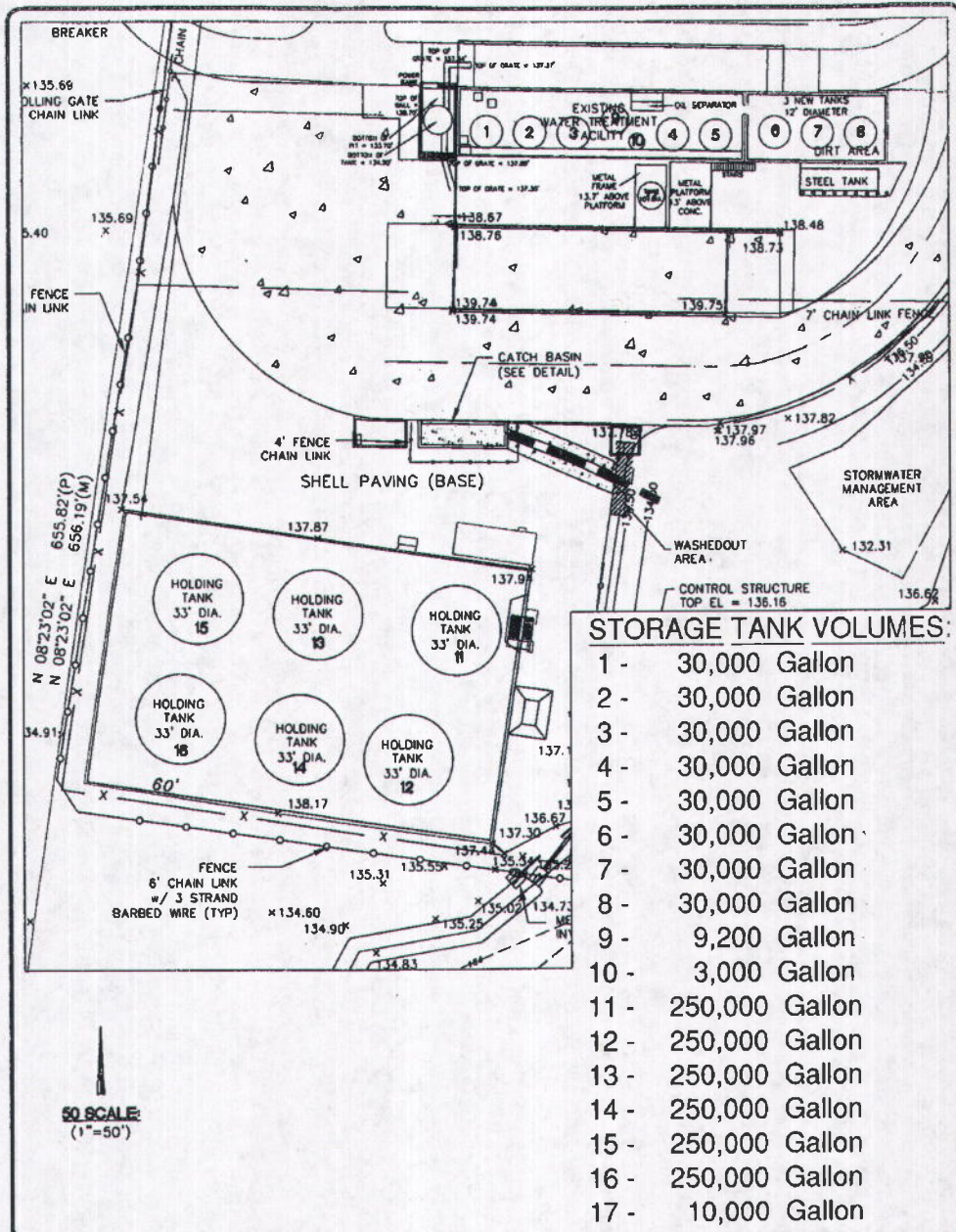
May 12, 2010


DATE

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

ATTACHMENT- A SITE MAP



 <p>400 W. EMMETT STREET KISSIMMEE, FLORIDA 34741-5481 PHONE: (407) 847-9433 FAX: (407) 847-2499 ENR. CERT. OF AUTHOR No. 3285/SUR. CERT. OF AUTHOR No. 3270 ENGINEERING, SURVEYING AND PLANNING Hanson, Walter & Associates, Inc.</p>	FLORIDA RECYCLING SOLUTION, LLC	
	TANK AREA CLOSE UP	
	DATE 01/13/09	SHEET 1 OF 1

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

FLR 000 034 033
Permit Number: 294693-HO-001 and 294693-SO-002
Expiration Date : May 12, 2015

ATTACHMENT B

TANK TABLE

TANK LIST for FLORIDA RECYCLING SOLUTIONS, LLC and AQUA CLEAN ENVIRONMENTAL COMPANY, INC.

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER	TOTAL CAPACITY GALLONS
6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

TANK NUMBER	TOTAL CAPACITY GALLONS
1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000

Ron H. Noble
Direct Dial: 813-222-1175
rnoble@fowlerwhite.com

April 29, 2010

Dept. of Environmental Protection

APR 30 2010

Southwest District

Mr. Bheem Kothur
Florida Department of Environmental Protection
2600 Blair Stone Road
MS 4560
Tallahassee, FL 32399-2400

Re: Clarification on Leak Detection and Release Detection Methods for
Florida Recycling Solutions, LLC Used Oil Processing Facility Permit
ID No.: FLR 000 034 033
Permit No.: 294693-HO-001

Dear Mr. Kothur:

Thank you for the Florida Department of Environmental Protection's Notice of Intent to Issue Permit for the Used Oil Processing Facility Permit for the Florida Recycling Solutions, LLC facility in Lakeland, Florida. This correspondence will confirm that Florida Recycling Solutions, LLC does not have any further comments or proposed revisions to the Permit.

However, Florida Recycling Solutions, LLC wants to clarify any issues in connection with the Permit requirements to provide 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. This leak detection requirement is set forth in Part I, Condition 32.(b)5 of the Permit, with additional references to the same condition in Part II, Condition 6.(b)5 and again in Part III, Condition 1.(b)5.

This correspondence will confirm that Florida Recycling Solutions, LLC will comply with applicable leak detection and release detection standards by utilizing visual inspection methods and procedures, including applicable recordkeeping requirements for the visual inspections. The purpose of this correspondence is to ensure that the Department and Florida Recycling Solutions, LLC are in agreement that visual monitoring of the regulated aboveground storage tank system shall fulfill and comply with applicable leak detection and release detection requirements. If the Department has any concerns or questions regarding this correspondence, we ask that you contact me as soon as possible to address same. As always, please do not

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501 EAST KENNEDY BLVD., SUITE 1700 • TAMPA, FLORIDA 33602 • P.O. BOX 1438 • TAMPA, FL 33601
TELEPHONE (813) 228-7411 • FAX (813) 229-8313 • www.fowlerwhite.com

Mr. Bheem Kothur
April 29, 2010
Page 2

hesitate to contact me should you have any questions regarding the above matters or if you require any additional information.

Sincerely yours,

FOWLER WHITE BOGGS P.A.



Ron H. Noble

cc: Mr. W.D. Miller
Mr. James Dregne

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Dept. of Environmental Protection

APR 30 2010

Southwest District

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TAMPA • FORT MYERS • TALLAHASSEE • JACKSONVILLE • FORT LAUDERDALE

Ron H. Noble
Direct Dial: 813-222-1175
rnoble@fowlerwhite.com

March 5, 2010

Dept. of Environmental Protection
MAR 08 2010
Southwest District

VIA FEDERAL EXPRESS

Mr. Bheem Kothur
Florida Department of Environmental Protection
2600 Blainstone Road
MS 4560
Tallahassee, FL 32399-2400

Re: Solid Waste Processing Facility Application for Florida Recycling Solutions,
LLC facility in Lakeland, Florida
ID No.: FLR 000 034 033
Permit No.: 294693-HO001

Dear Mr. Kothur:

Pursuant to our conference call meeting with representatives of the Department on February 25, 2010, enclosed please find the following documentation in connection with the Department's request that Florida Recycling Solutions, LLC submit a Solid Waste Processing Facility Application as follows:

1. Application to Construct, Operate or Modify a Waste Processing Facility (FDEP Form #62-701.900(4), F.A.C.);
2. Application fee made payable to the Florida Department of Environmental Protection in the amount of \$1,000; and
3. Part V Permit Conditions which we discussed.

The proposed Permit Conditions for Part V of the Permit address the Department's request for additional information regarding maximum quantities of solid waste to be processed at the permitted facility. The reference to the 35 cubic yard containers or trailers represents the sealed trailers used to transport solid waste to the permitted solid waste disposal facility. In addition, we have proposed a maximum volume of solid waste which can be brought into the permitted facility of 720 cubic yards per year.

We are submitting the original executed Permit Application and one copy, along with the \$1,000.00 application fee, to the Department's office in Tallahassee with a complete copy of

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TELEPHONE (813) 228-7411 • FAX (813) 229-8313 • www.fowlerwhite.com

Mr. Bheem Kothur

March 5, 2010

Page 2

same to Mr. James Dregne at the Department's Southwest District Office. During our conference call meeting with the Department on February 25, 2010, all parties agreed that the Department has already issued its completeness determination for this facility.

We look forward to the Department's review of the enclosed materials, and we will await receipt of the final revised draft of the Used Oil Processing Facility Permit from the Department. In the interim, please do not hesitate to contact me should you have any questions regarding the above matters or if you require any additional information.

Sincerely yours,

FOWLER WHITE BOGGS P.A.



Ron H. Noble

cc: Mr. W.D. Miller (w/encl.)
Mr. James Dregne (w/enc.)
Augusta Posner, Esquire (w/o encl.)

Enclosures

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Dept. of Environmental Protection
MAR 08 2010
Southwest District

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002810

AQUA CLEAN ENVIRONMENTAL CO., INC. 10/2003

SPECIAL OPERATING

PO BOX 26287

RICHMOND, VA 23260-6287

68-2/510

VOID AFTER 180 DAYS

DATE _____

CHECK NO.

CHECK AMOUNT

2-25-14

2812


100000

PAY ONE THOUSAND DOLLARS and 00/100

TO
THE
ORDER
OF

Florida Dept Environmental
Protection

BY:

Will with 

MP

MP

AUTHORIZED SIGNATURE

AQUA CLEAN ENVIRONMENTAL CO., INC.

SPECIAL OPERATING

PO BOX 26287

RICHMOND, VA 23260-6287

VENDOR NO.

VENDOR NAME

002810

TRANSACTION DATE	REFERENCE	GROSS AMOUNT	DEDUCTION	NET AMOUNT
MA79/P29816				
CHECK DATE	CHECK NO.	TOTAL GROSS	TOTAL DEDUCTION	CHECK AMOUNT

Dept. of Environmental Protection
MAR 08 2010
Southwest District

PART V – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may accept non-hazardous solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom, air and transmission filters, and kitty litter. The waste will be bulked and /or processed for acceptance at permitted solid waste disposal or processing facilities.
 - (a). All wastes received at the site for solidification will be received either by drum or container in the drum storage area or in bulk via vacuum truck into the existing on site mixing pad. The mixing pad will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed dump truck or trailer for transportation to a permitted solid waste disposal facility.
 - (b). Oil contaminated solid waste determined to be non-hazardous as defined by 40 CFR Part 260-262 may be processed at the facility. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.
 - (c). Sealed dump trucks or trailers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste at the permitted facility shall not exceed fifty 55-gallon drums (or their equivalent volume) and three 35 cubic yard containers or trailers.
 - (d). The maximum amount of solid waste to be brought into the permitted facility shall not exceed 720 cubic yards per year. The oil contaminated solid waste will be brought into the facility in containers or 55 gallon drums.

42515529v2

Dept. of Environmental Protection
MAR 08 2010
Southwest District



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: _____

☒ 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: Florida Recycling Solutions, LLC

5. DEP ID number: FLR 000034033 County: Polk

6. Facility location (main entrance): 3210 Whitten Road, Lakeland, FL 33813

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Southwest District

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

7. Location coordinates:
Section: 31 Township: 28S Range: 23E
Latitude: 28° 00' 19.4" Longitude: 82° 02' 34.36"
Datum: 17N Coordinate Method: 397464/3098238
Collected by: W.D. Miller, III Company/Affiliation: Vice President/GM
8. Applicant name (operating authority): Florida Recycling Solutions, LLC
Mailing address: 3210 Whitten Road, Lakeland, FL 33813
Street or P.O. Box City State Zip
Contact person: W.D. Miller, III Telephone: (813) 644-0665
Title: Vice President and General Manager deemiller@tampabay.rr.com
E-Mail address (if available)
9. Authorized agent/Consultant: _____
Mailing address: _____
Street or P.O. Box City State Zip
Contact person: _____ Telephone: (____) _____
Title: _____ E-Mail address (if available) _____
10. Landowner (if different than applicant): Aqua Clean Environmental Co., Inc.
Mailing address: 3210 Whitten Road, Lakeland, FL 33813
Street or P.O. Box City State Zip
Contact person: W.D. Miller, III Telephone: (863) 644-0665
deemiller@tampabay.rr.com
E-Mail address (if available)
11. Cities, towns and areas to be served: N/A
12. Date site will be ready to be inspected for completion: To be determined.
13. Estimated costs:
Total Construction: \$ 25,000 Closing Costs: \$ 157,000
14. Anticipated construction starting and completion dates:
From: To be determined To: To be determined
15. Expected volume of waste to be received: _____ 2 yds³/day _____ tons/day
16. Provide a brief description of the operations planned for this facility: Oily waste handling

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MAR 08 2010
Southwest District

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.)

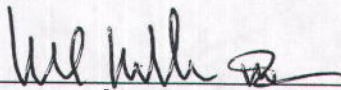
C. CERTIFICATION BY APPLICANT AND ENGINEER OR PUBLIC OFFICER

1. Applicant:

The undersigned applicant or authorized representative of Florida Recycling Solutions, LLC

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

Processing Facility 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
W.D. Miller, Vice President, GM
Name and Title (please type)
deemiller@tampabay.rr.com
E-Mail address (if available)

3210 Whitten Road
Mailing Address
Lakeland, Florida 33813
City, State, Zip Code
(813) 644-0665
Telephone Number

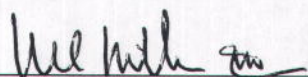
March 3, 2010
Date

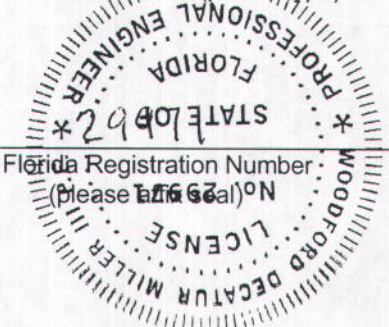
Attach letter of authorization if agent is not a governmental official, owner, or corporate officer.

Dept. of Environmental Protection
MAR 08 2010
Southwest District

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
W.D. Miller, P.E.
Name and Title (please type)


Florida Registration Number:
(Please type)

3210 Whitten Road
Mailing Address
Lakeland, Florida 33813
City, State, Zip Code
deemiller@tampabay.rr.com
E-Mail address (if available)

(813) 644-0665
Telephone Number

March 3, 2010
Date

FOWLER
Attorneys at Law
EST 1943 **WHITE BOGGS**

FEB 02 2009

Meredith Sherman
Direct Dial: 813-222-3337
Direct Fax: 813-384-2805
msherman@fowlerwhite.com

January 30, 2009

Sebrena Bolton
Florida Dept. of Environmental Protection
Hazardous Waste Regulation Section
2600 Blair Stone Road, MS 4560
Tallahassee, FL 32399-2400

Re: Florida Recycling Solutions, LLC
DEP Form 8700-12FL
Application for EPA ID Number for used oil activities

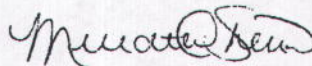
Dear Ms. Bolton:

Please see the enclosed Florida Recycling Solutions, LLC application for used oil activities. I would like to thank you in advance for your assistance with this matter.

Please contact me should you have any questions or require additional information.

Sincerely,

FOWLER WHITE BOGGS P.A.



Meredith Sherman

Enclosure

40580465v1



FOWLER WHITE BOGGS P.A.

TAMPA • FORT MYERS • TALLAHASSEE • JACKSONVILLE • FORT LAUDERDALE

501 EAST KENNEDY BLVD., SUITE 1700 • TAMPA, FLORIDA 33602 • P.O. BOX 1438 • TAMPA, FL 33601
TELEPHONE (813) 228-7411 • FAX (813) 229-8313 • www.fowlerwhite.com



8700-12FL - FLORIDA NOTIFICATION OF

REGULATED WASTE ACTIVITY

DEP Waste Management Division-HWRS, MS45603 02 2009
2600 Blair Stone Rd. Tallahassee, FL 32399-2400
(850) 245-8772

Date Received
(for FDEP Official Use Only)

EPA ID

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MTS

RCRA Info

1. Reason for Submittal

Mark 'X' in correct box:

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

2. Facility or

Business Name

Florida Recycling Solutions, LLC

FEID No.

26-4144969

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

Name of Operator:

Florida Recycling Solutions, LLC

☒ New OperatorDate became Operator: ____/____/____
mm dd yy

Street or P.O. Box:

3210 Whitten Road

Phone Number:

863-644-0665

City or Town:

Lakeland

State:

FL

Zip Code:

33811

Operator Type: ☒ Private ☐ Federal ☐ Municipal ☐ State ☐ Other _____

4. Facility Physical Location Information

Physical Street Address:

3210 Whitten Road

City or Town:

Lakeland

State:

FL

Zip Code:

33811

County:

Choose__ Polk

If available, please attach a map or sketch of the facility boundaries.

Latitude: 28 00 19.4 Longitude: 82 02 34.36 Method: GPS
d d m m s s . ssss d d m m s s . ssss Datum:

5. Facility North American Industry Classification System (NAICS) Code(s)

A. 562219

B.

C.

D.

6. Facility or Business Mailing Address

Street Address or P.O. Box: 3210 Whitten Road

City or Town:

Lakeland

State:

FL

Zip Code:

33811

7. Facility or Business Contact Person

First Name:

W. Dee

Last Name:

Miller

Title:

General Manager

Phone Number:

863-644-0665

Extension:

E-Mail:

Street or P.O. Box:

3210 Whitten Road

City or Town:

Lakeland

State:

FL

Zip Code:

33811

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

Name of Real Property (Land) Owner:

Aqua Clean Environmental Company, Inc.

☐ New OwnerDate became Owner: 01/17/97
mm dd yy

Street or P.O. Box:

3210 Whitten Road

Phone Number:

863-644-0665

City or Town:

Lakeland

State:

FL

Zip Code:

33811

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

9. Type of Regulated Waste Activity (Mark 'X' in all that apply):**A. Hazardous Waste Activities:****(1) Generator of Hazardous Waste**

(Choose only one of the following three categories.)

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

In addition, indicate other generator activities that apply.

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

For Items 2 through 7, mark 'X' in all that apply.

(2) Treater, Storer, or Disposer of Hazardous Waste

(at your facility) Note: A hazardous waste permit may be required for this activity.

- ☐ a. Operating Commercial TSD
- ☐ b. Operating Non-commercial TSD
- ☐ c. Non-operating: Postclosure or Corrective Action Permit or Consent Order (HSA, etc.)

(3) Recycler of Hazardous Waste (at your facility)Specify: ☐ Commercial; ☐ Non-Commercial.

A permit is required for storage prior to recycling.

(4) Exempt Boiler and/or Industrial Furnace

- ☐ a. Small Quantity On-site Burner Exemption
- ☐ b. Smelting, Melting, and Refining Furnace Exemption

(5) Person Authorized to Manage Conditionally Exempt Waste Generated at Other Facilities - Choose this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP.**(6) Underground Injection Control - Mark an 'X' even if the UIC well at your facility does not receive hazardous waste.****(7) Transporter of Hazardous Waste [Note: A Certificate of Liability Insurance is required along with this registration.]**Registration must be renewed annually. ☐ a. For own waste only ☐ b. For commercial purposes**c. Hazardous Waste Transporter Insurance Information**

Insurance Company _____

Address _____

Contact _____

Telephone _____

Policy Number _____

Expiration date _____

d. Transportation Mode ☐ Air ☐ Rail ☐ Highway ☐ Water ☐ Other - specify _____**e. Hazardous Waste Transfer Facility:**

Storage Volume _____

☐ Initial notification

The following items are required to be submitted with the initial notification for a transfer facility [Rule 62-730.171(3).

Florida Administrative Code (F.A.C.)]:

- ☐ Certification by a responsible corporate officer of the transporter that the proposed location satisfies the criteria of Section 403.7211(2), Florida Statutes (F.S.) [Rule 62-730.171(3)(a)1., F.A.C.]
- ☐ Evidence of the transporter's financial responsibility [Rule 62-730.171(3)(a)3., F.A.C.]
- ☐ A brief general description of the transfer facility operations [Rule 62-730.171(3)(a)4., F.A.C.]
- ☐ A copy of the facility closure plan [Rule 62-730.171(3)(a)5., F.A.C.]
- ☐ A copy of the contingency and emergency plan [Rule 62-730.171(3)(a)6., F.A.C.]
- ☐ A map or maps of the transfer facility [Rule 62-730.171(3)(a)7., F.A.C.]
- ☐ Notification of changes in above items
- ☐ Annual update notification

EPA ID No.

B. Universal Waste (UW) Activities (Mark 'X' in all that apply) ("accumulated" means at any one time):

- ☐ Large Quantity Handler (LQH) = 5,000 kg (11,000 lb) or more of any combination of UW accumulated
- ☐ Small Quantity Handler (SQH) = always less than 5,000 kg accumulated
- ☐ Mercury-containing devices LQH = 100 kg (220 lb) or more accumulated by for-hire handler
- ☐ Mercury-containing devices SQH = less than 100 kg accumulated by for-hire handler
- ☐ Mercury-containing lamps LQH = 2,000 kg (4400 lbs/8,000 lamps) or more accumulated by for-hire handler
- ☐ Mercury-containing lamps SQH = less than 2,000 kg (8,000 lamps) accumulated by for-hire handler
- [Note: 4 lamps = 1 kg, 62-737.200(10)]
- ☐ Pharmaceuticals LQH = 5,000 kg or more of universal pharmaceutical waste (UPW) accumulated
- ☐ Pharmaceuticals LQH = more than 1 kg (2.2 lb) of acutely hazardous ("P-listed") pharmaceutical waste accumulated
- ☐ Pharmaceuticals SQH = always less than 5,000 kg of UPW and always 1 kg or less of acutely hazardous UPW accumulated

(1) For those Managing	Generate/ Accumulate	Transport (see note in instructions)	Handle at Transfer Facility	(2) Enter your estimate of the maximum amount (in pounds) of each type of UW on site or transported at any one time.
a. Batteries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
c. Pharmaceuticals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
d. Mercury Containing Devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
e. Mercury Containing Lamps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

(3) Mercury Recovery and/or Reclamation Facility ☐ Note: A hazardous waste permit is required for this activity. [Rule 62-737.800, F.A.C.]
[Chapter 62-737, F.A.C.]

(4) Reverse Distributor of UW ☐ Pharmaceuticals ☐ Lamps ☐ Devices ☐

(5) Destination Facility for UW ☐ Note: for this activity, a facility must treat, dispose or recycle a UW. A permit is required for storage prior to recycling.

C. Used Oil Activities:**(1) Used Oil Transporter - indicate type(s) of activity(ies):**

- ☐ a. Transporter
- ☐ b. Transfer Facility

(2) ☐ Collection Center**(3) ☒ Used Oil Processor (A permit is required for this activity.)****(4) ☐ Off-Specification Used Oil Burner****(5) ☒ Used Oil Fuel Marketer****(6) Used Oil Filter**

- ☐ a. Transporter
- ☒ b. Transfer Facility
- ☒ c. Processor
- ☐ d. End User

(7) Used Oil Transporters, Transfer Facilities, Collection Centers, Off-Specification Burners and Marketers must pay an annual \$100 registration fee. Used Oil Processors are exempt from this fee. If applicable, enclose a check or money order, in the amount of \$100, payable to Florida Department of Environmental Protection.

☐ A check is enclosed.

8) Specific Certification to be signed by all Used Oil Transporters

I certify as a Used Oil Transporter that the training program and financial responsibility required under Section 62-710.600, F.A.C., are in place, current and being adhered to. If any modifications have been made to the originally approved training program, they are explained in attachments to this registration form. Evidence of financial responsibility is demonstrated by the attached Used Oil Transporter Certificate of Liability Insurance, DEP form 62-710.901(4), F.A.C.

Signature of Authorized Person

Print Name of Authorized Person

(9) The records required under the provisions of Rule 62-710.510, F.A.C., are kept at (check one):

- ☐ our mailing (business) address
- ☐ The site (facility) address

EPA ID No.

D. Other State Regulated Waste Activities:☐ **Petroleum Contact Water (PCW) Handler** [Chapter 62-740, F.A.C.]

Note: A water facility permit may be required for this activity.

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

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

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

11. Other Status Changes (Mark 'X' in all that apply):**A. Non-Handler of Regulated Waste at This Facility**

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

B. Facility Closed

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

Contact _____ Phone _____

Address _____

City, State, Zip _____

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

12. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. If I have notified as a transfer facility, I am aware that transfer facilities must comply with the requirements of Rule 62-730.171, FAC, and Rule 62-730.182, FAC.

Signature of owner, operator, or an authorized representative

Print Name and Title

Date Signed
(mm-dd-yyyy)

Florida Recycling Solutions, Inc. W. Dee Miller

By: W. Dee Miller General Manager

1/29/09

If the person who filled in this form is not the Facility Contact or Operator, please complete the information below:

(Name of person completing this form)

(Phone Number)

(E-mail Address)

13. Comments:



Florida Department of Environmental Protection

Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926

Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

DATE: 10/6/09

TIME: 2:00

LOCATION/CONFERENCE ROOM: Admin

MEETING SUBJECT: FRS - Permit Application

ATTENDEES

	Name	Affiliation	Telephone	E-mail
1	Tim Baker	Program Administration	888-245-	
2	Aguste Pasner	OSC	888-245-2282	
3	Tony Tripp	Tallahassee RRA Permitting	888-245-8766	
4	Bryan Baker	"		
5	Bhoomaditya Kotha	Tallahassee, RRA policy	888-245-8787	
6	Beth Krauss	FDC	813/632-7600 x353	
7	Dee Miller	Aquatic Clean	863 644 0665	
8	Ron Noble	" " Fowler White	813-228-7411	
	Jim Dregne	FDEP - HW	813-632-7600 x410	



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

DRAFT
January 20, 2010

PERMITTEE:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001
Date of Issue: DRAFT
Expiration Date: DRAFT
County: Polk County
Lat/Long: 28.005389 N/82.042878 W

Attention:
Mr. W. D. Miller III, P.E.
Vice President and General Manager

Project: Used Oil Processing Facility

This permit 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 5.86-acre parcel of land to be leased by Florida Recycling Solutions, LLC. in Polk County at 3210 Whitten Road, Lakeland, FL, 33811. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B), Tank capacity and its contents are shown in Table (Attachment - B) of this permit.

The facility is authorized to process used oil, accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline/diesel/water mixtures from petroleum storage facilities; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

The Facility consists of total three (3) tanks (6, 7, and 8) with a capacity of total 90,000 gallons. One (1) 9,200 gallon capacity of used oil. These tanks are placed in a concrete secondary containment structure that is sealed and impervious to petroleum products and all are shown on drawing in Attachment A of this permit.

Used oil filters are also received in 55-gallons drums and other DOT containers. The drummed oil filters are stored on the pad under tank 17. The storage containers are stored on an oil impermeable surface, concrete surface in the garage or asphalt surface outside the garage area. Coated with Carboline #890 Epoxy Seal or equivalent (15 mil dry film thickness).

The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application Dated February 23, 2009 and FDEP received on February 24, 2009.
2. Revised Used Oil Processing Facility Application Dated May 21, 2009 and FDEP received on May 26, 2009.
3. Revised Used Oil Processing Facility Permit Application, NOD Letter Dated March 31, 2009 and the Facility Responses Dated May 21, 2009 and received on May 26, 2009.
4. Revised Used Oil Processing Facility NOD Letter Dated September 11, 2009 and the Facility Responses Dated October 28, 2009.

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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 Administrator
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) 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) 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.
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 Tanks 1 through 3.
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. OK
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.].
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;

- (d) Analyze, prior to shipment, all outgoing shipments of used oil for the parameters listed in Attachment C 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) 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.

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.
 - (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.

(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 detecting and collecting releases and run-on until the collected material is removed;
- (3) Constructed of or lined with materials compatible with the waste to be stored and have sufficient 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
- (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; 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. 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)].
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 I and II 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 V of the permit application. These requirements include:
- (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
 - (c) The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
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.
41. 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)].
42. Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall:
- (a) Immediately carry out the provisions of the Attachments II, and IV, SPCC Plan and Contingency Plan respectively 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 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.
44. The Permittee shall inspect the facility operating ^{IV} emergency and safety equipment in accordance with the schedules approved in Attachment ~~VII~~ 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 the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with 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

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 (C) .5a, (C).5b and (C).5c of the permit application. ?

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

3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, 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.

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

4. Placed on a foundation or base capable of providing support to the secondary containment system.
5. Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.

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

7. Permittee shall submit as built drawings for the proposed and constructed Tanks within thirty (30) days of issuing this permit. Each drawing shall be signed and sealed and certified by a Professional Engineer registered in the State of Florida.
8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new Tanks until the Permittee has established Financial Assurance for the tanks in accordance with Condition Part I.17.(d) of this permit and the Department has approved installation of the tanks. Upon Department approval of the newly installed and the updated Financial Assurance mechanism, the Permittee may start using those tanks.

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.
4. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either overpack 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.

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 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 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
- (c) Ancillary equipment shall be provided with secondary containment.
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.
 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 II of the permit application; and
 - (d) Comply with the requirements of 40 CFR 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 ~~VIII~~^{IV} of the permit application.
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 [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 VII of the permit application dated October 23, 2008 and revised February 27, 2009. 7
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.

PART V – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may accept non-hazardous solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom, air and transmission filters, and kitty litter. The waste will be bulked and /or processed for acceptance at permitted solid waste disposal or processing facilities.
 - (a). All wastes received at the site for solidification will be received either by drum in the drum storage area or in bulk via vacuum truck into the existing on site mixing chamber, both of which are located in the north warehouse. The mixing chamber will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed roll-off container which will be staged on the bermed concrete slab.
 - (b). All waste shall be analyzed in accordance with the Analysis Plan, and Attachment IV of the permit application using the appropriate analytical methods as described in Update IV of SW-846. Oil contaminated solid waste determined to be non-hazardous as defined by 40 CFR Part 260-262 may be processed at the facility. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.
 - (c). Roll-off containers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste on the site shall not exceed 55-drum or 20-30-cubic yard roll-off dumpster processed for recycling and disposal. The maximum capacity of the drum storage area which is 3600 –square ft. No other material (solidifying agent) will be added to the mixture.
 - (d). Maximum amount of oil contaminated solid waste to be brought in to the facility will be 0.73CY per day or 23 CY per month. The oil contaminated solid waste will be brought in to the facility in the form of approximately 80- 100 - 55 gallon drums of material for disposal. .
 - (e). Roll off containers will be covered at all times.

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 VI, closure plan of the permit application dated May 21, 2009. 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 VI of the permit application dated May 21, 2009.
 - (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.
3. The Permittee shall maintain an approved written closure plan and it must demonstrate how the facility will be closed in accordance with Attachment VI of the permit application dated May 21, 2009 and subsequent revisions 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 VI of the renewal permit application dated May 21, 2009 and 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 4. 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.

4 5. 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.

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.

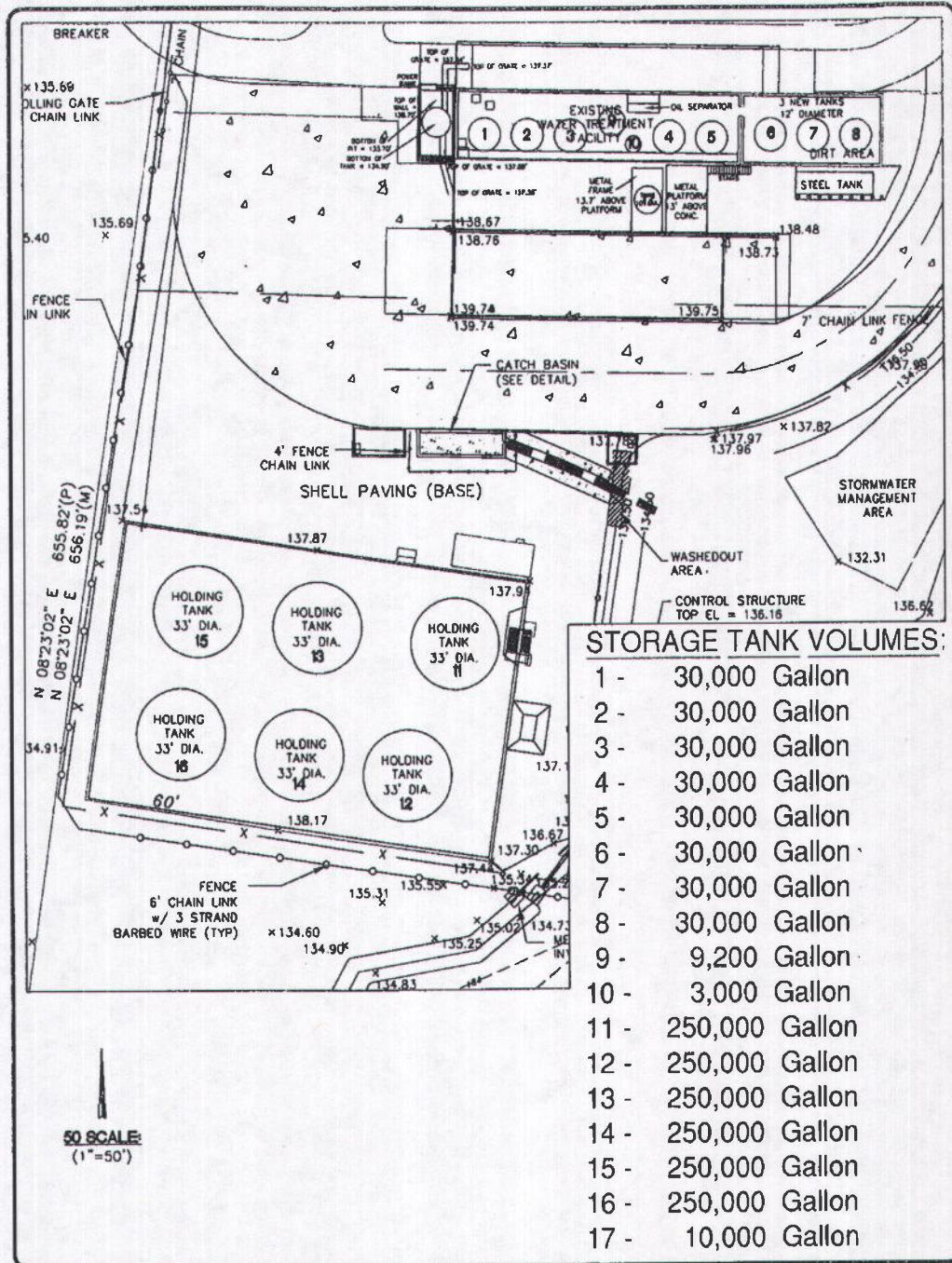
CLERK

DATE

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

_____.

ATTACHMENT- A SITE MAP



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

Hanson, Walter & Associates, Inc.



FLORIDA RECYCLING SOLUTION, LLC

TANK AREA CLOSE UP

DATE 01/13/09

SHEET 1 OF 1

ATTACHMENT B

TANK TABLE

NOD 3_31_09 GC 2

TANK LIST FOR AQUA CLEAN ENVIRONMENTAL CO., INC AND FLORIDA RECYCLING SOLUTIONS, LLC

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER	TOTAL CAPACITY GALLONS
6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000



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

DRAFT
February 8, 2010

PERMITTEE:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001
Date of Issue: DRAFT
Expiration Date: DRAFT
County: Polk County
Lat/Long: 28.005389 N/82.042878 W

Attention:
Mr. W. D. Miller III, P.E.
Vice President and General Manager

Project: Used Oil Processing Facility

This permit 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 5.86-acre parcel of land to be leased by Florida Recycling Solutions, LLC. in Polk County at 3210 Whitten Road, Lakeland, FL, 33811. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B), Tank capacity and its contents are shown in Tank Table (Attachment - B) of this permit.

The facility is authorized to process used oil, accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline/diesel/water mixtures from petroleum storage facilities; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

The Facility consists of total three (3) tanks (6,7, and 8) with a capacity of total 90,000 gallons and one (1) 9,200 gallon capacity tank (9) of used oil. These tanks are plaeelocated in a concrete secondary containment structure that is sealed and imperious to petroleum products and all are shown on drawing in Attachment A of this permit.

Used oil filters are also received in 55-gallons drums and other DOT containers. The drummed oil filters are stored on the pad under tank 17. The storage containers are stored on an oil impermeable surface, concrete surface in the garage or asphalt surface outside the garage area. Coated with Carboline #890 Epoxy Seal or equivalent (15 mil dry film thickness). The entire facility is constructed over a 60 mil. thick HPDE liner.

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The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application Dated February 23, 2009 and FDEP received on February 24, 2009.
2. Revised Used Oil Processing Facility Application Dated May 21, 2009 and FDEP received on May 26, 2009.
3. Revised Used Oil Processing Facility Permit Application, NOD Letter Dated March 31, 2009 and the Facility Responses Dated May 20, 2009 and received on May 26, 2009.
4. Revised Used Oil Processing Facility NOD Letter Dated September 11, 2009 and the Facility Responses Dated October 28, 2009 and received on October 29, 2009.

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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.

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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

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Lakeland, FL 33811

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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 ~~fac~~ility 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

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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 Administrator
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) 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].

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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) 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.
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 Tanks 6 through 9.
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.

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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.].
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 ~~III~~ IV or V 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 detecting and collecting releases and run-on until the collected material is removed;
 - (3) Constructed of or lined with materials compatible with the waste to be stored and have sufficient 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
 - (6) Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; 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. 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)].
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)].

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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~~ materials 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 I and II 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 V of the permit application. These requirements include:

- (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
- (c) The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.

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.

41. 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)];

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- (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)].

41
42.

Pursuant to the requirements of 40 CFR 279.52(b), concerning the contingency plan, the Permittee shall:

- (a) Immediately carry out the provisions of the Attachments II, and IV, SPCC Plan and Contingency Plan respectively 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
43.
44.

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
44.

The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment IV 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].

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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 the permit application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with 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 C 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). 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.

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.

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- (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.
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 III and III(b) of the permit application.
- (b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, 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.
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

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permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:

- (a). All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.
 - (b). The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:
 1. Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
 2. Capable of detecting and collecting releases and run-on until the collected material is removed.
 3. Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 4. Placed on a foundation or base capable of providing support to the secondary containment system.
 5. Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - (c). Ancillary equipment shall be provided with secondary containment.
7. Permittee shall submit as built drawings for the proposed and constructed Tanks within thirty (30) days of issuing this permit. Each drawing shall be signed and sealed and certified by a Professional Engineer registered in the State of Florida.
 8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new Tanks until the Permittee has established Financial Assurance for the tanks in accordance with Condition Part I.17.(d) of this permit and the Department has approved installation of the tanks. Upon Department approval of the newly installed and the updated Financial Assurance mechanism, the Permittee may start using those tanks.

~~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.]~~

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- ~~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.~~
- ~~4. If a container holding PCW is not in good condition (e.g. rusting, bulging) or begins to leak, the Permittee shall either overpack 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.~~

PART ~~IV~~III – TANK AND CONTAINER CONDITIONS

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"Tank system", for the purpose of Part ~~IV~~III of this permit, is defined as storage tank(s), 6 through 9, 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 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 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - (c) Ancillary equipment shall be provided with secondary containment.
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.
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 II of the permit application; and
 - (d) Comply with the requirements of 40 CFR 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~~ 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 IV of the permit application.
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 [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 IV of the permit application dated February 23, 2009 and received February 24, 2009.
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.

~~PART V - NON HAZARDOUS, NON USED OIL WASTE CONDITIONS~~

- ~~1. The facility may accept non-hazardous solid wastes that do not qualify as used oil, such as petroleum-contaminated debris and soil, used oil filters, rags, absorbent pads, boom, air and transmission filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal or processing facilities.~~
 - ~~(a). All wastes received at the site for solidification will be received either by drum in the drum storage area or in bulk via vacuum truck into the existing on site mixing chamber, both of which are located in the north warehouse. The mixing chamber will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed roll-off container which will be staged on the bermed concrete slab.~~

- ~~(b) All waste shall be analyzed in accordance with the Analysis Plan, and Attachment III of the permit application using the appropriate analytical methods as described in Update IV of SW-846. Oil contaminated solid waste determined to be non-hazardous as defined by 40 CFR Part 260-262 may be processed at the facility. Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.~~
- ~~(c) Roll-off containers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste on the site shall not exceed 55 drums or 20-30 cubic yard roll-off dumpster processed for recycling and disposal. The maximum capacity of the drum storage area which is 3600 square ft. No other material (solidifying agent) will be added to the mixture.~~
- ~~(d) Maximum amount of oil contaminated solid waste to be brought in to the facility will be 0.73CY per day or 23 CY per month. The oil contaminated solid waste will be brought in to the facility in the form of approximately 80-100-55 gallon drums of material for disposal.~~
- ~~(e) Roll-off containers will be covered at all times.~~

PART ~~VI~~IV – 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 VI, closure plan of the permit application dated May 20, 2009. 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 VI of the permit application dated May 20, 2009.
 - (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 or document the re-use of the tanks and piping.
 - (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.

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2. The Permittee shall maintain an approved written closure plan and it must demonstrate how the facility will be closed in accordance with Attachment VI of the permit application dated May 20, 2009 and subsequent revisions 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 VI of the renewal permit application dated May 20, 2009 ~~and~~ 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.
4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 CFR 279.54(h), comply with the following requirements:
 - (a) At closure, containers holding used oil or residues of used oil must be removed from the site; and
 - (b) The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.

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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.

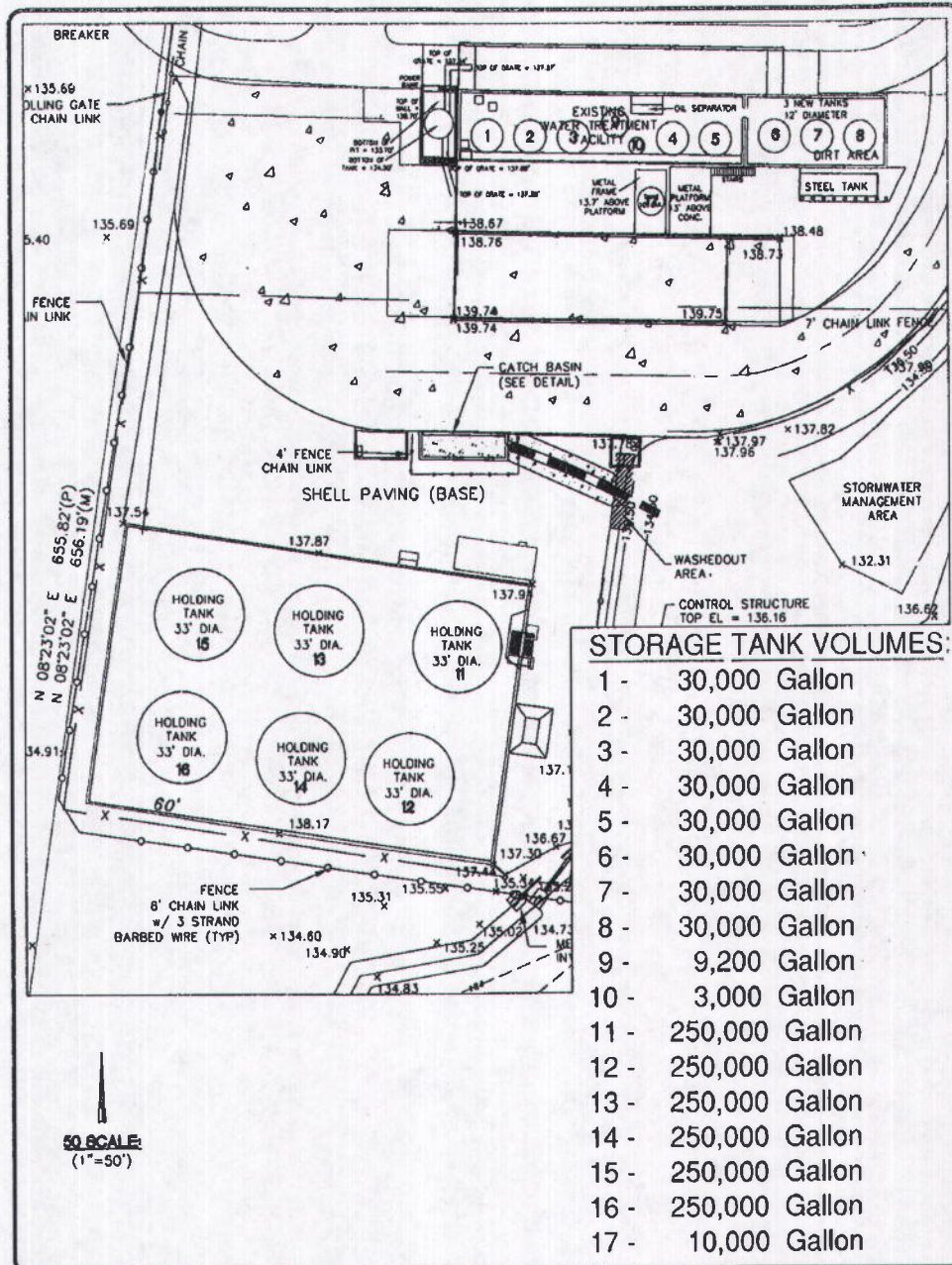
CLERK

DATE

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

_____.

ATTACHMENT- A
SITE MAP



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



FLORIDA RECYCLING SOLUTION, LLC

TANK AREA CLOSE UP

DATE 01/13/09

SHEET 1 OF 1

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ATTACHMENT B

TANK TABLE

NOD 3_31_09 GC 2

TANK LIST FOR AQUA CLEAN ENVIRONMENTAL CO., INC AND FLORIDA RECYCLING SOLUTIONS, LLC

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER

TOTAL CAPACITY GALLONS

6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000

Florida Recycling Solutions, LLC
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[42506638v2](#)

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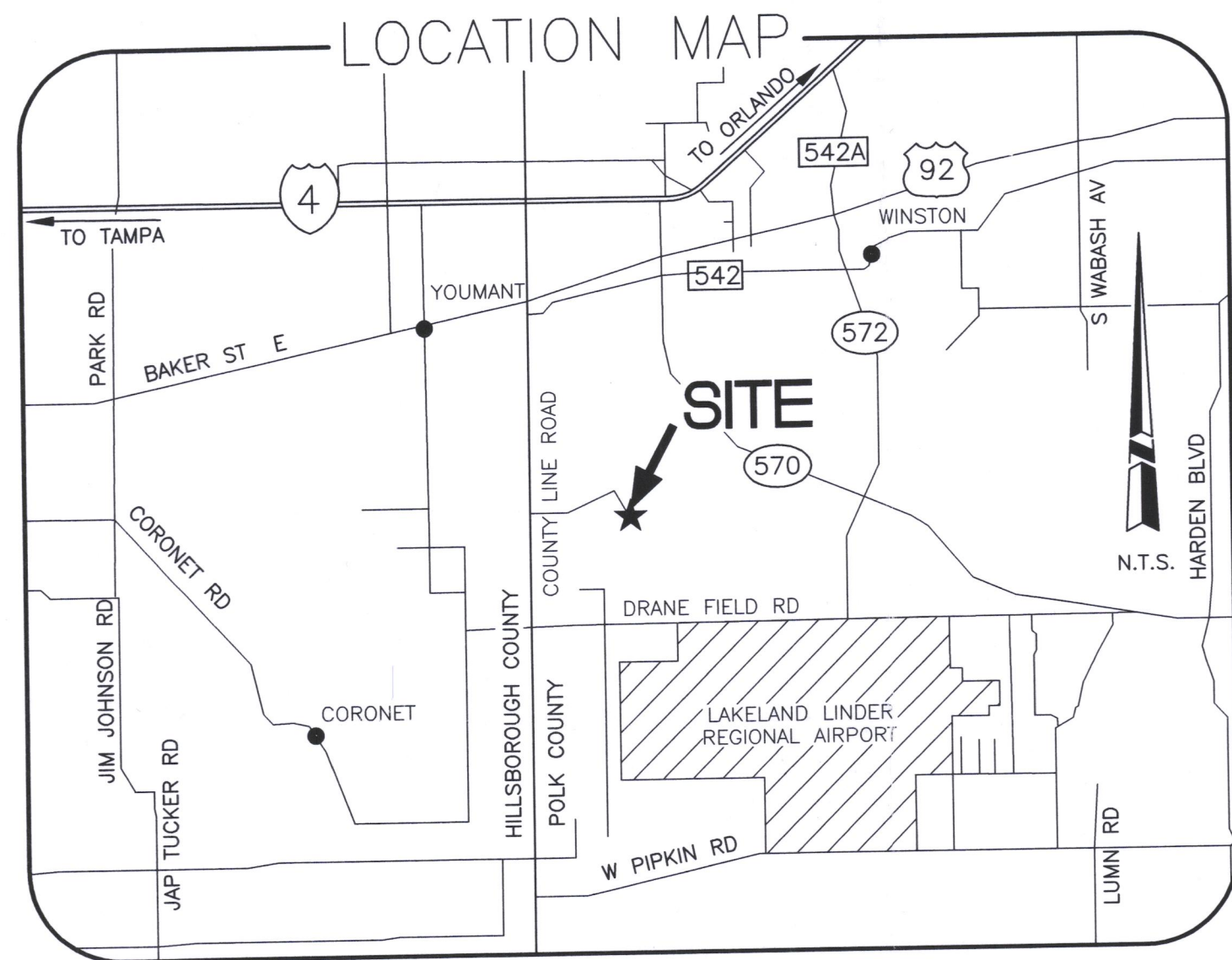
Document comparison by Workshare Professional on Friday, February 12, 2010 3:48:45 PM

Input:	
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Description	#42506638v1<ACTIVE> - Florida Recycling Solutions FDEP Permit
Document 2 ID	interwovenSite://QFLIWDMS1/ACTIVE/42506638/2
Description	#42506638v2<ACTIVE> - Florida Recycling Solutions FDEP Permit
Rendering set	standard

Legend:	
<u>Insertion</u>	
Deletion	
<u>Moved from</u>	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:		
	Count	
Insertions	14	
Deletions	41	
Moved from	0	
Moved to	0	
Style change	0	
Format changed	0	
Total changes	55	

PLAT OF SURVEY



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 31, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA AND RUN N 08°23'02" E, A DISTANCE OF 655.82 FEET TO THE SOUTHWEST CORNER OF TRACT "B", COUNTY LINE INDUSTRIAL PARK PHASE ONE, AS RECORDED IN PLAT BOOK 88, PAGE 4 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID TRACT "B", S 88°46'22" E, A DISTANCE OF 468.89 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "B"; THENCE LEAVING THE SOUTH BOUNDARY OF SAID TRACT "B", RUN S 31°20'55" E, A DISTANCE OF 251.89 FEET; THENCE S 58°39'05" W, A DISTANCE OF 814.33 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 5.86 ACRES, MORE OR LESS.

TOGETHER WITH:

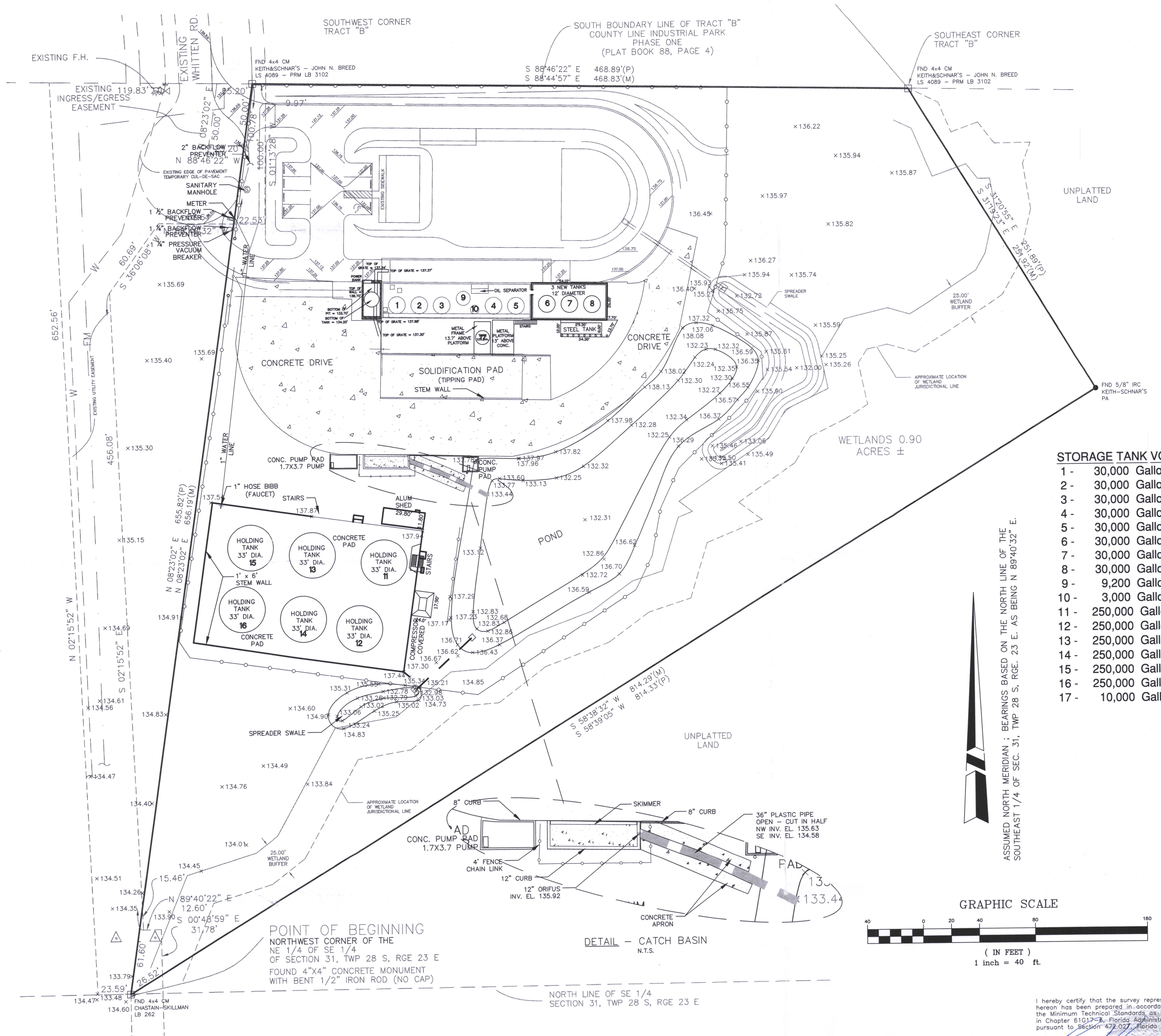
AN EASEMENT FOR INGRESS-EGRESS PURPOSES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT "B", COUNTY LINE INDUSTRIAL PARK PHASE 1 AND RUN S 08°23'02" W, A DISTANCE OF 50.00 FEET; THENCE N 08°23'02" E, A DISTANCE OF 50.00 FEET; THENCE S 88°46'22" E, A DISTANCE OF 25.20 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1,260 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

- ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929. CONTROL BENCHMARKS ARE BM608/01A AND BM093/61A AS ESTABLISHED FOR THE PLAT OF COUNTY LINE INDUSTRIAL PARK PHASE ONE.
- THE SUBJECT PARCEL IS DESIGNATED AS ZONES "A" & "C" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP DATED JANUARY 19, 1983 FOR COMMUNITY PANEL NUMBER 120261-0295B.
- ONLY THE MOST RECENT CONSTRUCTION IMPROVEMENTS HAVE BEEN LOCATED BY THIS SURVEY. ALL PREVIOUSLY EXISTING IMPROVEMENTS SHOWN HEREON BY THE SHADED LINEWEIGHTS WERE FURNISHED IN A DIGITAL FORMAT BY THE CLIENT.



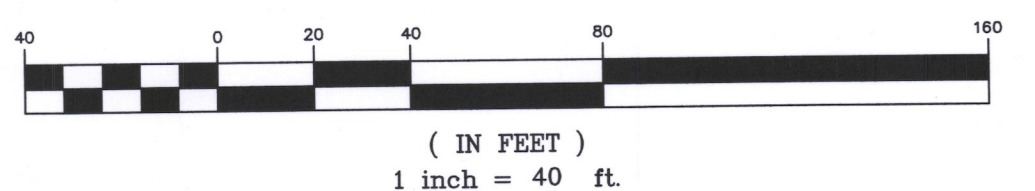
STORAGE TANK VOLUMES:

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

ASSUMED NORTH MERIDIAN : BEARINGS BASED ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SEC. 31, TWP 28 S, RGE. 23 E. AS BEING N 89°40'32" E.



GRAPHIC SCALE



I hereby certify that the survey represented hereon has been prepared in accordance with the Minimum Technical Standards as set forth in Chapter 61G17-2, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Randy Hanson, P.E. # 4629 or
Carol Castleberry, P.L.S. #4228 or
John M. Hughes, P.L.S. #6367

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET NO.
1 of 1
JOB# 4149-06

CC = CREW CHIEF	F.B. = FIELD BOOK	LL = LOOSE LEAF
B.O.C. = BACK OF CURB	CONC. = CONCRETE	L = LENGTH OF CURVE
BLDG. = BUILDING	C.B. = CHORD BEARING	L.B. = LICENSED SURVEYING BUSINESS
C.B.S. = CONCRETE BLOCK STRUCTURE	D = DRAINAGE	N.T.S. = NOT TO SCALE
CH = CHORD	E.O.P. = EDGE OF PAVEMENT	N.R. = NON-RADIAL
C.M. = CONCRETE MONUMENT	EL. = ELEVATION	I.D. = IDENTIFICATION
C.P. = CONCRETE PIPE	I.P. = IRON PIPE	O/S = OFFSET
	I.R. = 5/8" IRON ROD	O.R. = OFFICIAL RECORD

P.B. = PLAT BOOK	P.C. = POINT OF COMMENCEMENT	R = RADIUS
P.C. = POINT OF CURVATURE	P.R. = POINT OF REVERSE CURVE	RES. = RESIDENCE
P.C.C. = POINT OF COMPOUND CURVE	PP = POWER POLE	RGE. = RANGE
P.I. = POINT OF INTERSECTION	PRM = PERMANENT REFERENCE MONUMENT	RLS = REGISTERED LAND SURVEYOR
P.L.S. = PROFESSIONAL LAND SURVEYOR	PT = POINT OF TANGENCY	RO = ROOF OVERLAND
P.O.B. = POINT OF BEGINNING	PO. = PAGE	R/W = RIGHT OF WAY

SW = SIDEWALK	(C) = CALCULATED DATA	Δ = DELTA (CENTRAL ANGLE)
SEC = SECTION	(D) = DEED DATA	PK NAIL
T = TANGENT LENGTH OF CURVE	(L) = LEGAL DATA	5/8" IRON ROD
T.O.B. = TOP OF BANK	(M) = MEASURED DATA	CONCRETE MONUMENT
TWP. = TOWNSHIP	(P) = PLAT DATA	NAIL & DISC
U = UTILITY	(E) = CENTERLINE	IRON PIPE

← = GUY WIRE
⊙ = WOOD UTILITY POLE
— = OVERHEAD ELECTRIC LINES
..... = BUILDING SETBACK LINE

DESIGN N/A	F.B. NO. 04-47	SEC. 31	01-15-09 MH	CC-DW F.B. 08-23 Pgs. 46-53	BOUNDARY UPDATE
DRAWN JK	PAGE 27-31	TWP. 28 S	03-22-07 MH	CC-JF F.B. 07-03 Pg. 73	AS-BUILT NEW HOLDING TANKS, COMPRESSOR
CHECKED RH	SCALE 1" = 40'	RANGE 23 E	06-29-05 JK	CC-JF F.B. 05-22 Pg. 29-30	AS-BUILT HOLDING TANK, CATCH BASIN
CAD# 4149-06	DATE 12/2/04		02-22-05 JK	CC-DP F.B. LL	AS-BUILT WATER METER, BACKFLOW, ETC.
			DATE	BY	REVISIONS

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

Hanson, Walter & Associates, Inc.

FLORIDA RECYCLING SOLUTION, LLC
ENVIRONMENTAL COMPANY, INC.

BOUNDARY SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

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 _____

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)

Dept. of Environmental Protection

MAY 26 2009

Southwest District

4. Date current operation began: PROJECTED 2009

5. Facility name: Florida Recycling Solutions, LLC

6. EPA identification number: FLR 000 034 033

7. Facility location or street address: 3210 Whitten Rd., Lakeland, FL 33811

8. Facility mailing address: 3210 Whitten Rd. Lakeland, FL 33811
Street or P.O. Box _____ City _____ State _____ Zip Code _____

9. Contact person: W. D. Miller III Telephone: (863) 644-0665
Title: General Manager
Mailing Address: 3210 Whitten Rd. Lakeland, FL 33811
Street or P.O. Box _____ City _____ State _____ Zip Code _____

10. Operator's name: Florida Recycling Solutions, LLC Telephone: (863) 644-0665
Mailing Address: 3210 Whitten Rd. Lakeland, FL 33811
Street or P.O. Box _____ City _____ State _____ Zip Code _____

11. Facility owner's name: Aqua Clean Environmental Co., Inc. Telephone: (863) 644-0665
Mailing Address: 3210 Whitten Rd. Lakeland, FL 33811
Street or P.O. Box _____ City _____ State _____ Zip Code _____

12. Legal structure:
☒ corporation (indicate state of incorporation) Florida LLC
_____ 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: N/A

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 20 years
☐ presently leased; the expiration date of the lease is: _____

If leased, indicate:

Land owner's name: AQUA CLEAN ENVIRONMENTAL CO., INC.

Mailing Address: _____

3210 Whitten Road Lakeland FL 33811

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

- 14 Name of professional engineer W. D. Miller III Registration No. 29971

Mailing Address: _____

3210 Whitten Rd. Lakeland, FL 33811

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

Associated with: 3210 Whitten Rd. Lakeland, FL 33811

B. SITE INFORMATION

1. Facility location:

County: Polk

Nearest community: Lakeland

Latitude: 28.005389 Longitude: -82.042878

Section: 31 Township: 28 S

Range: 23 E

UTM # 17 N / 397464 / 3098238/

2. Facility size (area in acres): 5.86

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) N/A

2. List applicable EPA hazardous waste codes: N/A

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 I

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 II

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 III a

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 III a

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 III b

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 II a

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 IV

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 V

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 VI

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 VII

APPLICATION FORM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

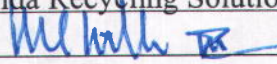
TO BE COMPLETED BY ALL APPLICANTS

Form 62-710.901(a). Operator Certification

Facility Name: Florida Recycling Solutions, LLC EPA ID# FLR 000 034 033

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*

Florida Recycling Solutions. LLC
by: 
W. D. Miller III General Manager
Name and Title (Please type or print)

Date: 5/18/09 Telephone: (863) 644-0665

* If authorized representative, attach letter of authorization.

Dept. of Environmental Protection
MAY 26 2009
Southwest District

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(b). Facility Owner Certification

Facility Name: Florida Recycling Solutions, LLC EPA ID# FLR 000 034 033

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.

Aqua Clean Environmental Co., Inc.
Signature of the Facility Owner or Authorized Representative*

by: W. D. Miller III

W. D. Miller III General Manager
Name and Title (Please type or print)

Date: 5/18/09 Telephone: (863) 644-0665

* If authorized representative, attach letter of authorization.

Dept. of Environmental Protection
MAY 26 2009
Southwest District

APPLICATION FROM FOR A USED OIL PROCESSING PERMIT

PART II - CERTIFICATION

Form 62-710.901(c) Land Owner Certification

Facility Name: Florida Recycling Solutions, LLC EPA ID# FLR 000 034 033

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.

Aqua Clean Environmental Co., Inc.

Signature of the Land Owner or Authorized Representative*

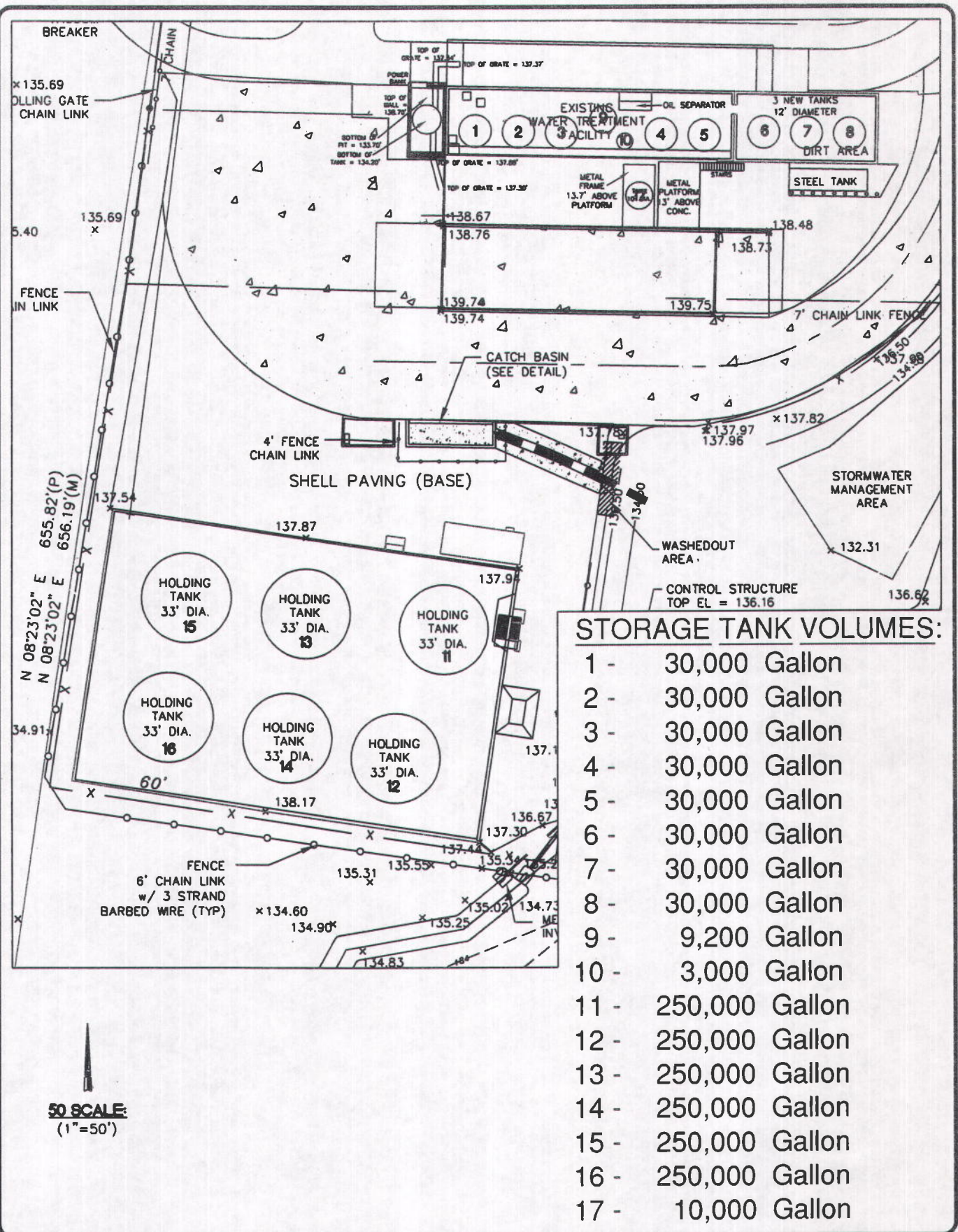
by: 

W. D. Miller III General Manager

Name and Title (Please type or print)

Date: 5/18/09 Telephone: (863) 644-0665

* If authorized representative, attach letter of authorization.



400 W. EMMETT STREET KISSIMMEE, FLORIDA 34741-5481
 PHONE: (407) 847-9433 FAX: (407) 847-2499
 ENG. CERT. OF AUTHOR. No. 3265/SUR. CERT. OF AUTHOR. No. 3270

ENGINEERING, SURVEYING AND PLANNING
 Hanson, Walter & Associates, Inc.

HWA

FLORIDA RECYCLING SOLUTION, LLC

TANK AREA CLOSE UP

DATE 01/13/09

SHEET 1 OF 1

NOD 3_31_09 GC 2

TANK LIST FOR AQUA CLEAN ENVIRONMENTAL CO., INC AND FLORIDA RECYCLING SOLUTIONS, LLC

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER	TOTAL CAPACITY GALLONS
6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000

FLORIDA RECYCLING SOLUTIONS, LLC

3210 Whitten Road
Lakeland, FL 33811
800-644-0665

October 28, 2009

Mr. Bheem Kothur, P.E. III
Hazardous Waste Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dept. Of Environmental Protection

RE: Florida Recycling Solutions
EPA I.D. No. FLR 000 034 033
Permit Number: 294693-HO-001
NOD meeting Tampa 10-06-09

OCT 29 2009

Southwest District

Dear Mr. Kothur,

Please find enclosed the answers and information you requested in our meeting in your Tampa Florida offices on October 6, 2009.

1-In Section I (operating information) page 2 FDEP requested the following sentence be added: "FRS will discharge separated water via a flexible hose to ACE.

This has been added.

2- In Appendix III(b) (Reporting and Tracking), FDEP requested that the following language be added regarding the type of screening which will be provided for incoming loads of used oil: "FRS will screen each incoming shipment of used oil for halogens." FDEP also requested the FRS describe with specificity the type of equipment (i.e., halogen screening kit or equipment) that will be utilized, and also requested a physical description of how the FRS employee or Aqua Clean personnel will perform the screening for halogens. In the addition, FDEP requested a statement that "For internal used oil transfers between Aqua Clean and FRS, all such internal transfers will be screened for halogens pursuant to the methods described above.

Revisions have been made.

3- FDEP requested that statements be included in the Application confirming that for all internal shipments or transfers of oil or other product between ACE and FRS, "each shipment or transfer have its own paperwork documenting internal transfers and materials delivered to FRS."

Revisions have been made.

4- In section II (Operating Information) page 2, (2) PCW: FDEP requested that three additional sentences be added describing in detail the operating protocols associated with these statements and ultimate discharge to the POTW.

Revisions have been made; reference to PCW was eliminated because FRS has nothing to do with PCW

5- On that same page (page 2) (3), Used Oil Processed by FRS, FDEP requested that the reference to tanks "8, 9 or 10" be replaced with "7, 8 or 9."

This has been done.

6- In Section III(a) 5.0 (Used Oil Filters), the Department has requested that this entire paragraph addressing used oil filters be removed from Section III and moved to the Operations provision of Section II.

This has been done.

7- In Section III, Appendix A (Handling Contaminated Materials and Residues), paragraph #3 Contaminated Media and Disposal Items should be deleted in its entirety.

This has been done.

8.-On the Generator Certification for the Material Data Certification Sheet, in the last paragraph we need to replace "Aqua Clean" with "FRS".

This has been done.

9- On page 2 of the diagrams, FDEP has requested that we make the permit verbiage and statements match the piping diagram. The following language was discussed: "No pipes will be used to transfer oil to FRS. All transfers will be performed and accomplished utilizing hoses and flexible tubing." "All internal transfers will be performed using flexible hoses. Screening for internal transfers will be performed pursuant to the incoming analysis plan set forth herein."

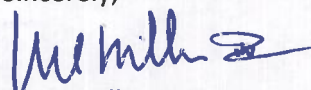
This has been done.

10-We agreed that FRS would change the piping diagram for Tank 9 so that it shows a termination point of connection point as opposed to running the entire length of the plant. It appears that similar modifications or changes to the piping diagram may be needed for the bottom pipes for Tanks 6, 7 and 8.

We have changed the piping diagrams.

We believe this has accomplished all the Department asked of us.

Sincerely,



W. D. Miller III, P.E.

Vice President and General Manager

Dept. Of Environmental Protection

OCT 29 2009

Southwest District



Florida Department of Environmental Protection

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

September 11, 2009

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

SENT VIA E-MAIL

deemiller@tampabay.rr.com

Mr. Dee Miller, General Manager
Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, Florida 33811

RE: Florida, Recycling Solutions, LLC
EPA ID No. FLR 000 034 033
Permit Number: 294693-HO-001
New Used Oil Processing Facility Permit Application
Comments to Second Notice of Deficiency Response (NOD-3)

Dear Mr. Miller:

The Florida Department of Environmental Protection (the Department) has received your responses to NOD-2 comments letter dated July 30, 2009 to the permit application dated February 23, 2009 to operate a Used Oil Processing facility at 3210 Whitten Road, Lakeland, Florida, 33811.


The review of the permit application 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 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.

In addition, the Department recommends that a meeting be scheduled at your facility to discuss the application before you submit your response.

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

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

Mr. Dee Miller, General Manager
September 11, 2009
Page Two

BK/

Enclosure: Attachment

cc: Jim Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Michael Stillinger, Imperial Testing Laboratories/Lakeland, mike@imperialtesting.com
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Augusta Posner, DEP/Tallahassee, augusta.posner@dep.state.fl.us
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Michael Redig, DEP/Tallahassee, mike.redig@dep.state.fl.us
Sherman Meredith, msherman@fowlerwhite.com
Beth Knauss, DEP/Southwest District, elizabeth.knause@dep.state.fl.us

ATTACHMENT

September 11, 2009

FLORIDA RECYCLING SOLUTIONS, LLC

Lakeland Florida

EPA I.D. Number: FLR 000 034 033

NOD-3

Comments on FRS's Response to the Second NOD dated July 30, 2009 and DEP received on August 3, 2009. Comments are identified in the same order of NOD-2 Items.

General Comment, Item 1:

The description of the transfer of recovered non aqueous phase liquid between Aqua Clean and FRS assumes that the material Aqua Clean recovers is "used oil." Unless the waste water processed by Aqua Clean was contaminated with used oil, the regulatory status of this material is a waste water treatment sludge that is being processed to be burned for energy recovery. See 40 CFR 260.10 and 261.2 and 279.10(f). Other recovered non aqueous phase liquids are not "used oil" as defined in Florida statutes and regulations. Recovered gasoline, diesel fuel and used oil are exempt from regulation when burned as fuel. However other recovered liquids are not exempt if they exhibit a characteristic of hazardous waste. The statement in this section "ACE will continue to accept...oily waste waters for the recovery of product through phase separation. Upon completion of the recovery, the product will be transferred to FRS for processing into marketable fuel" should be revised.

The statement "FRS will accept, after screening, phase separated oils from ACE" omits the nature and frequency of screening. In addition, the section does not describe whether this is a batch transfer or a continuous transfer. Does FRS intend to accept material from Aqua Clean with a "generator process knowledge" based on certification alone rather than an analysis?

Please review, revise and explain in detail as appropriate.

Specific Comment, Item 8:

In Secondary containment, the piping from the tank to the process heaters is not clearly identified. The location of this equipment, the used oil piping to and from the heat exchanger(s) and the piping supplying fuel to the heat exchanger(s) is not noted on the facility diagram. This information is needed to evaluate the adequacy of the secondary containment system. Diagram IIC has a label "Fully enclosed area" around the base of the Tank 17 that is not shown in facility photographs in 2007. Does it provide the Secondary containment for the piping from Tank 9 to the heaters?

Please clarify and revise as appropriate.

Attachment II, and Item 15:

The submitted drawings do not show the piping to and from the tank system to ensure it is within secondary containment. Please submit the updated drawing including pump P3 and its piping arrangements.

Attachment III, Material Data Certification Sheet Appendix B, and Item 26:

The revised sheet still includes the symbols for "less than" and "greater than" instead of "less than/greater than **or equal to**" with regard to flash point and pH. Please revise so that the form is in accordance with the regulatory limits. In addition, you should request that the generator specify the test method used for the flash point determination.

___ \leq 140 ___ between 140 and 200 ___ \geq 200 ___ Test method used.

___ \leq 2 ___ between 2 and 12.5 ___ \geq 12.5

The waste approval certification form's certification statement mentions Aqua Clean, not FRS. (pg 2) If FRS intends to accept material from ACE based upon "process knowledge" certificate, both parties must review and approve the profile information submitted. Please see the next comment below.

Attachment III, Material Data certification Sheet, Appendix B, and Items 28 and 29:

Please advice of the results of your review comments/ responses on NOD-2.

Section II – Operating information, Page 1 and 2:

This section still discusses ACE activities and process units that will not being operated by FRS. If the operations of the two companies cannot be separated in the application, the Department will not be able to draft a permit that covers only FRS activities and not ACE activities.

Please review the section and revise as appropriate.

Section III- Operating Information, Sub-Section 5.0, and Page 8:

The used oil filter processing activities described in this section require a separate registration as a used oil filter processor. The majority of this discussion should be moved out of the "waste analysis" section into the "operating information" or "Process Flow" section. The section in the waste analysis plan related to used oil filters should be limited to the physical examination of the filters, and rejection criteria for filter drums found to contain other materials. FRS's permit application does not include activities related to solids processing, and references to oily solids should be removed in accordance with your response #13 dated July 30, 2009 and DEP received on August 3, 2009.

Please review and revise as appropriate.



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

May 12, 2010

SENT VIA E-MAIL
deemiller@tampabay.rr.com

Mr. W.D. Miller, III, P.E.
Vice President and General Manager
3210 Whitten Road
Lakeland, Florida 33813

SUBJECT: Florida Recycling Solutions, LLC
Intent to Issue New Used Oil and Material Processing Permit
EPA I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Polk County

Dear Mr. Miller:

Enclosed are Permit Numbers 294693-HO-001 and 294693-SO-002 issued to Florida Recycling Solutions, LLC pursuant to Section 403.815, Florida Statutes (F.S.), and Chapters 62-4, 62-701, and 62-710, Florida Administrative Code (F.A.C.).

This permit is final and effective on the date filed with the Clerk of the Department. When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by 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,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

Mr. Dee Miller, Vice President and General Manager
May 12, 2010
Page Two

TJB/bk
Enclosure

cc: J James Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Heath Rauschenberger, U. S. Fish and Wildlife Services, heath_rauschenberger@fws.gov
Mary Ann Poole, Florida Fish and Wildlife Conservation Commission,
maryann.poole@myfwc.com
Frank Hornbrook, DEP/Tallahassee, frank.hornbrook@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Agusta Posner, OGC/Tallahassee, augusta.posner@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Mike Stillinger, mike@imperialtesting.com
Gow Fields, Mayor, City of Lakeland, gow.fields@lakelandgov.net
Bob English, Chairman, Polk County Commission, bobenglish@polk-county.net
Ron H. Noble, Fowler White Boggs/Tampa, rnoble@fowlerwhite.com



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

PERMITTEE:

Florida Recycling Solutions, LLC
3210 Whitten Road
Lakeland, FL 33811

Attention:
Mr. W. D. Miller III, P.E.
Vice President and General Manager

I.D. Number: FLR 000 034 033
Permit Number: 294693-HO-001; 294693-SO-002
Date of Issue: May 12, 2010
Expiration Date: May 12, 2015
County: Polk
Lat/Long: 28.005389 N / 82.042878 W

Project: Used Oil and Material Processing Facility

This permit is issued under the provisions of Section 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 (C.F.R.) 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 and Material Processing Facility hereinafter referred to as the "Facility". The Used Oil and Material Processing Facility is located on an approximately 5.86-acre parcel of land to be leased by Florida Recycling Solutions, LLC in Polk County at 3210 Whitten Road, Lakeland, FL, 33811. Diagrams of the site layout and tank storage area are included as Attachments (Attachment - A and B, respectively), Tank capacities and tank numbers are shown in the Tank Table (Attachment - B) of this permit.

The facility is authorized to process used oil, accepts only non-hazardous, non-biological industrial wastewater, primarily from the following: petroleum contact water (PCW) consisting almost entirely of gasoline/diesel/water mixtures from petroleum storage facilities; industrial process wastewater; landfill leachate; wastewater from tank cleaning, transportation and environmental remediation sources.

The Facility consists of a total of three tanks (6, 7, and 8) with a total capacity of 90,000 gallons and one 9,200 gallon capacity tank (9) of used oil. These tanks are located in a concrete secondary containment structure that is sealed and impervious to petroleum products and all are shown on the drawing in Attachment A of this permit.

Used oil filters are also received in 55-gallons drums and other Department of Transportation containers. The drummed oil filters are stored on the pad under tank 17. The storage containers are stored on an oil impermeable surface, or reinforced concrete surface in the covered area beneath tank 17 coated with Carboline #890 Epoxy Seal or equivalent (15 mil dry film thickness). The permitted Used Oil facility is constructed over a 60 mil. thick HDPE liner.

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The following documents were used in preparation of this permit:

1. Used Oil Processing Facility Permit Application Dated February 23, 2009 and FDEP received on February 24, 2009.
2. Revised Used Oil Processing Facility Application Dated May 21, 2009 and FDEP received on May 26, 2009.
3. Revised Used Oil Processing Facility Permit Application, NOD Letter Dated March 31, 2009 and the Facility Responses Dated May 20, 2009 and received on May 26, 2009.
4. Revised Used Oil Processing Facility NOD Letter Dated September 11, 2009 and the Facility Responses Dated October 28, 2009 and received on October 29, 2009.
5. Solid Waste Permit Application, DEP Form 62-701.900(4), F.A.C., and Part –IV Draft Permit Conditions, dated March 10, 2010 and DEP revised draft permit condition dated March 30, 2010.

All of these documents numbered 1 through 5 are hereinafter collectively referred to as the Permit Application.

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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

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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, Public Law 92-500); and
 - d. Compliance with New Source Performance Standards.
 14. The Permittee shall comply with the following monitoring and record keeping requirements:

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- 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 C.F.R. 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 understands 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:

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

Environmental Administrator
Hazardous Waste Regulation Section
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 Administrator
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:

Environmental Administrator
Hazardous Waste Regulation Section
Department of Environmental Protection
2600 Blair Stone Road, M.S. 4560
Tallahassee, Florida 32399-2400

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

- d. Financial Assurance Mechanism:

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

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

- e. Annual Closing Cost Estimate Adjustment:

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

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18. The Permittee shall annually register their used oil handling activities with the Department on DEP Form 62-710.901(1) 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 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 C.F.R. 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.
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 C.F.R. 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 aboveground tanks within secondary containment, and/or in double-walled tanks as shown in Attachment - A of the permit. The permitted units are Tanks 6 through 9.
28. The Permittee shall not exceed the maximum storage capacities of the permitted tanks as specified in facility operations of Attachment II of the Permit Application and Attachment B of the permit

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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.].
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's 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 systems shall be maintained in accordance with Attachment Nos. IV and V of the Permit Application and shall comply with the requirements of 40 C.F.R. 279.54, including the requirements set forth below:
 - a. All new tank systems shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service;
 - b. Pursuant to 40 C.F.R. 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 detecting and collecting releases and run-on until the collected material is removed;
 - (3). Constructed of, or lined with, materials compatible with the waste to be stored and have sufficient 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours;
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation; and
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. All tank systems shall be provided with secondary containment.
33. Prior to beginning operation, the Permittee shall inspect the secondary containment system floor and perimeter walls for any cracks or gaps. If any cracks or gaps are found, the Permittee shall repair the

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cracks and gaps prior to beginning operation of the used oil processing facility [40 C.F.R. 279.54(d)(2) and 40 C.F.R. 279.54(e)(2)].

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 C.F.R. 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 62-740.100, 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 C.F.R. 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 I and II of the Permit Application; and
 - d. Comply with the requirements of 40 C.F.R. 279.54(g) if a leak or spill occurs.
39. The Permittee shall inspect the tank system in accordance with Attachments V of the Permit Application. These requirements include:
 - 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
 - c. The results of the inspections in (a) and (b) of this condition shall be maintained in the operating record of the facility.
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.
41. Pursuant to the requirements of 40 C.F.R. 279.52(a), concerning preparedness and prevention, the Permittee shall:

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- 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 C.F.R. 279.52(a)(2)];
 - c. Test and maintain the required emergency equipment in accordance with the requirements of 40 C.F.R. 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 C.F.R. 279.52(a)(4)]; and
 - e. Make arrangements with the local authorities as described in SPCC Plan of the Permit Application [40 C.F.R. 279.52(a)(6)].
42. Pursuant to the requirements of 40 C.F.R. 279.52(b), concerning the contingency plan, the Permittee shall:
- a. Immediately carry out the provisions of the SPCC Plan and Contingency Plan, Attachments II and IV, respectively, of the Permit Application, and follow the emergency procedures described by 40 C.F.R. 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 C.F.R. 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 C.F.R. 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 C.F.R. 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 C.F.R. 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 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.

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44. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedules approved in Attachment IV of the Permit Application. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, in accordance with 40 C.F.R. 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 C.F.R. 279.54].
45. Pursuant to 40 C.F.R. 279.55, concerning the written analysis plan, 40 C.F.R. 279.56, concerning Tracking, the Permittee shall:
 - a. Sample and analyze each incoming shipment by EPA Method 9077 or a Tek Mate Sniffer as set forth in the Permit Application, prior to accepting used oil from off-site facilities. The sampling frequency shall be in accordance with the Permit Application;
 - b. Test all containers of the same waste stream for the parameters listed in Attachment III 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 C 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. All sampling and analysis activities shall be conducted in accordance with Chapter 62-160, F.A.C.
 - f. The Permittee must keep a copy of the written analysis plan at the facility.

PART II – USED OIL PROCESSING CONDITIONS

1. Pursuant to 40 C.F.R. 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;

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- (2). The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
 - (3). The quantities of each type of used oil accepted and date of acceptance; and
 - (4). Waste stream approval number and the off load tank number.
 - b. DELIVERY: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
 - (1). The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
 - (2). The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refiner 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.
2. Pursuant to 40 C.F.R. 279.57, the Permittee must keep and maintain a written operating record at the Facility 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 C.F.R. 279.55; and described in Attachment III (a) and III (b) of the Permit Application.
 - b. Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 C.F.R. 279.52(b).
 3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-762.601, 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 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 C.F.R. 279.52(1).

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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 C.F.R. 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 C.F.R. 279.54 and shall be:
 - (1). Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
 - (2). Capable of detecting and collecting releases and run-on until the collected material is removed.
 - (3). Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
 - (4). Placed on a foundation or base capable of providing support to the secondary containment system.
 - (5). Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. Ancillary equipment shall be provided with secondary containment.
7. Permittee shall submit as built drawings for any changes to tanks during the Permit Application review period or the permit Intent to Issue process period for the proposed and constructed tanks within thirty (30) days of issuing this permit. Each drawing shall be signed and sealed and certified by a Professional Engineer registered in the State of Florida.
8. The Permittee shall not use, operate, or otherwise conduct any activities with the proposed new tanks until the Final Permit is Issued and the as built drawings for any changes to any tank have been

approved by the Department. Then the Permittee may start using those tanks to store the used oil and processing it.

PART III – TANK AND CONTAINER CONDITIONS

“Storage Tank System”, as defined in 62-762.201(77), F.A.C., for the purpose of Part III of this permit, refers to storage tank(s) 6 through 9, appurtenant equipment and secondary containment structures comprising the Permittee’s 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 C.F.R. 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 C.F.R.279.54 and 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 leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
 - (6). Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
 - (7). Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
 - c. Ancillary equipment shall be provided with secondary containment.
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.
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 II of the Permit Application; and
 - d. Comply with the requirements of 40 C.F.R. 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 C.F.R. 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 C.F.R. 279.22]
7. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in Attachment IV of the Permit Application.
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 [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. The above materials shall be managed in accordance with Attachment IV of the permit application dated February 23, 2009 and received February 24, 2009.
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 stored in any of the permitted tanks exceeds 95% of the maximum storage capacity of the tank.

PART IV – NON-HAZARDOUS, NON-USED OIL WASTE CONDITIONS

1. The facility may only accept non-hazardous, oil contaminated solid wastes that do not qualify as used oil, such as petroleum contaminated debris and soil, used oil filters, rags, absorbent pads, boom,

filters, and kitty litter. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal facilities.

- a. All non-hazardous oil contaminated solid waste received at the site for solidification will be received either in drums or containers in the drum storage area or in bulk via vacuum truck into the existing on-site mixing pad. The mixing pad will be used for the blending and solidifying of the oil contaminated solid waste. Once the oil contaminated solid waste has been stabilized to meet disposal profiles, the material will be transferred to a sealed dump truck or trailer for transportation to a solid waste disposal facility.
- b. Prior to acceptance of oil contaminated solid waste at the facility, the Permittee shall obtain from the generator a signed Profile Document which demonstrates that the waste is non-hazardous. The profile must be supported by laboratory analytical results (MSDS sheets may be accepted for virgin, unused materials). The Permittee shall perform, or shall require the generator to perform, the sampling and analysis. The minimum required analysis shall include TCLP Metals (As, Cd, Cr, Pb) and TCLP Volatile Organics. For small volumes of waste, generator's knowledge may be applied on a case by case basis to support a claim that an oil contaminated solid waste is non-hazardous.
- c. Sealed dump trucks or trailers will be used to transport the processed waste to a permitted solid waste disposal facility. The amount of solid waste accumulated at the permitted facility at any given time shall not exceed fifty 55-gallon drums (or their equivalent volume) and three 35 cubic yard containers or trailers.
- d. The maximum amount of solid waste to be brought into and processed at the permitted facility shall not exceed 720 cubic yards per year.
- e. The permitted facility shall maintain records of total amount of oil contaminated solid waste delivered, processed and disposed of annually. The records shall be maintained a minimum of three (3) years.

PART V – CLOSURE CONDITIONS

1. The Permittee shall close the facility in compliance with 40 C.F.R. 279.54(h), 62-710.800(5), F.A.C., and Attachment VI (closure plan) of the permit application dated May 20, 2009. The closure plan requires at a minimum the following:
 - a. Testing of residue in the tanks. If the residue is hazardous, follow the closure plan in Attachment VI of the permit application dated May 20, 2009.
 - b. Remove and properly dispose of any non-hazardous residue.
 - c. Triple rinse the tanks, piping and ancillary equipment and properly dispose of the rinsate.
 - d. Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

- 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 VI of the permit application dated May 20, 2009 and subsequent revisions in order to meet the following requirements that:
 - a. There will be no need for further Facility maintenance;
 - b. Used oil will not, and does 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. Permittees who store or process used oil in above ground tanks must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11;
 - f. The closure plan, as described in Attachment VI of the permit application dated May 20, 2009 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 (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

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in accordance with the closure and post-closure requirements of 40 C.F.R. 264.310 that apply to hazardous waste landfills.

4. Containers: Permittee who store used oil in containers must, pursuant to closure requirements of 40 C.F.R. 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 C.F.R. 261 or determined, pursuant to 40 C.F.R. 262.11.

Issued May 12, 2010

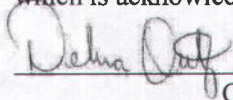
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

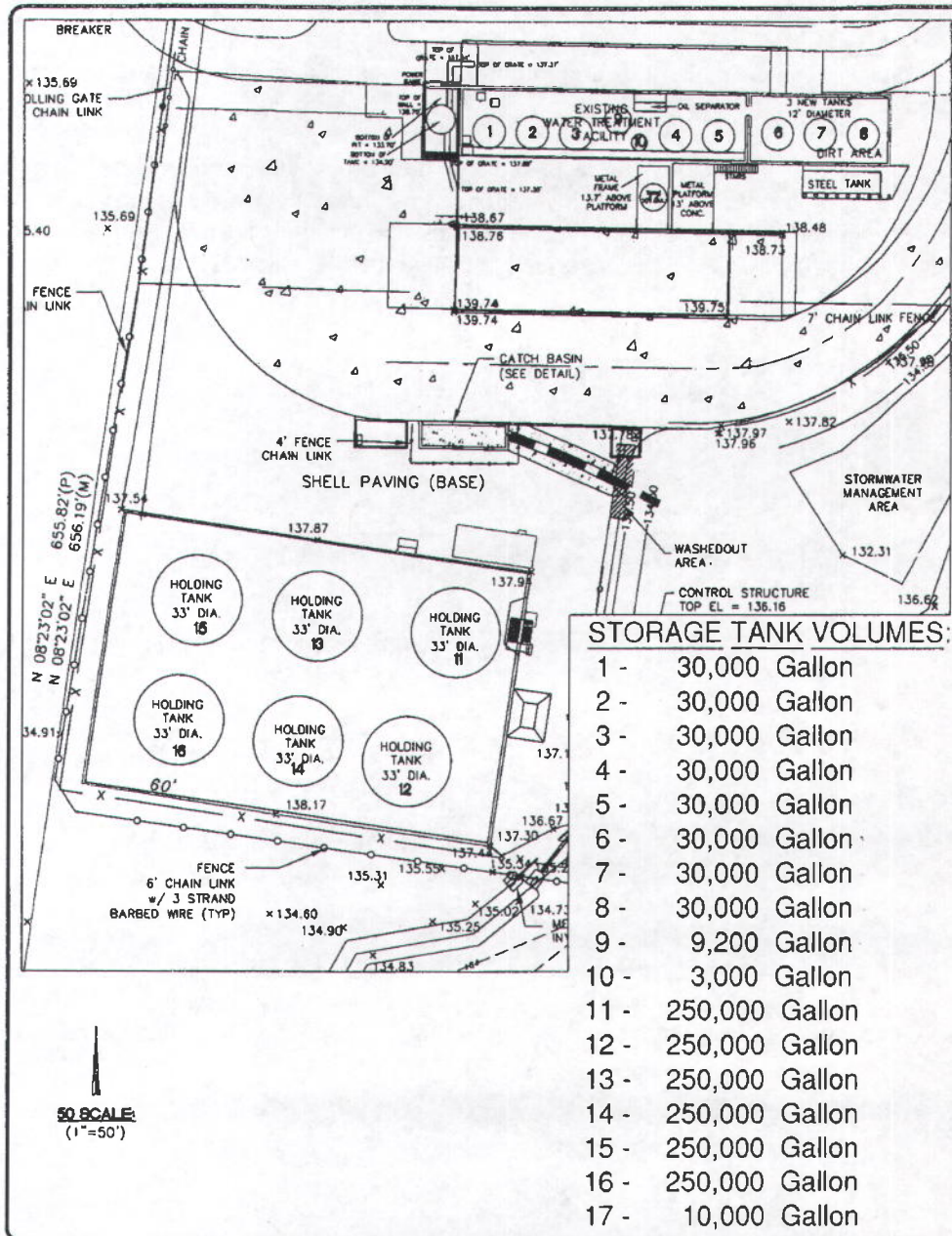
May 12, 2010

DATE

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ATTACHMENT- A SITE MAP



 <p>400 W. EMMETT STREET KISSIMMEE, FLORIDA 34741-5481 PHONE: (407) 847-9433 FAX: (407) 847-2499 ENG. CERT. OF AUTHOR. No. 3283/SUR. CERT. OF AUTHOR. No. 3370 ENGINEERING, SURVEYING AND PLANNING Hanson, Walter & Associates, Inc.</p>	<p>FLORIDA RECYCLING SOLUTION, LLC</p>	
	<p>TANK AREA CLOSE UP</p>	
<p>DATE 01/13/09</p>		<p>SHEET 1 OF 1</p>

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ATTACHMENT B

TANK TABLE

TANK LIST for FLORIDA RECYCLING SOLUTIONS, LLC and AQUA CLEAN ENVIRONMENTAL COMPANY, INC.

FLORIDA RECYCLING SOLUTIONS, LLC

TANK NUMBER	TOTAL CAPACITY GALLONS
6	30000
7	30000
8	30000
9	9200

AQUA CLEAN ENVIRONMENTAL CO., INC.

TANK NUMBER	TOTAL CAPACITY GALLONS
1	26000
2	26000
3	26000
4	26000
5	26000
10	3000
11	250000
12	250000
13	250000
14	250000
15	250000
16	250000
17	10000