

Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 4, 2004

CERTIFIED MAIL – Return Receipt Requested

Mr. C. Travis Windham, P.E.
Director, Bay County Public Utilities
3410 Transmitter Road
Panama City, Florida 32404

RE: Request for Approval of a Segregated Bulk Waste Material
Bay County Resource Recovery Facility
0050031-002-AV

Dear Mr. Windham:

The Department has evaluated Mr. Chalmous Beechem's letter received today, which requested approval of a consolidated bulk waste material (labeled as absorbent pads, JP-8 and JP-8 filters, hydraulic fluid, empty grease cartridges, and oil) to be incinerated at the Bay County Resource Recovery Facility as a segregated waste. Based on a review of the request, we feel that the waste stream is permitted to be incinerated under Specific Conditions A.5.1.3., A.5.1.4., and A.5.1.8.(f) & (g), of the above referenced permit. Please note that the waste stream shall not exceed 5%, by weight, of the facility's total fuel; the material is to be appropriately mixed in with the normal waste stream (either on the tipping floor or in the hopper); the segregated material shall not be a hazardous waste; the material shall not have a PCB concentration equal to or greater than 50 ppm; and, compliance with this limitation shall be determined by using a rolling 30-day average. Records of each segregated waste stream delivery shall be maintained for a least 5 years by the operators and shall contain sufficient documentation, such as an ultimate analysis of questionable material(s) and description of the waste stream delivered, to be able to determine acceptability and compliance.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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), F.S., 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), F.S., however, any person who asked the permitting authority 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, F.A.C.

"More Protection, Less Process"

Printed on recycled paper.

Mr. C. Travis Windham, P.E.
Bay County RRF
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A petition that disputes the material facts on which the permitting authority'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 how and when each 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, as well as the rules and statutes which entitle the petitioner to relief; and,
- (f) A demand for relief.

A petition that does not dispute the material facts upon which the permitting authority'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, F.A.C.

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

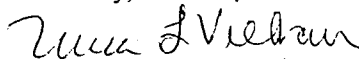
Mediation will not be available in this proceeding.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., 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, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the application 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.

Executed in Tallahassee, Florida.

Sincerely,



Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/rbm

Enclosure

Mr. C. Travis Windham, P.E.
Bay County RRF
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CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this letter with enclosure and all copies were sent by certified mail before the close of business on 2/4/04 to the person(s) listed:

Chalmous Beechem, Montenay Bay LLC
Jim Pennington, BAR
Sandra Veazey, NWD

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.

Barbara J. Sunday 2/4/04
(Clerk) (Date)

MONTENAY BAY LLC



RECEIVED

FEB 04 2004

BUREAU OF AIR REGULATION

MBLLC/DEP-04-0203-Wasteapproval

February 3, 2004

Mr. Clair Fancy
Florida DEP, Bureau of Air Regulation
Twin Towers Office Building
Mail Station 5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJECT: Waste Approval Consideration
Title V FINAL Permit No.: 0050031-002-AV
Approval number 00104, absorbent pads

Dear Mr. Fancy:

I am submitting for consideration a waste stream consisting of absorbent pads, submitted by Soil Remediation, Inc, per section A.5.1.8.(f) of permit. Amount delivered would be 10 tons per month, if approved. Enclosed, please find three pages of additional information. Final approval would be contingent upon evaluation of the first load of material.

Please contact me at (850) 785-7933, x206 if you need further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Chalmous Beechem", written over a horizontal line.

Chalmous Beechem
Operations Manager

cc Bruce Mitchell, FLDEP

Soil Remediation, Inc.

Complete Waste Solutions

County Road 329
Ray City, GA 31645

Phone: 229-455-2300
Fax: 229-455-2301

S
R
I

Fax

To: Moose From: Meredith Lancaster

Pages (including cover): 4

Phone: _____ Date: 1/20/2004

Fax: 850-784-1779 RE: Absorbent pads

- Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

Moose -

We currently have about 3 roll-off loads of:
Petroleum impacted absorbent pads - oil, hydraulic fluid,
JP8, grease
Oil, hydraulic fluid & JP8 filters - paper and some metal
Empty grease cartridges
Greasy rags

The attached analysis is representative of
the material - it's an ongoing waste stream.

Thanks!

Meredith Lancaster

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Summit Environmental Technologies, Inc.
your connection to a cleaner environment

A2LA CERTIFICATION NO. 72401

Offices in Major U.S. Cities



November 2, 1998

1/3

Soil Remediation, Inc.
 County Road 329
 Ray City, GA 31645

Date Collected: 10/21/98

Date Received: 10/22/98

Project #: SRI Pads

Laboratory ID #: 982242-01

Client ID #: 1 - Pads

Matrix: Solid

Analysis Date: 10/29/98 (Hg, Cu, Ni, Co, Mn, Sb), 10/28/98 (As, Ba, Cd, Cr, Pb, Hg)

Total Metals

| <u>Parameter</u> | <u>Detection Limit</u> (mg/kg) | <u>Results</u> (mg/kg) | <u>Method</u> |
|------------------|-----------------------------------|---------------------------|---------------|
| Antimony | 0.25 | < 0.25 | 7041 |
| Arsenic | 0.25 | < 0.25 | 7060 |
| Barium | 25.0 | < 25.0 | 7088 |
| Beryllium | 0.75 | < 0.75 | 7091 |
| Cadmium | 0.125 | < 0.125 | 7130 |
| Chromium | 1.25 | 9.5 | 7190 |
| Cobalt | 1.25 | 2.5 | 7200 |
| Copper | 0.5 | 15.0 | 7310 |
| Lead | 2.5 | < 2.5 | 7420 |
| Manganese | 0.25 | 3.2 | 7460 |
| Mercury | 0.05 | < 0.05 | 7470 |
| Nickel | 1.0 | 7.5 | 7520 |

Laboratory Manager: ~~Rosam Yousouf~~ 

This report may not be reproduced except in full. The results were only representative of the samples received. Conditions can vary at different times and at different sampling conditions.

595 East Tallmadge Avenue, Akron, Ohio 44310 TEL: 330.253.6211 FAX: 330.253.6489

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Summit Environmental Technologies, Inc.
your connection to a cleaner environment

A2LA CERTIFICATION NO. 724.01

Offices in Major U.S. Cities



November 2, 1998

3/3

Soil Remediation, Inc.
County Road 329
Ray City, GA 31645

Date Collected: 10/21/98
Date Received: 10/22/98
Project #: SRI Pads
Laboratory ID #: 982342-01
Client ID #: 1 - Pads
Matrix: Solid

| <u>Parameter</u> | <u>Detection Limit</u> | <u>Results</u> | <u>Method</u> | <u>Date of Analysis</u> |
|------------------|------------------------|----------------|---------------|-------------------------|
| Sulfur | — | 0.86 % | ASTM D219-1 | 10/30/98 |
| Chloride | --- | 0.48 % | ASTM D808-9 | 10/30/98 |
| Fluoride | 2.0 mg/kg | < 2.0 mg/kg | 340.2 | 10/30/98 |
| Bromine | 100.0 mg/kg | < 100.0 mg/kg | --- | 10/27/98 |
| Iodine | 100.0 mg/kg | < 100.0 mg/kg | --- | 10/29/98 |
| PCBs | 2.0 mg/kg | < 2.0 mg/kg | 8080 | 10/30/98 |
| T.O.X. | 1.0 mg/kg | 255.0 mg/kg | 9020 | 10/30/98 |

Laboratory Manager: Bassem Yousef

595 East Tallmadge Avenue, Akron, Ohio 44310 TEL: 330.253.8211 FAX: 330.253.4489