



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

NORTHEAST DISTRICT
8800 BAYMEADOWS WAY WEST, SUITE 100
JACKSONVILLE, FLORIDA 32256

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CATERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

August 22, 2014

Mr. Robert Connell
Dixie Tank Company
5349 Highway Avenue
Jacksonville, Florida 32254

**Re: Dixie Tank– FLA868124
Permit Exemption
Duval County**

Dear Mr. Connell:

This is in reference to a site visit conducted by Florida Department of Environmental Protection (DEP) Northeast District (NED) permitting staff, for requesting an industrial wastewater discharge permitting evaluation for the subject facility. Your proposed operation is an activity as described in Rule 62-620.200(1), Florida Administrative Code (F.A.C.), and will generate industrial wastewater as described in Rule 62-620.200(22), F.A.C.

In accordance with Rules 62-4.040 and 62-620.300, F.A.C., the Department has evaluated your request and determined your proposed activity and discharge of industrial wastewater is exempt from industrial wastewater permitting requirements. This exemption is effective on March 14, 2014. The granting of this exemption is based upon your adhering to the following:

- There is no discharge of wastewater to surface waters, such as streams or rivers, and storm water systems, such as storm drains or ditches.
- Wastewater is retained on site in a grassy area or collected and disposed of in a manner approved by the Department.
- All wastewater retention areas are setback at least 100 feet from all drinking water wells.
- Absolutely no vehicle engine or undercarriage washing or cleaning is performed.
- Absolutely no petroleum-based or chlorinated solvents are used.
- No detergents containing phosphates are used.
- Solid waste (grit, sludge, etc) is collected and disposed of in a manner approved by the Department.

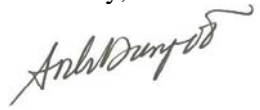
Dixie Tank
FLA868124- 001
Page 2 of 5
August 22, 2014

The industrial wastewater permit exemption number is FLA868124. Please refer to this number in all correspondence or permit inquiries. **This Permit Exemption is valid until August 21, 2019.** If you wish to continue coverage beyond expiration of the current coverage, request for continued coverage shall be made at least 180 days before expiration.

This exemption shall be terminated and the discharge re-evaluated under the applicable portions of Chapters 62-4, 62-620, 62-520, 62-522, and 62-660, F.A.C., if the facility or activity is substantially modified, or should the discharge be subsequently found to be materially incorrect or pose a threat to the environment or public health. Please note that the failure to conduct your activity as described in the information that was provided may result in enforcement action and civil penalties.

This exemption relates only to industrial wastewater permitting requirements of the Department and does not relieve you from the responsibility of obtaining any required permits from other program areas within the Department, or required permits from other state, federal, or local agencies. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Please see Attachment 1, "Notice of Rights" for additional information. If you have any questions regarding this matter, please call Joseph Emery at (904) 256-1619 or by email at joseph.emery@dep.state.fl.us .

Sincerely,



D. Anh Vo, P.E.
Professional Engineer III

DAV/je/tl

c: Mr. Max Schwartz- FDEP

NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

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

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573 of the Florida Statutes is not available for this proceeding.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

ABNORMAL EVENT REPORTING REQUIREMENT

The facility shall report to the Department any noncompliance, which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

1. The following shall be included as information, which must be reported within 24 hours under this condition:
 - a. Any unanticipated bypass, which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
 - b. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - c. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
 - d. Any unauthorized discharge to surface or ground waters.

2. The permittee shall report all unauthorized releases or spills of untreated or treated wastewater in excess of 1,000 gallons per incident, or where public health or the environment may be endangered, to the State Warning Point toll free number (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point,:
 - a. Name, address, and telephone number of person reporting.
 - b. Name, address, and telephone number of permittee or responsible person for the discharge.
 - c. Date and time of the discharge and status of discharge (ongoing or ceased).
 - d. Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater).
 - e. Estimated amount of the discharge.
 - f. Location or address of the discharge.
 - g. Source and cause of the discharge.
 - h. Whether the discharge was contained on-site, and cleanup actions taken to date.
 - i. Description of area affected by the discharge, including name of water body affected, if any.
 - j. Other persons or agencies contacted.

If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.
[62-620.610(20), 10-23-00]