Florida Department of
Environmental Protection
South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF PERMIT ISSUANCE

January 5, 2012

CERTIFIED MAIL 7010 1870 0001 8477 1103
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Mr. Chris Dods
Chief Executive Officer
Clean Earth, Inc.
334 South Warminster Road
Hatboro, PA 19040

Glades County - AP
South Florida Thermal Services
DEP File No. 0430008-008-AF

Enclosed is Permit Number 0430008-008-AF, issued pursuant to Section 403.087, Florida Statutes, for operating a thermal soil remediation unit at Clean Earth Southern Florida, LLC, located at 1 Foxmoor Lane, Moore Haven, Florida, 34221, Glades County. This permit is issued to replace Permit no. 0430008-007-AF due to new ownership and name change from Atlas-Transoil, Inc. to Clean Earth, Inc. on or about December 14, 2011. The conditions and expiration date remain unchanged.

A person whose substantial interests are affected by the 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) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. 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 public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A 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 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval 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 and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon 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 of the Florida Administrative Code.

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 on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection 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 must be filed within thirty days after this order is filed with the clerk of the Department.

NOTICE OF PERMIT ISSUANCE
Clean Earth, Inc.
Clean Earth Southern Florida, LLC
DEP File No. 0430008-008-AF
January 5, 2012

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

Jon M. Iglehart
Director of
District Management
Post Office Box 2549
Fort Myers, Florida 33902-2549
(239) 344-5600

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance (including the permit) was sent by certified mail (*) and electronic mail (or a link to these documents made available electronically on a publicly accessible server) copies were mailed by U. S. Mail or electronically (with Received Receipt) before the close of business on _____ to the listed persons.

Chris Dods, C.E.O.*
Maxwell Lee, P.E. (mlee@kooglerassociates.com)
Kathleen Forney, EPA Region 4 (forney.kathleen@epamail.epa.gov)
Ana Oquendo, EPA Region 4 (oquendo.ana@epamail.epa.gov

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

_____ _____
(Clerk) (Date)

JMI/CBE/jw

Florida Department of Environmental Protection

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

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Secretary

PERMITTEE:
Clean Earth, Inc.
Clean Earth Southern Florida, LLC
334 South Warminster Road
Hatboro, PA 19040

Facility I.D.: 0430008
Permit Number: 0430008-008-AF
Date of Issue: January 5, 2012
Expiration Date: October 1, 2013
County: Glades County
Latitude: 26° 49' 21" N
Longitude: 81° 06' 28" W
Project: Transfer of Ownership FESOP
Thermal Soil Treatment Unit

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, 62-296, and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Operate a synthetic non-Title V facility, Clean Earth Southern Florida, LLC, by accepting a Federally Enforceable State Operating Permit (FESOP). The facility consists of a thermal soil remediation unit utilizing a rotary kiln (dryer) at 600 °F. Emissions are controlled by a high temperature fabric filter baghouse and direct flame afterburner. The facility is equipped with continuous emissions monitoring (CEM) for carbon monoxide (CO) and flue gas temperature. The facility is synthetically limited to not exceed 98 tons per year (TPY) of volatile organic compounds (VOCs). The owner or operator shall not exceed the VOCs emission limit by limiting the hours of operation and by recordkeeping of contaminated soil VOC content.

This facility is located at 1 Foxmoor Lane, Moore Haven, Florida in Glades County.

This permit addresses the following emissions unit:

E.U. No.	Description
EU001	Thermal Soil Remediation Unit

I. CAPACITY AND PERFORMANCE RESTRICTIONS

1. Permitted Capacity. Maximum soil charging rate to the unit shall not exceed 75 tons per hour (TPH). The permittee shall have means to determine the feed or production rate on site. [Permit No. AC22-201772]

2. Method of Operation. The soil thermal treatment facility shall be designed and operated to expose the organic vapors from the soil during thermal treatment to one of the following combinations:

Minimum Temperature (Fahrenheit)		Minimum Time (Seconds)
1,500	and	1.0
1,600	and	0.5
1,800	and	0.3

SPECIFIC CONDITIONS:

The minimum temperature shall be determined by a continuous temperature monitor pursuant to the applicable continuous emissions monitoring requirements of Rule 62-296.415(6), F.A.C. When soil is being treated, the minimum temperature shall be met or exceeded at all times except for 4 minutes in any 60 minute period, provided that the temperature does not fall below 100 degrees Fahrenheit of the required minimum temperature for the corresponding residence time. The minimum residence time shall be met or exceeded at all times while soil is being treated. [Rule 62-296.415(1)(a), F.A.C.]

3. Hours of Operation. The authorized hours of operation are 16 hours per day, 6 days per week, but not more than 4,800 hours during any 12-month period. [Permit No. AC22-201772]

4. Heat Input Rate. The heat input rate to the dryer shall not exceed 40.0 mmBtu/hour. The permittee shall have means to determine the heat input rate. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

5. Fuel Usage: The following fuel usage is authorized at the facility:

Fuel Type	Authorized Location to be Burned	Maximum Annual Usage Rate (million gallons)	Maximum Sulfur Content shall not Exceed
#2 Distillate Oil	Dryer	1.37	0.5% Sulfur by weight
On-Spec Used Oil	Dryer	1.37	0.5% Sulfur by weight
LPG	Afterburner and Dryer	3.63	Not applicable
#2 Fuel Oil	Dryer	1.37	----------

[Permit No. AC22-234736]

6. Off-Specification Used Oil. The permittee shall not burn off-specification used oil. Used oil which fails to comply with any of the following specification levels is off-specification used oil:
   a. Arsenic shall not exceed 5.0 ppm.
   b. Cadmium shall not exceed 2.0 ppm.
   c. Chromium shall not exceed 10.0 ppm.
   d. Lead shall not exceed 100.0 ppm.
   e. Total halogens shall not exceed 1,000.0 ppm.
   f. Flash point shall not be less than 100.0 degrees F.

   Polychlorinated biphenyls (PCB's) shall not be equal to nor greater than 2.0 ppm.
   [Permit No. AC22-234736; 40 CFR 279 and 40 CFR 761]

7. Petroleum Contaminated Materials. Only soils contaminated with virgin (non-recycled) petroleum products, "on-spec" used oil (see Specific Condition No. 6), toluene, xylene, ethyl benzene, and approved petroleum-contaminated soil-like materials shall be treated in this unit. The only approved alternative petroleum-contaminated soil-like materials are as follows:
   a. Sludge and/or tank bottoms from petroleum product storage tanks;
   b. Mineral-type sorbent materials that have been used for the cleanup of petroleum spills and/or leaks (e.g., absorbent clays);
   c. Oil/water separator residues (the grit type material from the bottom only) from industries or commercial sources and contaminated only with organic chemicals associate with petroleum products;
   d. Soakage pit residues from industries or commercial sources and contaminated only with organic chemicals associate with petroleum products;

SPECIFIC CONDITIONS:

e. Car wash reclaim water tank residues from auto, light truck, and other passenger vehicles washes only,
f. Stormwater catch basin residues; and
g. French drain residues.

The rotary kiln/afterburner system shall neither be used to thermally process materials that are listed in 40 CFR 261.31, 261.32, 261.33 nor materials that have the hazardous characteristics of corrosivity, reactivity, EP toxicity, and ignitability. Prior to the acceptance of contaminated materials for processing, the permittee shall provide the Department's Air Resource Management Section with written reasonable assurance (i.e. certification from the generator) that the soil contaminated with virgin petroleum products or petroleum-contaminated soil-like materials are not classified as a hazardous waste pursuant to the federal regulations cited in this specific condition. To obtain approval to treat soils contaminated with other materials, the permittee shall submit soil analysis results and calculations to the Department's Air Resource Management Section, which show the impact of the emissions, will not exceed or violate any permit condition or regulation. [Rule 62-4.070(3), F.A.C. and Applicant's Request dated June 16, 2005]

III. EMISSION LIMITATIONS AND STANDARDS

8. Carbon Monoxide (CO) Emissions. The average CO emissions shall not exceed 100 parts per million (ppm) by volume, dry basis, during all 60 consecutive minute periods of plant operation. The average CO emissions is the arithmetic mean of all CO concentration measurements during any consecutive 60 minutes of plant operation that were recorded by the CEM required pursuant to Rule 62-297.500, F.A.C. [Rule 62-296.415(1)(b), F.A.C.]

{*Permitting Note: This emission unit has the potential to emit 10.46 TPY of CO.*}

9. Emission Limits. The facility shall not exceed the following emission limits:

Emissions	Allowable Limit
VOC*	98.0 TPY
SO2	46.7 TPY
NOx	34.5 TPY
VE	5% Opacity
PM	0.04 grains per dry standard cubic foot (gr/dscf)

*The facility shall not exceed the VOC emission limit by limiting the hours of operation and by recordkeeping of the contaminated soil VOC content.
[Permit No. AC22-234736: Rules 62-296.415(2), F.A.C. and 62-296.415(3), F.A.C.]

{Permitting *Note: This emission unit has the potential to emit 10.45 TPY of PM.}.*

10. Insignificant Emissions. The facility has the potential to emit following insignificant emissions: Benzene, Toluene, Xylene and Lead. [Rule 62-4.070(3), F.A.C.]

SPECIFIC CONDITIONS:

III. TESTING METHODS AND PROCEDURES

11. Test Methods. All emission tests shall be performed pursuant to the following requirements:

    a. Visible Emissions (VE). The test method for VE shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. [Rules 62-296.415(5)(a), F.A.C., 62-297.310(4)(a), F.A.C. and 62-297.401(9), F.A.C.]
    b. Particulate Matter (PM) Emissions. The test method for PM shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. [Rules 62-296.415(5)(b), F.A.C., 62-297.310(4)(c), F.A.C., and 62-297.401(5), F.A.C.]
    c. Carbon Monoxide. The test method for CO shall be EPA Method 10, incorporated and adopted by reference in Chapter 62-297, F.A.C. [Rules 62-296.415(5)(c) F.A.C., and 62-297.401(10), F.A.C. and Permit No. AC22-234736]
    d. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

12. Stack Specifications. Stack sampling facilities provided by the owner shall be in accordance with the requirements of Chapter 62-297.310, F.A.C. [Permit No. AC22-234736]

13. Testing Operating Rate. The permittee shall conduct emissions testing while operating within 90% - 100% of the maximum permitted charging rate of 75 tons per hour, and while burning used oil in the dryer within 90% - 100% of the maximum permitted rate of 40.0 million Btu per hour. If it is impracticable to test at the maximum rates, then testing may be conducted at less than the maximum rates; however, in this case, subsequent operation is limited to 110% of the tested rates until new, satisfactory tests are conducted at higher rates. Once the unit is so limited, then operation at higher rates is allowed for no more than 15 consecutive calendar days for the purpose of additional compliance testing to regain the maximum rates authorized in the permit.
    The actual charging rate and used oil burning rate shall be specified in each test report. [Rule 62-297.310(2), F.A.C.]

IV. MONITORING OF OPERATIONS

14. Used Oil Sampling. Each batch of used oil to be burned shall be sampled and analyzed for: arsenic, cadmium, chromium, lead, total halogens, flash point, and PCB's using EPA/DEP or ASTM approved methods. [Permit No. AC22-234736]

15. Instrumentation Operation. The baghouse shall be equipped with instrumentation to monitor pressure drop and inlet temperature. The inlet temperature shall be recorded. Such instrumentation shall be properly calibrated, maintained, and functional at all times when the plant is operating. [Rule 62-4.070(3), F.A.C. and Construction Permit No. AC22-201772 dated November 6, 1991]

Continuous Monitoring Requirement

16. Required Instrumentation and Maintenance. The facility shall be equipped with instruments to continuously monitor and record the temperature and the CO concentration of the flue gases leaving the high temperature zone, but before any dilution air is mixed with the flue gases. The temperature monitor shall be certified by the manufacturer to be accurate to within 1% of the temperature being measured. The temperature monitoring system shall be calibrated at least annually by the procedure recommended by the manufacturer. The calibration shall be at a minimum of three temperatures and over a range from 10% below to 10% above the designed flue gas hot zone temperature of the soil thermal treatment facility. Calibration records shall be kept for a minimum of five years. The CO monitor shall be certified by the manufacturer to be accurate to within 10% of the CO concentration by volume, mean value, or 5% of the applicable standard of 100 ppm, whichever is greater, as determined by EPA Test Method 10 in 40 C.F.R. Part 60, Appendix A, adopted by reference in

SPECIFIC CONDITIONS:

Rule 62-204.800(7), F.A.C. The CO CEM device shall be certified, calibrated, and operated according to Performance Specification 4 of 40 C.F.R. Part 60, Appendix B, adopted by reference in Rule 62-204.800(7), F.A.C., excluding Section 5.2, Calibration Drift Test Period, of Performance Specification 2. [Rules 62-4.070(3), F.A.C., Rule 62-296.415(1)(c), F.A.C., and 62-296.415(6), F.A.C.]

17. Temperature and CO monitors shall be co-located unless otherwise approved by the Department. [Rule 62-296.415(1)(c), F.A.C.]

V. RECORD KEEPING AND REPORTING REQUIREMENTS

18. Exceedance Reporting. The permittee shall submit a temperature and CO exceedance report quarterly. If there were no exceedances during the period, the report must state the same. [Permit No. 0430008-001-AO]

19. Monthly Reporting. On a monthly basis, for each month during which used oil is burned, the permittee shall submit reports of the monthly quantities of used oil burned and the results from the sample analyses performed to the Department (**See Specific Condition 14.).** The permittee shall submit these reports within 30 days from the end of every month in which used oil was burned. The quantities of used oil burned shall be included in the Annual Operation Report. [Permit No. AC22-234736]

20. Sulfur Content Recordkeeping. In order to document continuing compliance with the fuel oil and used oil sulfur limits, the permittee shall keep records of the sulfur content, in percent by weight, of all the fuel oil and used oil burned based on either vendor provided as-shipped analyses or on analyses of as-received samples. The records shall be maintained for a minimum of two years and shall be made available to the Department upon request. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

21. Used Oil Sampling. The results of each batch of used oil sampled and analyzed shall be retained by the permittee for at least three years and made available for inspection by the Department upon request. [Rule 62-4.070(3), F.A.C. and Permit No. AC22-234736]

21. Formal Testing Notification. The permittee shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, written notification of the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test. [Rule 62-297.310(7)(a)(9), F.A.C. and Permit No. AC22-234736]

23. Compliance Test Submittals. The permittee shall file with the Department a compliance test report on the results of each such test. The permittee shall submit with the results from the compliance test a copy of the analysis for the oil burned during each compliance test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. [Rule 62-297.310(8), F.A.C.]

24. Daily Operation and Maintenance (O&M) Log. This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit. Operators shall keep a daily O&M log to include, at a minimum, the following information:
    a) The daily hours of actual operation;
    b) Maintenance/repair logs for any work performed on equipment or instrument which is subject to this permit; and

SPECIFIC CONDITIONS:

c) These records shall be kept for a period of five years and shall be located at the site. All required records may be kept at the permittee's office, but must be available for inspection at the job site for the unit within 3 working days of a request by the Department.
[Rule 62-4.070(3), F. A. C. and Permit No. 0430008-006-AF]

25. Annual Operating Reports (AOR). The annual operating report shall be submitted to the Department's South District Office office by April 1 of the following year, except that the annual operating report for year 2008 shall be submitted by May 1, 2009. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office. [Rule 62-210.370(3), F.A.C. and Permit No. AC22-234736]

26. CEM Recordkeeping. All CEM recorded data shall be maintained on file at the facility for a period of five years. [Rule 62-4.070(3), F.A.C.]

27. VOC recordkeeping. The owner or operator shall maintain continuous recordkeeping of the VOC content of contaminated soil thermally treated at the facility. These records shall be maintained on file at the facility for a period of five years. [Rule 62-4.070(3), F.A.C.]

28. Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to 62-210.370, F.A.C. for a period of five years from the date on which such emissions information is submitted to the Department for any regulatory purpose. [Rule 62-210.370(2)(h), F.A.C.]

29. Compliance Reporting. The permittee shall submit all compliance related notifications and reports required by this permit to the South District office at:

Department of Environmental Protection
South District Office
P.O. Box 2549
Fort Myers, FL 33902
Phone: 239-344-5600
FAX: 850-412-0590

VI. FACILITY WIDE CONDITIONS

30. An integral part of this permit is the attached **15 General Conditions**. [Rule 62-4.160, F.A.C.]

31. The operation of this facility shall conform to all applicable requirements of Chapter 62-713, F.A.C. Soil Treatment Facilities. Soil thermal treatment facilities are only authorized to treat petroleum contaminated soil or other petroleum-contaminated soil like materials approved by Alternative Procedures 0158443-002-SO, dated May 14, 2003 both as defined in chapter 62-713, F.A.C., Soil Treatment Facilities. The requirements of the Alternative Procedure, based on Solid Waste Permit 0158443-003-SO dated May 14, 2003, and the Soil Sampling and Analysis Plan for petroleum-contaminated soil and petroleum-contaminated soil-like materials are part of this permit. [Rules 62-296.415, F.A.C.; 62-713.220, F.A.C. and 62-713.510, F.A.C., and Applicant's Request dated June 16, 2005 and Permit No. 0430008-005-AC]

32. The facility is authorized to process soils containing polychlorinated biphenyls (PCBs), if soil contaminated with PCBs is to be thermally treated and the following requirements are met:

SPECIFIC CONDITIONS:

a. Soil contaminated with used oil, used hydraulic oil, or used mineral oil shall be analyzed for PCB concentrations. Soil PCB concentrations must be less than 50 ppm. Such soil shall not be blended, mixed or diluted to meet this specification.
b. If the analytical results obtained pursuant to paragraph (a) above are equal to or greater than 2 ppm, a sample of the used oil, used hydraulic oil, or used mineral oil source must be shown to have a PCB concentration of less than 50 ppm. If a sample of the used oil, used hydraulic oil, or used mineral oil is not available, a previous record of laboratory data and analytical results may be utilized to show the PCB concentration in the used oil, used hydraulic oil, or used mineral oil.
If, after a reasonable effort, a previous record of laboratory data and analytical results cannot be located, and the basis for not being able to obtain this information is documented in writing and maintained with the facility's operational records, then the soil may be treated in accordance with paragraph (a) above.

[Rules 62-296.415(1)(d) and 62-713.510(7), F.A.C., Solid Waste Permit 0158443-002-SO, dated May 14, 2003 and Applicant's Request dated June 16, 2005, and Permit No. 0430008-005-AC]

33. Regulation Compliance. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Rules 62-210, 62-212, 62-252, 62-272, 62-273, 62-275, 63-296, and 297, F.A.C., or any other requirements under federal, state or local law. [Rule 62-210.300, F.A.C.]

34. Liquid Effluent Discharge. Any activity performed by the permittee at the plant site shall not result in the discharge of liquid effluent or contaminated runoff to surface or ground water without prior approval from the Department. Untreated soil removed from the ground by the permittee shall be stored under waterproof covers and on an impermeable surface. [Rule 62-4.070, F.A.C and Permit No. AC22-201772]

35. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

36. Unconfined Emissions of Particulate Matter. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
Reasonable precautions may include but are not limited to the following:
    a. Paving and maintenance of roads, parking areas, and yards.
    b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
    c. Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles, and similar activities.
    d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
    e. Landscaping or planting of vegetation.
    f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
    g. Confining abrasive blasting where possible.
    h. Enclosure or covering of conveyor systems.

As a minimum, before and after thermal soil treatment is accomplished, unconfined emissions of particulate matter from the soil shall be controlled by application of water or containment.
[Rules 62-296.320(4)(c), F.A.C., and 62-296.415(4), F.A.C.]

SPECIFIC CONDITIONS:

37. Circumvention. The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

38. Plant Operation – Problems. If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Department as soon as possible, but at least within (1) working day. Excluding weekends and holidays. The notification shall include: Pertinent information as to the cause of the problem; the steps being taken to correct the problem and prevent future recurrence; and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]
39. Any time this unit is found to be performing inadequately because of overloading, neglect, or other reasons, the permittee shall discontinue its use until measures are provided to correct the cause of such performance. [Rule 62-4.070(3), F.A.C.]

40. Changes/Modifications. The permittee shall submit to the Department, for review, any changes in, or modifications to: the method of operations; process or pollution control equipment; increase in hours of operation; equipment capacities; or any change which would result in an increase in potential/actual emissions. Depending on the size and scope of the modification, it may be necessary to submit an application for, and obtain, an air construction permit prior to making the desired change. Routine maintenance of equipment will not constitute a modification of this permit. [Rules 62-4.030, F.A.C., 62-210.300 and (1)(a), F.A.C., and 62-4.210, F.A.C., and 62-4.070(3), F.A.C.]

41. Renewal. Prior to sixty (60) days before the expiration date of this permit, the permittee shall apply for a renewal of the permit. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty (60) days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department. [Rule 62-4.090, F.A.C.]

42. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1)(a), F.A.C.]

43. Excess Emissions. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

44. Excess Emissions Notification. In case of excess emissions resulting from malfunctions, the permittee or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]

45. Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature

SPECIFIC CONDITIONS:

and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

46. Testing Prior to Renewal: Within the 12-month period prior to renewing the facility's air operation permit, each (identify emission units) shall be tested to demonstrate compliance with the specified PM and opacity standard in this permit. A formal report of the testing along with the results shall be submitted with the renewal application. [Rule 62-297.310(7)(a)3, F.A.C.]

NOTE: In the event of an emergency the permittee shall contact the Department by calling (850) 413-9911. During normal business hours, the permittee shall call (239) 344-5600.

Issued this 5th day of January, 2012.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

Jon M. Iglehart
Director of
District Management
Post Office Box 2549
Fort Myers, Florida 33902-2549
(239) 344-5600

JMI/CBE/jw

PERMITTEE:
Clean Earth, Inc.
Clean Earth Southern Florida, LLC

Facility I.D. No.: 0430008
Permit Number: 0430008-008-AF
Date of Issue: January 5, 2012
Expiration Date: October 1, 2013

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or 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), Florida Statutes, 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 is not a waiver 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed 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 and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
   (a) Have access to and copy any records that must be kept under the conditions of the permit;
   (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
   (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

   Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
   (a) A description of and cause of non-compliance; and
   (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

GENERAL CONDITIONS:

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 prescribed by Sections 403.73 and 403.111, Florida Statutes. 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 Florida Administrative Code Rules 62-4.l20 and 62-730.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

13. This permit incorporates the following previously issued determinations:
    (a) Determination of Best Available Control Technology (not applicable);
    (b) Determination of Prevention of Significant Deterioration (not applicable); and
    (c) Compliance with New Source Performance Standards (not applicable).

14. The permittee shall comply with the following:
    (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
    (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
    (c) Records of monitoring information shall include:
        1. The date, exact place, and time of sampling or measurements;
        2. The person responsible for performing the sampling or measurements;
        3. The date's analyses were performed;
        3. The person responsible for performing the analyses;
        5. The analytical techniques or methods used; and
        6. The results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.