



February 21, 2018

Mr. Daniel G. Lopez  
Environmental Specialist I  
Hazardous Waste Program  
Florida Department of Environmental Protection—Southeast District

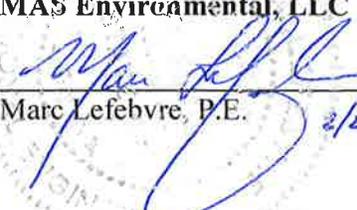
**RE: Response to Comments  
Ricky's Oil & Environmental Services, LLC  
7209 NW 66<sup>th</sup> Street  
Miami, Miami-Dade County, FL 33166  
EPA ID# FLD981019755  
Permit Number 61835-002  
61835-003-SO**

Dear Mr. Lopez:

MAS Environmental LLC (MAS) received the review letter regarding the Five Year Permit Renewal Application dated November 17, 2017. MAS is pleased to provide you with the following responses to the comments contained in your review letter. For ease of review our responses are provided under each comment listed below.

If you have any further questions feel free to contact Marc Lefebvre at [mlefebvre@mas-env.com](mailto:mlefebvre@mas-env.com)

Sincerely,  
MAS Environmental, LLC

  
\_\_\_\_\_  
Marc Lefebvre, P.E. 2/21/18

## SED Hazardous Waste Program Comments

### ***Comment 1 – Five Year Permit Renewal Cover Page***

- On the 2017 Five Year Permit Renewal Application form, the facility provides its EPAID number as “**FAC** ID # FLD981019755”
  - Please correct the bolded portion above from “FAC” to “EPA”
    - The number listed above is the facility’s EPA ID number, so a change to the cover page is necessary
- **Response: Addressed in application in referenced section.**

### ***Comment 2 – Used Oil Processing Facility Permit Application Part I, Section A, Number 3***

- On the 2017 Five Year Permit Renewal Application form, the facility classifies itself as a Used Oil Transporter and a facility “disposing of used oil”
- However, on the 2012 Five Year Permit Renewal Application form, the facility classified itself as both a Used Oil Transporter and a Used Oil Marketer, and not as a facility “disposing of used oil”
  - **Does the facility no longer plan to operate as a Used Oil Marketer?**
  - **Does the facility plan to begin operating as a Used Oil Disposal facility?**
    - If so, a change in the facility’s handler activity registration with the FDEP may be warranted
- **Response: The facility plans to continue operating as a used oil marketer, this has been addressed in the referenced section.**

### ***Comment 3 – Used Oil Processing Facility Permit Application Part I, Section A, Number 5***

- On the 2017 Five Year Permit Renewal Application form, the facility does not provide its street address
- However, on the 2012 Five Year Permit Renewal Application form, the facility does provide its street address
  - Please provide the facility’ street address to the form as Number 6, and edit the rest of the numbering on this section of the form accordingly
- **Response: Addressed in application in referenced section.**

### ***Comment 4 – Used Oil Processing Facility Permit Application Part I, Section A, Number 10***

- On the 2017 Five Year Permit Renewal Application form, the facility does not provide the mailing address and telephone number of the facility’s current Operator
- However, on the 2012 Five Year Permit Renewal Application form, the facility does provide the mailing address and telephone number of the facility’s current Operator
  - Listed as Elliot Paul
    - Telephone Number – (305) 822-2253
    - Mailing Address – P.O. Box 669295, Miami, FL 33166
  - If Elliot Paul is still the facility’s Operator, please include his telephone number and mailing address on the form
  - If the facility has a new Operator, please include the telephone number and mailing address of this new Operator on the form
- **Response: Addressed in application in referenced section.**

***Comment 5 – Used Oil Processing Facility Permit Application Part I, Section A, Number 10***

- On the 2017 Five Year Permit Renewal Application form, the facility lists the Contact Person, Operator, and Facility Owner as all having the same phone number
  - (866) 492-6789
- The 2012 Five Year Permit Renewal Application form does the same, but lists a different phone number for these three individuals
  - (305) 822-2253
- **Why do all three of these individuals have the same phone number listed on both the 2017 and the 2012 form?**
  - **Can all three people be consistently reached on this phone number?**
    - If not, please provide three different phone numbers (ideally ones at which the Contact Person, Operator, and Facility Owner can be consistently reached)
    - If so, listing one phone number for all three individuals is fine
      - However, in this case, the Department would also like a clarification for this choice to only list one phone number
- **Response: The form has been updated providing phone numbers for the contact person, operator and owner respectively.**

***Comment 6 – Used Oil Processing Facility Permit Application Part I, Section A, Number 11***

- On the 2017 Five Year Permit Renewal Application form, the facility does not provide the mailing address of the facility's current Owner
- However, on the 2012 Five Year Permit Renewal Application form, the facility does provide the mailing address of the facility's current Owner
  - Listed as Elliot Paul
    - Mailing Address – P.O. Box 669295, Miami, FL 33166
  - Please list the mailing address of the facility's current Owner on the form
- **Response: Addressed in application in referenced section.**

***Comment 7 – Used Oil Processing Facility Permit Application Part I, Section A, Number 13***

- On the 2017 Five Year Permit Renewal Application form, the facility lists the current owner of the leased land upon which the facility operates as “Chris Ricci”
  - Mailing Address – 1408 NE 26<sup>th</sup> Ave, Ft. Lauderdale FL 33166
- However, on the 2012 Five Year Permit Renewal Application form, the facility lists the current owner of the leased land upon which the facility operates as “Ricky's Oil and Environmental Services, LLC”
  - Mailing Address – P.O. Box 669295, Miami, FL 33166
- **Has there been a change in ownership of the land upon which the facility operates?**
  - **Does Ricky's Oil and Environmental Services, LLC – the company as a whole – own the leased land?**
  - **Or does Chris Ricci – the president of Ricky's Oil Service, Inc. – own the leased land?**
  - In either case, please make sure that the facility's business information is up to date on Sunbiz
    - Link to the facility's Sunbiz information: [Ricky's Oil and Environmental Services, LLC](#)

- **Response: Ricky’s Oil Service owns the property and is owned by Chris Ricci. Ricky’s Oil and Environmental Services, LLC is the entity applying for the permit and is leasing the property from Ricky’s Oil Service.**

***Comment 8 – Used Oil Processing Facility Permit Application Part I, Section B, Number 1***

- On the 2017 Five Year Permit Renewal Application form, the facility lists the “Township” and “Range” of the facility as follows:
  - “Township: 53 south”
  - “Range: 40 East”
- However, on the 2012 Five Year Permit Renewal Application form the facility lists the “Township” and “Range” of the facility as follows:
  - “Township: 536 South”
  - “Range: 40 Easting”
- **Which entry contains the correct information of the facility’s “Township” and “Range”?**
  - If the 2012 Five Year Permit Renewal Application form is correct, please correct the 2017 form to match the 2012 form
- **Response: Addressed in application in referenced section.**

***Comment 9 – Used Oil Processing Facility Permit Application Part I, Section C, Number 3 - Attachment A: “Description of the Facility Operation”***

- In Attachment A of the 2017 Five Year Permit Renewal Application, the facility describes its operation as a “**waste oil** collection, transportation, processing and recycling business ...”
  - Please correct “waste oil” to “used oil”
    - These terms are NOT interchangeable – “waste oil” is a term usually associated with used oil mixed with hazardous waste
    - Unless the facility is now accepting/handling used oil contaminated with hazardous waste (a service which the 2012 Five Year Permit Renewal Application form said the facility was not performing), the use of “waste oil” here is incorrect.
- **Response: Addressed in application in referenced section and corrected throughout the document.**

***Comment 10 – Used Oil Processing Facility Permit Application Part I, Section C, Number 3 - Attachment A: “Description of the Facility Operation”***

- In Attachment A of the 2017 Five Year Permit Renewal Application, the facility states that its operation “serves ... businesses throughout **Miami-Dade, Broward and Palm Beach counties**”
  - Please correct “counties” to “Counties”
- However, in the 2012 Five Year Permit Renewal Application, the facility stated that its operation “serves ... business throughout **central and South Florida**”
  - **Has the facility’s clientele changed in the past five years?**
    - **More specifically, does the facility no longer transport/process the used oil from facilities in Central Florida?**
  - If the facility does still accept used oil from facilities in Central Florida, please indicate it on the 2017 form

- Response: Addressed in application in referenced section.

***Comment 11 – Used Oil Processing Facility Permit Application Part I, Section C, Number 3  
- Attachment A: “Description of the Facility Operation”***

- In Attachment A of the 2017 Five Year Permit Renewal Application, the facility states that:
  - “In addition to **automotive and industrial waste oil**, other types of products are also collected including: **Automotive and industrial waste oils ...**”
    - Once again, please correct “waste oil” to “used oil”
- Response: Addressed in application in referenced section.

***Comment 12 – Used Oil Processing Facility Permit Application Part I, Section C, Number 3  
- Attachment A: “Description of the Facility Operation”***

- In Attachment A of the 2017 Five Year Permit Renewal Application, the facility states that:
  - “This facility does not collect **“hazardous” products** (as defined by **40 CFR 261.**”
    - Please correct “40 CFR 261” to read as “40 CFR Part 261.3(a)(2)(v)”
      - This is the proper way to reference this specific regulation citation
- Also, why is the 2017 form identifying hazardous wastes as **“hazardous products”**?
  - Department regulations state that hazardous wastes cannot be labeled as “products”
- Does the 2017 form list hazardous wastes as **“products”** because of its reprocessing of used oil into marketable on-spec used oil?
  - The facility refines used oil into a marketable product, so using the phrase “hazardous products” as parallel language may be justified
    - Whatever the case may be, please provide an explanation to the Department concerning the facility’s decision to use the phrase “hazardous products” in the 2017 form
- Response: The term **“hazardous products”** was used incorrectly. It has been replaced with the term **“hazardous wastes”** throughout the application.

***Comment 13 – Used Oil Processing Facility Permit Application Part I, Section C, Number 3  
- Attachment A: “Description of the Facility Operation”***

- In Attachment A of the 2017 Five Year Permit Renewal Application, the facility states that:
  - “This facility does not collect **“hazardous” products** (as defined by **40 CFR 261.**”
    - In addition to correcting “40 CFR 261” to read as “40 CFR Part 261.3(a)(2)(v),” please add the following sentence immediately afterwards: “**However, the facility has the potential to generate CESQG quantities of hazardous waste in the future.**”
      - The facility identifies itself as a CESQG of hazardous waste in the 2017 form (see Part I, Section C, Number 1)
      - Therefore, including the above bolded sentence provides an explanation for why the facility has chosen to maintain its CESQG notification status
- Response: Addressed in application in referenced section.

***Comment 14 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4  
- Attachment B: “Process Flow Description”***

- The cover page and title of Attachment B of the 2017 Five Year Permit Renewal

Application read **“Process Flow Description”**

- Please correct the cover page and attachment title to **“Process Description”**
  - This is the language in the instructions in Section C, Number 4, so a change is necessary so that the wording remains consistent
- **Response: Addressed in application in referenced section.**

***Comment 15 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states that the facility “maintains ... one flatbed truck and one box truck **both with a lift gates for collecting used oil filters ...**”
  - **Do both the flatbed truck and the box truck have a lift gate?**
  - If so, please change the sentence to read: **“one flatbed truck and one box truck (both of which have lift gates for collecting used oil filters)...”**
    - Fixes spelling of **“flatbed”**
    - This new grammatical structure helps the sentence read more clearly
- **Response: Both trucks have a lift gate, comment has been addressed in the referenced section.**

***Comment 16 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “Only non- hazardous products shall be collected by the fleet vehicle operators.”
  - **Once again, why does the 2017 form use the phrase **“hazardous products”****
    - Please provide an explanation of this choice to the Department
- **Response: The term **“hazardous products”** was used incorrectly. It has been replaced with the term **“hazardous wastes”** throughout the application.**

***Comment 17 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states that “this device [i.e. the Tek Mate Leak Detector] ... will give off a beeping noise if **the halogen content is >800 ppm.**”
- However, Attachment B of the 2012 Five Year Permit Renewal Application states that “this device [i.e. the Tek Mate Leak Detector] ... will give off a beeping noise if **the halogen content is >1,000 ppm.**”
  - **Why has the facility lowered its acceptable halogen content threshold?**
    - 40 CFR Part 261 states that used oil is considered hazardous waste if its halogen content exceeds 1,000 ppm, NOT 800 ppm
  - **Has the facility adopted a more stringent halogen content limit for used oil shipments arriving at the facility?**
  - **Or is the facility now using Tek Mate Leak Detectors that beep in response to halogen content levels of more than 800 ppm (instead of in response to levels of more than 1,000 ppm)?**
    - Either of these options are fine (i.e. they comply with federal hazardous waste and used oil regulations), but the Department would like to know the reasoning behind this change in company policy
- **Response: The facility is using >1000ppm as the threshold. This has been replaced**

throughout the application.

***Comment 18 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “The product may be subsequently collected if laboratory analysis indicates that the product is non-hazardous per 40 CFR 261.”
- However, Attachment B of the 2012 Five Year Permit Renewal Application states: “The product may be subsequently collected if laboratory analysis indicates that the product is non-hazardous per **40 CFR 261 or the generator is found to be CESQG.**”
  - Please edit “40 CFR 261” to “40 CFR Part 261.3(a)(2)(v)”
  - **Why was this CESQG clause removed from the 2017 form?**
    - 40 CFR Part 261 requires CESQGs to make hazardous waste determinations for all of their waste streams that may be hazardous in nature
  - Please provide an explanation for the omission of this CESQG clause in the 2017 form
- **Response: The 40 CFR 261 edit has been made in the referenced section. The CESQG clause was removed in error and has been re-inserted.**

***Comment 19 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “Liquid products (**waste oils**, off-specification diesel fuel, antifreeze, and oily wastewater) ...”
  - Once again, please change the phrase “waste oils” to “used oils”
    - Unless the facility is now accepting used oil shipments mixed with hazardous waste, “used oils” is the proper term
- **Response: Addressed in application as “used oils” in referenced section(s)**

***Comment 20 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4 - Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “Under no circumstances will incompatible liquids be mixed (e.g., off-specification gasoline with waste oil) in order to prevent potential “flashpoint” concerns.”
  - Once again, please change the phrase “waste oils” to “used oils”
    - Unless the facility is now accepting used oil shipments mixed with hazardous waste, “used oils” is the proper term
  - Also change the syntax of the sentence
    - Edit the sentence to read: **“In order to prevent potential “flashpoint” concerns, under no circumstances will incompatible liquids be mixed (e.g., off-specification gasoline with waste oil).”**
- However, Attachment B of the 2012 Five Year Permit Renewal Application does not have this sentence as a part of the “Process Flow Description”
  - **Was this clause added to demonstrate that the facility does not generate additional hazardous waste by mixing together different waste streams?**
- **Response: Addressed in application as “used oils” in referenced section(s). Yes the clauses were added to demonstrate the facility does not generate additional hazardous waste by mixing together different waste streams.**

***Comment 21 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4  
- Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “the volume of liquid and the capacity of the AST will be determined by the **fleet vehicle operator** prior to ...”
- However, Attachment B of the 2012 Five Year Permit Renewal Application states: “the volume of liquid and the capacity of the AST will be determined by the **plant operator** prior to ...”
  - **Why is the fleet vehicle operator now responsible for this activity?**
    - **Has the facility decided to delegate this responsibility to the fleet vehicle operator instead of the plant operator?**
  - Please provide an explanation of this change to the Department
    - If the sentence in the 2017 form currently does not correctly identify who is responsible for checking the ASTs, please edit it accordingly
- **Response: The plant operator is responsible for this activity. This has been addressed in the referenced section.**

***Comment 22 – Used Oil Processing Facility Permit Application Part I, Section C, Number 4  
- Attachment B: “Process Flow Description”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “the volume of liquid and the capacity of the AST will be determined by the fleet vehicle operator prior to transferring additional liquid to the AST.”
  - **How does the fleet vehicle operator determine how much additional used oil can be added to any given AST?**
    - **Are the ASTs equipped with overfill alarms?**
      - If so, please ensure that these overfill alarms are compliant with Department SPCC regulations
  - Whatever the case may be, please clarify to the Department how the fleet vehicle operator measures the available volume of an AST
- **Response: The plant operator will determine how much additional used oil can be added using a stick measurement. The ASTs are not equipped with overfill alarms.**

***Comment 23 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection A  
- Attachment C: “Analysis Plan”***

- The title page and header of Attachment C of the 2017 Five Year Permit Renewal Application reads: “**Analysis Plan**”
  - Please edit the title page and header of Attachment C to read: “**Waste Analysis Plan**”
    - The Department describes this section of a permit renewal application as the facility’s Waste Analysis Plan
- **Response: Addressed in application in referenced section.**

***Comment 24 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection A  
- Attachment C: “Analysis Plan”***

- Attachment C of the 2017 Five Year Permit Renewal Application states that “this device [i.e. the Tek Mate Leak Detector], which will give off a beeping noise if **the halogen content is >800 ppm.**”
- However, Attachment C of the 2012 Five Year Permit Renewal Application states that “this device [i.e. the Tek Mate Leak Detector], which will give off a beeping noise if **the halogen content is >1,000 ppm.**”
  - **Once again, why has the facility lowered its acceptable halogen content threshold?**
    - 40 CFR Part 261.3(a)(2)(v) states that used oil is considered hazardous waste if its halogen content exceeds 1,000 ppm, NOT 800 ppm
  - **Has the facility adopted a more stringent halogen content limit for used oil shipments arriving at the facility?**
  - **Or is the facility now using Tek Mate Leak Detectors that beep in response to halogen content levels of more than 800 ppm (instead of in response to levels of more than 1,000 ppm)?**
    - Either of these options are fine (i.e. they comply with federal hazardous waste and used oil regulations), but the Department would like to know the reasoning for this change in company policy
- **Response: The facility is using >1000ppm as the threshold. This has been replaced throughout the application.**

***Comment 25 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection A***  
***- Attachment C: “Analysis Plan”***

- Attachment B of the 2017 Five Year Permit Renewal Application states: “The product may be subsequently collected if laboratory analysis indicates that the product is non-hazardous per 40 CFR 261.”
- However, Attachment B of the 2012 Five Year Permit Renewal Application states: “The product may be subsequently collected if laboratory analysis indicates that the product is non-hazardous per 40 CFR 261 **or the generator is found to be CESQG.**”
  - Please edit “40 CFR 261” to “40 CFR Part 261.3(a)(2)(v)”
  - **Why was this CESQG clause removed from the 2017 form?**
    - 40 CFR Part 261 requires CESQGs to make hazardous waste determinations for all of their waste streams that may be hazardous in nature
  - Please provide an explanation for the omission of this CESQG clause
    - **Is the facility now willing to accept CESQG quantities of used oil mixed with hazardous waste from its used oil generating clients?**
- **Response: The CESQG clause was removed in error and has been re-inserted.**

***Comment 26 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection A***  
***- Attachment C: “Analysis Plan”***

- Attachment C of the 2017 Five Year Permit Renewal Application states: “Material is transferred to the Synergy Refinery in **Kingsland Georgia** for further testing and analysis.”
  - Please edit “**Kingsland Georgia**” to read as “**Kingsland, Georgia**”
- However, Attachment C of the 2012 Five Year Permit Renewal Application states: “For outgoing shipment, batch samples are collected and sent to a certified Laboratory and analyzed for arsenic, cadmium, chromium, lead and PCBs. Samples are tested at the facility for Flash-point using ASDM Method D-93. Upon receiving the analytical results that

indicates that the product is on-specification per 40 CFR 261. The product is sold as industrial fuel or refinery feedstock.”

- Please correct “per 40 CFR 261” to read as “per 40 CFR Part 261.3(a)(2)(v)
- **Why is this paragraph in the 2017 form differ so greatly from the paragraph in the 2012 form?**
  - **Has the facility changed the way in which it tests its on-specification used oil within the past five years?**
- **The Department would like to know how the facility plans to test its on-specification used oil over the next five years**
  - If the process has changed, please specify how this testing has changed on the 2017 form
  - If not, please use the description provided on the 2012 form
- **Response: Ricky’s primarily bulks the Used Oil for shipment to Synergy Recycling located in Kingsland, Georgia for the purpose of Re-refining. The used oil is not classified as on-specification fuel in this scenario; hence, no record of testing, given absence of the requirement. In the event Ricky’s markets the used oil as on-specification fuel the requirements of 40 C.F.R. Part 279.11 [as adopted in subsection 62-710.210(2), F.A.C.] will be met. This will continue for the next 5 years.**

**Comment 27 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection A - Attachment C: “Analysis Plan”**
- Attachment C of the 2017 Five Year Permit Renewal Application describes how the facility utilizes a “Tek Mate Leak Detector” and a “Dexsil” halogen solvent kit” as tools to measure the halogen contents of used oil shipments arriving at the facility
- However, Attachment C does not mention how the facility tracks the testing process for any used oil shipments that trigger either the Tek Mate Leak Detector or the Dexsil halogen solvent kit
  - According to records provided during the most recent hazardous waste inspection of the facility (i.e. on 08/03/2017), ROES personnel maintains logs that provide information concerning the testing process of used oil shipments that trigger the Tek Mate Leak Detector
- **Does the facility plan to keep utilizing the used oil halogen content logs throughout this upcoming permit’s five-year lifespan?**
  - If so, please provide a description in Attachment C of the 2017 form concerning how ROES personnel will use these halogen content screening logs to track the testing history of used oil shipments that fail the Tek Mate leak detector test over the next five years
  - If not, please inform the Department (in Attachment C of the 2017 form) of how ROES personnel will track those used oil shipments that fail the Tek Mate Leak Detector halogen content test
- **Response: The facility plans on utilizing the used oil halogen content logs throughout this upcoming permit’s five year lifespan and is further described in Attachment C.**

**Comment 28 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection B - Attachment D: “Sludge Management Plan”**
- The cover page of Attachment D of the 2017 Five Year Permit Renewal Application reads: “**Sludge Management Plan**”
- However, the title of the actual document provided as Attachment D reads: “**Sludge, Residue and Byproduct Management Description**”

- Please edit the title of the cover page of Attachment D to read as: “**Sludge, Residue, and Byproduct Management Plan**”
- Also, please edit the title of the actual document provided as Attachment D to read as: “**Sludge, Residue, and Byproduct Management Plan Description**”
  - These revisions ensure that the titles of the two pages are consistent

- **Response: Addressed in the application in the referenced section.**

***Comment 29 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection B***

*- Attachment D: “Sludge Management Plan”*

- Attachment D of the 2017 Five Year Permit Renewal Application Form states that “the sludge, residues and byproducts will be removed from the ASTs as required by Rule 62- 710.800(9)(a).”
  - Please edit the rule citation to read as: “**Rule 62-710.800(9)(a)**”
    - Remove the extra space between the “-” and the “7”
- **Response: Addressed in the application in the referenced section**

***Comment 30 – Used Oil Processing Facility Permit Application Part I, Section C, Number 5, Subsection B***

*- Attachment E: “Tracking Plan”*

- Attachment D of the 2017 Five Year Permit Renewal Application Form shows that the two provided ROES used oil shipment forms are dated as “October 23, 2012”
  - **Why do these forms have this old date on them?**
    - **Has the facility not updated its tracking forms since 2012?**
      - If the forms have been updated, please replace the 2012 used oil shipment forms with the updated versions in Attachment E of the 2017 form
      - If not, please update the dates provided on the forms
- The two ROES forms provided in Attachment E of the 2017 form are blurry and difficult to read
  - Please provide new, more legible scans of these used oil shipment forms (in Attachment E) to the Department
- **Response: Addressed in application in referenced section.**

***Comment 30 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6***

- The 2017 Five Year Permit Renewal Application states: “**The preparedness and prevention plan is labeled as Attachment F (11.4)**”
  - Please edit the attachment description to read as: “**Attachment F (1.0-8.1; 11.4)**”
    - This description provides a clearer reference to the location of the preparedness and prevention plan within the permit renewal application
- **Response: Addressed in application in referenced section.**

***Comment 31 – Used Oil Processing Facility Permit Application Part I, Section C, Number 7***

- The 2017 Five Year Permit Renewal Application states: “**The contingency plan is labeled as Attachment F(9.0)**”

- Please edit the attachment description to read as: **“Attachment F (9.0-9.7)”**
  - This description provides a clearer reference to the location of the contingency plan within the permit renewal application
- **Response: Addressed in application in referenced section.**

***Comment 32 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.0: “SPCC Plan – General Information & Site Description”***

- The 2017 Five Year Permit Renewal Application states: “This area is characterized predominantly by industrial uses (see Figure 1).”
  - Please edit the sentence above to read as: **“This area is populated predominantly by industrial facilities (see Figure/Drawing 1).”**
    - This revision helps the sentence to read better
    - Also, the attachment referenced here is in the “Figures” section, but has a label of “Drawing”
- **Response: Addressed in application in referenced section.**

***Comment 33 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.0: “SPCC Plan – General Information & Site Description”***

- The 2017 Five Year Permit Renewal Application states: “As indicated on the **site plan**, ...”
  - Please edit the bolded portion of the sentence above to read as: **“Site Plan”**
    - The 2017 form capitalizes the phrase “Site Plan” in the sentence immediately preceding this one, so this sentence should match the other (for the sake of consistency)
- **Response: Addressed in application in referenced section.**

***Comment 34 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.0: “SPCC Plan – General Information & Site Description”***

- The 2017 Five Year Permit Renewal Application states: “As indicated in **Figure 2**, ...”
  - Please edit the bolded portion of the sentence above to read as: **“Figure/Drawing 2”**
    - Once again, the attachment referenced here is in the “Figures” section, but has a label of “Drawing”
- **Response: Addressed in application in referenced section.**

***Comment 35 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.0: “SPCC Plan – General Information & Site Description”***

- The 2017 Five Year Permit Renewal Application states: “Secondary containment calculations are included as **Attachment 5**.”
  - Please correct the bolded portion of the sentence above to read as: **“Attachment 4”**
    - The attachment to which this sentence is referring is Attachment 4, not Attachment 5
- **Response: Addressed in application in referenced section.**

***Comment 36 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1: “SPCC Plan – Facility Operations”***

- The 2017 Five Year Permit Renewal Application states: “Secondary containment calculations are included as **Attachment 5.**”
  - Please correct the bolded portion of the sentence above to read as: “**Attachment 4**”
    - The attachment to which this sentence is referring is Attachment 4, not Attachment 5
- **Response: Addressed in report in referenced section.**

***Comment 37 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1.1: “SPCC Plan – Facility Operations – Types of Products Collected”***

- The 2017 Five Year Permit Renewal Application states: “**Hazardous waste products** as defined in **40 CFR 261** are not collected.”
  - First, please correct “**40 CFR 261**” to read as “**40 CFR Part 261.3(a)(2)(v)**”
    - This revised citation format is the correct way to refer to this regulation
  - Once again, please provide an explanation to the Department concerning why the 2017 form refers to hazardous waste as “hazardous waste products”
- **Response: The term “hazardous waste products” was used incorrectly. It has been replaced with the term “hazardous wastes” throughout the application.**

***Comment 38 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1.2: “SPCC Plan – Facility Operations – Fleet Vehicles”***

- The 2017 Five Year Permit Renewal Application states: “one roll-off truck for transporting **20 yard** containers and one trailer rig with a capacity of 7,000 gallons each.”
  - Please correct the phrase “**20 yard**” to “**20-yard**”
    - The hyphen is required here
  - **Also, do both the roll-off truck and the trailer rig have a capacity of 7,000 gallons?**
    - If so, please correct the sentence to read: “**one roll-off truck for transporting 20-yard containers and one trailer rig. Both the roll-off truck and the trailer rig have a capacity of 7,000 gallons.**”
      - This revision makes it clear that each truck has a 7,000-gallon capacity
    - If not, please specify to the Department what the 2017 form is trying to indicate here (i.e. in terms of the capacities of both trucks)
  - **Response: Addressed in report in referenced section.**

***Comment 39 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1.3: “SPCC Plan – Facility Operations – Product Collection”***

- The 2017 Five Year Permit Renewal Application states that “this device [i.e. the Tek Mate Leak Detector], which will give off a beeping noise if **the halogen content is >1000 ppm.**”
  - **Why does the 2017 form list a halogen content limit of 1,000 ppm here?**
    - In previous portions of the 2017 form, the halogen content limit is listed as **800 ppm**
    - Please specify which halogen content limit the facility has adopted – 800 ppm or 1,000 ppm
- **Response: The facility is using >1000ppm as the threshold. This has been replaced**

throughout the application.

***Comment 40 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1.3: “SPCC Plan – Facility Operations – Product Collection”***

- The 2017 Five Year Permit Renewal Application states: “If the product is then shown to be non-hazardous pursuant to **40 CPR 261**, ...”
  - Please correct “**40 CPR 261**” to “**40 CFR Part 261.3(a)(2)(v)**”
    - 40 CFR 261 is the correct regulation citation
- Response: Addressed in the application in the referenced section.

***Comment 41 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.1.4: “SPCC Plan – Facility Operations – Product Storage and Disposal”***

- The 2017 Five Year Permit Renewal Application states: “the product may be marked as industrial fuel destined for recycling, reprocessing, used fuel in a licensed energy recovery industrial furnace or sent to a re-refinery as feed stock.”
  - Please correct the bolded portion of the sentence above to read as: “**industrial fuel destined for recycling/reprocessing, as used fuel for burning in a licensed energy recovery industrial furnace, or as used fuel sent to a refinery as feedstock.**”
    - These edits fix a couple of grammatical errors, and help the sentence to read more clearly
- Response: Addressed in application in referenced section.

***Comment 42 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.2.1: “SPCC Plan – Used Oil Management – Process Description”***

- The 2017 Five Year Permit Renewal Application states: “Processed oil **contains high thermal content and is sold as an energy source or refinery feed stock.**”
  - Please correct the bolded portion of the sentence above to read as: “**contains a high thermal content, and is sold either as an energy source or as refinery feedstock.**”
    - This edit corrects a couple of grammatical errors, and helps the sentence to read more clearly
- Response: Addressed in the application in the referenced section.

***Comment 43 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.2.1: “SPCC Plan – Used Oil Management – Process Description”***

- The 2017 Five Year Permit Renewal Application states: “The primary customers are asphalt plants, who use the oil as a replacement for higher-cost diesel fuel or natural gas, and re-refiners, who refine the oil back to new base lube or use it as a refinery feed stock.”
  - Please correct the sentence above to read as: “The primary customers of ROES’ processed oil are asphalt plants (who use the oil as a replacement for higher-

cost diesel fuel and/or natural gas) and re-refiners (who refine the oil back to new base lube, or repurpose it as refinery feedstock).”

- This edit corrects a couple of grammatical errors, and helps the sentence to read more clearly
- Response: Addressed in the application in the referenced section.

***Comment 44 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.2.3: “SPCC Plan – Used Oil Management – Inventory of Stored Products”***

- The 2017 Five Year Permit Renewal Application states: “Weekly inventory reconciliation of the products current stored on-site **against the transportation ...**”
  - Please edit the bolded portion of the sentence above to read as: “**with the transportation ...**”
    - The original usage of the word “against” here is not correct
- Response: Addressed in the application in the referenced section.

***Comment 45 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.3: “SPCC Plan – Inspections Test and Records ...”***

- The 2017 Five Year Permit Renewal Application states: “A sample of the Storage Tank Inspection Checklist **is included at Attachment 5**”
  - Please edit the bolded portion of the sentence above to read as: “**is included as Attachment 5**”
    - The use of the word “at” is not appropriate here
- Response: Addressed in the application in the referenced section.

***Comment 46 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 6.3.5: “SPCC Plan – Inspections Test and Records – General Tank Integrity”***

- The 2017 Five Year Permit Renewal Application states: “**Shop fabricated tanks are assessed by the owner based on manufacturers recommendations or best professional judgment, when a tank requires replacement.**”
  - Please edit the sentence above to read as: “**Shop-fabricated tanks are assessed by the owner based upon either the manufacturers’ recommendations or (when a tank requires replacement) on best professional judgment**”
    - This revision corrects a syntax error, and helps the sentence to read more smoothly and clearly
- Response: Addressed in the application in the referenced section.

***Comment 47 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.1: “SPCC Plan – Spill Response Procedures– Discharge Discovery, Response and Disposal ...”***

- The 2017 Five Year Permit Renewal Application states: “stop the release if possible, contain the spill using either granular absorbent, absorbent socks or build an earthen dike”
  - Please edit the bolded portion of the sentence above to read as: “**and contain the**”

spill either by using granular absorbents/socks or by building an earthen dike”

- This revision helps the sentence to read more smoothly and clearly
- Response: Addressed in the application in the referenced section.

**Comment 48– Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.1: “SPCC Plan –Spill Response Procedures– Discharge Discovery, Response and Disposal ...”**

- The 2017 Five Year Permit Renewal Application states: “the storm drain covers are in place, if needed absorbent socks will also be placed around the drains to prevent a discharge to the wetland mitigation area”
  - Please edit the bolded portion of the sentence above to read as: “in place. If needed, absorbent socks will also be placed around the drains to protect against a potential discharge into a wetland mitigation area”
    - This revision corrects the comma usage error in the original sentence, and helps the sentence to read more smoothly and clearly
- Response: Addressed in the application in the referenced section.

**Comment 50– Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.1: “SPCC Plan –Spill Response Procedures– Discharge Discovery, Response and Disposal ...”**

- The 2017 Five Year Permit Renewal Application states: “Flow paths of water around the site are depicted in Figure 3”
  - Please edit the sentence above to read as: “Flow paths of water around the site are depicted in Figure/Drawing 3”
    - Once again, the attachment referenced here is in the “Figures” section, but has a label of “Drawing”
- Response: Addressed in application in the referenced section.

**Comment 51– Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.1: “SPCC Plan –Spill Response Procedures– Discharge Discovery, Response and Disposal ...”**

- The 2017 Five Year Permit Renewal Application states: “ROES personnel are available to respond to a 24-hour emergency spill”
  - Does this sentence mean that ROES personnel can effectively respond to an emergency spill that lasts up to 24 hours?
    - If so, please edit the bolded portion of the quoted sentence above to read as: “ROES personnel are available to respond to an emergency spill lasting up to 24 hours”
  - Or are ROES personnel available 24 hours a day to respond to an emergency spill?
    - If so, please edit the bolded portion of the quoted sentence above to read as: “ROES personnel are available 24 hours a day to respond to an emergency spill”
  - Please clarify to the Department which of the above options is correct
- Response: ROES personnel are available 24 hours a day to respond to an

emergency spill and is corrected in the application in the referenced section.

***Comment 52 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.2: “SPCC Plan –Spill Response Procedures– Reporting ...”***

- The 2017 Five Year Permit Renewal Application states: “The EC or BEC **will report discharges to the applicable** government agencies...”
  - Please edit the bolded portion of the sentence above to read as: “**will then report the discharge to all applicable**”
    - This revision helps the sentence to read more clearly
- **Response: Addressed in application in the referenced section.**

***Comment 53 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.2: “SPCC Plan –Spill Response Procedures– Reporting ...”***

- The 2017 Five Year Permit Renewal Application states: “Attachment 3 contains **reporting instructions and the names and phone numbers of employees and federal, state and local government agencies that need to be contacted in the case of a release of oil to the environment.**”
  - Please edit the bolded portion of the sentence above to read as: “**reporting instructions for ROES personnel, along with the names and phone numbers of the ROES employees and the federal, state and local government agencies that need to be contacted in the event of a release of oil to the environment**”
    - This revision corrects a couple of word choice errors, and helps the sentence to read more clearly
- **Response: Addressed in the application in the referenced section.**

***Comment 54 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.3: “SPCC Plan –Spill Response Procedures– Specific Response Procedures”***

- The 2017 Five Year Permit Renewal Application states: “**Closing supply valves which feed into a leaking AST ... Transferring used oil from a leaking AST into an appropriate holding vessel**”
  - Please edit the sentences above to read as: “**Closing the supply valves which feed into a leaking AST**” and “**Transferring used oil from a leaking AST into an appropriate temporary holding vessel**”
    - These revisions help the sentences to read more clearly
- **Response: Addressed in the application in the referenced section.**

***Comment 55 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.3: “SPCC Plan –Spill Response Procedures– Specific Response Procedures”***

- The 2017 Five Year Permit Renewal Application states: “**Closing supply valves which feed into a leaking AST ... Transferring used oil from a leaking AST into an appropriate holding vessel**”
  - Please edit the sentences above to read as: “**Closing the supply valves which feed into a leaking AST**” and “**Transferring used oil from a leaking AST into an appropriate temporary holding vessel**”

- These revisions help the sentences to read more clearly
- **Response: Addressed in the application in the referenced section.**

***Comment 56 – Used Oil Processing Facility Permit Application Part I, Section C, Number 6 - Attachment F, Section 7.3: “SPCC Plan –Spill Response Procedures– Specific Response Procedures”***

- The 2017 Five Year Permit Renewal Application states: “**Pump spilled liquids into an appropriate storage vessel**” and “**properly dispose of any clean up material used**”
  - Please edit the sentences above to read as: “**Pumping spilled liquids into an appropriate temporary storage vessel**” and “**Properly disposing of any clean-up materials used**”
    - This revision corrects a grammatical error, and helps the sentence to read more clearly
    - Once again, this revision keeps the formatting of the bullet points in this section consistent
- **Response: Addressed in the application in the referenced section.**

***Comment 57 – Used Oil Processing Facility Permit Application Attachment K: “Site Photographs”***

- The photos provided in the 2017 Five-Year Permit Renewal Application form are the same as those provided in the 2012 Five-Year Permit Renewal Application Form
  - Please take new photos that show ROES’ current operations
  - Attach these photos as Attachment K on the 2017 form
- **Response: Addressed in the application in the referenced section.**