



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

January 9, 2012

SENT VIA EMAIL

[Scott.Surovchak@lm.doe.gov](mailto:Scott.Surovchak@lm.doe.gov)

[psacco@co.pinellas.fl.us](mailto:psacco@co.pinellas.fl.us)

7887 Bryan Dairy Road, Suite 120  
Largo, Florida 33777

SUBJECT: US Department of Energy  
FL6 890 090 008  
Corrective Action Permit No. 0034170/HH/004  
Pinellas County

Dear Mr. Surovchak and Mr. Sacco:

Enclosed is Permit Number 0034170/HO/04 to perform facility-wide Corrective Action. This permit is being issued pursuant to Section 403.722, Florida Statutes (F.S.), and Chapters 62-4, 62-160, 62-730, and 62-780, Florida Administrative Code (F.A.C.).

This permit is final and effective ("issued") on the date filed with the Clerk of the Department. When the permit is final, any party to the permit has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice to Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal.

The Notice of Appeal must be filed within thirty (30) days from the date the final permit is issued. If you should have any questions, please contact Merlin D. Russell Jr at 850-245-8796 or [Merlin.Russell@dep.state.fl.us](mailto:Merlin.Russell@dep.state.fl.us).

Mr. Scott Surovchak and Mr. Paul Sacco

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January 9, 2012

Sincerely,



Tim J. Bahr, Administrator  
Hazardous Waste Regulation

TJB/mdr

cc via e-mail w/enclosure:

John Armstrong, FDEP/Tallahassee, [John.Armstrong@dep.state.fl.us](mailto:John.Armstrong@dep.state.fl.us)

James Dregne, DEP Tampa, [James.Dregne@dep.state.fl.us](mailto:James.Dregne@dep.state.fl.us)

Florida Fish & Wildlife Conservation Commission Planning Services

[FWCConservationPlanningServices@myfwc.com](mailto:FWCConservationPlanningServices@myfwc.com)

Patricia Gerard, Mayor, Largo, [pgerard@largo.com](mailto:pgerard@largo.com)

Heath Rauschenberger, U.S. Fish & Wildlife Service,

[heath\\_rauschenberger@fws.gov](mailto:heath_rauschenberger@fws.gov)

Karen Williams Seel, County Commissioner, District 5, [kseel@pinellascounty.org](mailto:kseel@pinellascounty.org)



# Florida Department of Environmental Protection

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Tallahassee, Florida 32399-240

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

PERMITTEE:  
U.S. DEPARTMENT OF ENERGY  
7887 BRYAN DAIRY RD., SUITE 120  
LARGO, FLORIDA 33777

ATTENTION: SCOTT SUROVCHAK,  
SITE MANAGER.  
PAUL SACCO,  
LAND OWNER REPRESENTATIVE.

I.D. NUMBER: FL6 890 090 008  
PERMIT/CERTIFICATION NUMBER: 034170/HH/004  
DATE OF ISSUE: JANUARY 9, 2012  
EXPIRATION DATE: JANUARY 10, 2022  
COUNTY: PINELLAS  
LATITUDE /LONGITUDE: 27 °52'30"N/82°45'00"W  
SECTION/TOWNSHIP/RANGE: 13/30 S/15 E  
PROJECT: HSWA CORRECTIVE ACTION

Pursuant to authorization obtained by the Florida Department of Environmental Protection (FDEP) under the Resource Conservation and Recovery Act [42 United States Code (U.S.C.) 6901, *et seq.*, commonly known as RCRA] and the Hazardous and Solid Waste Amendments of 1984 (HSWA), this permit is issued under the provisions of Section 403.722, Florida Statutes (F.S.) and Chapters 62-4, 62-160, 62-730, 62-777 and 62-780, Florida Administrative Code (F.A.C.). This permit replaces expired permit 0034170/HH/003. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated June 30, 2011 which are incorporated herein and collectively referred to as the "permit application." The permit application also includes any approved drawing(s), plans, and other documents that are specifically identified and incorporated by reference.

The Permittee is required to investigate any releases of contaminants to the environment at the facility regardless of the time at which waste was placed in a unit and to take appropriate corrective action for any such releases. Solid waste management units (SWMUs) and areas of concern (AOCs) identified to date are listed in Appendix A. Pursuant to 40 Code of Federal Regulations (C.F.R.) 260.10 [as adopted by reference in subsection 62-730.020(1), F.A.C.], the corrective action requirements of this RCRA permit extend to all contiguous property under the control of the Permittee (see Attachment A, a map which demarks the property boundaries of land under the Permittee's control) and to all contamination that originated from discharges at the contiguous property under control of the Permittee.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with Rule 62-730.290, F.A.C., and potential enforcement action.

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U.S. Department of Energy  
7887 Bryan Dairy Rd., Suite 120  
Largo, Florida 33777

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Issuance Date: January 9, 2012  
Expiration Date: January 10, 2022

The facility is located at 7887 Bryan Dairy Rd., Largo, Florida and is owned by Pinellas County Board of Commissioners "d.b.a." Pinellas County Industrial Development Authority.

The following documents were used in the preparation of this permit:

1. January 2000, Wastewater Neutralization Area/Building 200 Area Corrective Measures Implementation Plan Addendum.
2. September 2003, Northeast Site Area A NAPL Remediation Final Report.
3. January 2005, Building 100 Area Enhanced Bioremediation Pilot Test Final Report.
4. July 2006, Building 100 Area Corrective Measures Study Report Addendum.
5. March 2007, Young Rainey STAR Center Wastewater Neutralization Area No Further Action With Controls Proposal,
6. April 2007, Final Report - Northeast Site Area B NAPL Remediation Project at the Young - Rainey STAR Center Largo, Pinellas County, Florida.
7. August 21, 2007, HSWA Corrective Action Permit 0034170/HH/003.
8. June 2008, Dewatering Evaluation Report for Road Construction and Water Line Replacement along Bryan Dairy and Belcher Roads.
9. August 17, 2009, Closure Monitoring Plan for the Northeast Site and 4.5 Acre Site
10. September 2009, Interim Remedial Action for Source Removal at the Northeast Site- Final Report.
11. June 2010, Sitewide Environmental Monitoring Semiannual Progress Report for the Young - Rainey STAR Center December 2009 through May 2010.
12. December 2010, Sitewide Environmental Monitoring Semiannual Progress Report for the Young - Rainey STAR Center June through November 2010.
13. June 2011, Sitewide Environmental Monitoring Semiannual Progress Report for the Young-Rainey STAR Center December 2010 Through May 2011.
14. June 30, 2011 Pinellas HSWA Permit Renewal.
15. September 2011, Long-Term Surveillance and Maintenance Plan for the Pinellas Site.

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## **PART I - GENERAL AND STANDARD 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 403.141 and 403.727, F.S. 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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Sections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this 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 an 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 and 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.

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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 reasonable times, 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 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 time or location reasonably necessary to assure compliance with this permit or Department rules.
  - d. Reasonable time may depend on the nature of the concern being investigated.
8. The Permittee shall comply with the following notification and reporting requirements:
  - a. 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:
    - (1) A description of and cause of noncompliance; and
    - (2) 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 noncompliance. 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 for revocation of this permit.
  - b. Notification of any noncompliance or emergency response including interim source removal, which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within five days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility and its owner or

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operator; the date, time, and type of incident; the name and quantity of materials involved; the extent of any injuries if any; an assessment of actual or potential hazards; and the estimated quantity and disposition of recovered material. The written submission shall contain all the elements of the verbal report and:

- (1) A description and cause of the noncompliance.
  - (2) If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
- c. The Permittee shall comply with the "Notices" provisions of Rule 62-780.220, F.A.C. :
- (1) prior to performing field activities;
  - (2) when contamination beyond the facility boundary is confirmed by laboratory analysis;
  - (3) when a temporary point of compliance (TPOC) is established beyond the boundary of the source property in conjunction with monitored natural attenuation or active remediation;
  - (4) five year annual update to the status of a TPOC; and
  - (5) warning signs at facilities where there may be a risk of exposure to the public of environmental media contaminated with hazardous waste.
- d. The Permittee shall give written notice to the Department within 15 days of any planned physical alterations or additions that could affect activities covered by this permit. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the effect(s) the planned change will have on the ability to investigate contamination at or from the contaminated site, and a discussion of the effect(s) the planned change will have on the known or suspected contamination.
- e. The Permittee shall revise "Part I - General" of the Application for a Hazardous Waste Facility Permit [DEP Form 62-730.900(2)(a)] and submit the revised form to the Department within 30 days of any changes in the Part I information.
- f. Manifests

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- (1) Unmanifested waste report: The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
  - (2) Manifest discrepancy report: If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
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 Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
  10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
  11. This permit is transferable only upon written Department approval in accordance with Rules 62-4.120 and 62-730.290(6) 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. Before transferring ownership or operation of this facility during the term of this permit, the Permittee must notify the new owner or operator in writing of the requirements of 40 C.F.R. Part 264 and Chapter 62-730, F.A.C.
  12. This permit or a copy thereof shall be kept at the work site of the permitted activity. In the event that there is no building or reasonable repository for such a copy at the work site, then the permit or a copy thereof shall be kept at an alternate location agreed to by the department.
  13. Reserved.

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14. The Permittee shall comply with the following recordkeeping requirements:

- 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; records of all data used to complete the application for this permit; and all monitoring data required by 40 C.F.R. Part 264 Subparts F and G, and 40 C.F.R. 264.228. 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 all required items in Chapter 62-160, F.A.C. These include at a minimum:
  - (1) The date, exact place, and time of sampling or measurements;
  - (2) The person responsible for performing the sampling or measurements;
  - (3) The dates analyses were performed;
  - (4) The person responsible for performing the analyses;
  - (5) The analytical techniques or methods used; and
  - (6) The results of such analyses.
- d. As a generator of hazardous waste, the Permittee shall retain a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced to comply with land disposal restrictions (40 C.F.R. Part 268) for at least three years from the date that the waste which is the subject of such documentation was last sent to an on property or off-property facility for treatment, storage, or disposal, or until remedial activity is completed, whichever date is later. These periods may be extended by request

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of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

15. Within the timeframe requested by the Department, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Department's request does not include a timeframe, the time of response is 30 days. If the Permittee becomes aware the 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.
16. Except as otherwise specifically provided in this permit, all submittals in response to permit conditions shall be provided as described below.

- a. One electronic copy in optical media format of all documents (corrective action and permitting) and one hard copy of permitting documents (e.g., permit renewal, permit modifications, etc.) shall be sent to:

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

- b. In addition to copies sent to the Hazardous Waste Regulation Section in Tallahassee, one hard copy of all submittals shall be sent to:

Environmental Manager  
M.S. 4535  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

- c. In addition to copies sent to the Hazardous Waste Regulation Section in Tallahassee, one hard copy of all submittals shall be sent to:

Hazardous Waste Supervisor  
Department of Environmental Protection  
13051 North Telecom Parkway,  
Temple Terrace, Florida 33637-0926

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17. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating the name and date of the document submitted, the number(s) of the Part(s) and Condition(s) affected, and the permit number and project name of the permit involved.
18. All documents proposing modifications to the approved permit and involving the practice of engineering must be submitted to the Department for review and be signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with Chapter 471, F.S., and subsection 62-730.220(9), F.A.C. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with Chapter 492, F.S., and subsection 62-730.220(10), F.A.C.
19. The Department of Environmental Protection's 24-hour emergency telephone number is (850) 413-9911 or (800) 320-0519. During normal business hours, the DEP District Office may be contacted at (813) 632-7600 (Tampa).
20. The following conditions apply to permit modification and revocation of this permit:
  - a. The Department may modify, revoke, reissue or terminate for cause this permit in accordance with Chapters 62-4 and 62-730, F.A.C. The filing of a request for a permit modification, revocation, reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee may submit any subsequent modifications to the Department for approval. The application shall meet the fee requirements of Rule 62-730.293, F.A.C. The Permittee shall submit the application for revisions to the address in Condition 16 of this Part. The Permittee shall submit a copy of the cover letter accompanying the revisions and the fee to:

Florida Department of Environmental Protection  
Hazardous Waste Regulation Section  
Post Office Box 3070  
Tallahassee, Florida 32315-3070

- b. The modification fee may also be submitted electronically. However, if the Permittee intends to submit the modification fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

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- c. Siting criteria are not applicable to this permit.
21. Prior to 180 calendar days before the expiration of this permit, the Permittee shall submit a complete application for the renewal of the permit on forms and in a manner prescribed by the Department unless postclosure care and all corrective action have been completed and accepted by the Department. If the Permittee allows this permit to expire prior to Department acceptance of the certification of postclosure and termination of all corrective action, the Permittee must reapply for a permit in accordance with DEP Form 62-730.900(2), F.A.C. The Permittee shall submit the renewal to the address in Condition 16 of this Part. The Permittee shall submit one copy of the cover letter accompanying the renewal and the fee to:

Florida Department of Environmental Protection  
Hazardous Waste Regulation Section  
Post Office Box 3070  
Tallahassee, Florida 32315-3070

The renewal fee may also be submitted electronically. However, if the Permittee intends to submit the renewal fee electronically, the Permittee shall obtain instructions from the Department on how to submit the renewal fee electronically prior to attempting such submittal and shall follow such instructions in making the electronic fee submittal.

22. Reserved.
23. Reserved.
24. If this facility is a suspected or confirmed contaminated facility where there may be a risk of exposure to the public, then upon direction from the Department the Permittee must comply with the warning sign requirements of Section 403.7255, F.S., and subsection 62-730.225(4), F.A.C. The Permittee is responsible for supplying, installing and maintaining the warning signs.
25. Reserved.
26. Reserved.
27. The conditions in this permit shall take precedence over the permit application documents where there are differences between those documents and the permit conditions.

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28. The Permittee may claim that any information required to be submitted by this permit is confidential in accordance with subsection 62-730.100(3), F.A.C.
29. All work plans, reports and schedules and other documents (“submittals”) required by this permit are subject to approval by the Department prior to implementation. The Department will review the submittals and respond in writing. Upon written approval by the Department, the Permittee shall implement all work plans, reports and schedules as provided in the approved submittal. If the Department disapproves a submittal, the Department will:
  - a. Notify the Permittee in writing of the reason(s) why the submittal does not contain information adequate to support the conclusion, alternative, plan, proposal or recommendation, or why the conclusion, alternative, plan, proposal or recommendation is not supported by the applicable criteria. In this case the Permittee shall submit a revised submittal within 60 days of receipt of the Department’s disapproval; or
  - b. Revise the submittal, or approve the submittal with conditions, and notify the Permittee of the revisions or conditions. In the case of work plans, the Department may notify the Permittee of the start date of the schedule within the revised or conditionally approved work plan.
30. Any dispute resolution will be conducted in accordance with Chapter 120, F.S. (Administrative Procedure Act), Chapter 28-106, F.A.C., and the Department’s existing rules and procedures.
31. The following conditions apply to land disposal (placement) of hazardous wastes:
  - a. 40 C.F.R. Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage, or disposal unit. The Permittee shall maintain compliance with the requirements of 40 C.F.R. Part 268. Where the Permittee has applied for an extension, waiver, or variance under 40 C.F.R. Part 268, the Permittee shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached pending final written approval of such application.

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- b. A restricted waste identified in 40 C.F.R. Part 268 Subpart C may not be placed in a land disposal unit without further treatment unless the requirements of 40 C.F.R. Part 268 Subparts C and/or D are met.
  - c. The storage of hazardous wastes restricted from land disposal under 40 C.F.R. Part 268 is prohibited unless the requirements of 40 C.F.R. Part 268 Subpart E are met.
32. The Permittee shall implement remedial activities beyond the facility boundary, if there is suspected or confirmed off-property contamination, to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Department that, despite the Permittee's best efforts, as determined by the Department, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee shall use all reasonable efforts, including but not limited to correspondence, telephone calls, personal contacts, drafting and redrafting agreements, and payment of a fee, to obtain any access to real property necessary for work to be performed in the implementation of this permit. If necessary access cannot be obtained by the Permittee, or if obtained, is revoked by owners or entities controlling access to the properties to which access is necessary, the Permittee shall notify the Department within five business days of such refusal or revocation. The Department may at any time thereafter seek to obtain such access as is necessary to implement the terms of this permit. The Permittee shall reimburse the Department for any expenses that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain necessary access to said property. The Permittee shall pay these sums to the Department, or arrange a payment schedule with the Department, within 30 days of demand by the Department. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-property access is denied. On-site measures to address such releases will be determined on a case-by-case basis.
33. The Permittee owns the real property that comprises the Facility. If and when the Permittee intends to transfer parcels to third parties, the Permittee may drop a parcel from the Facility covered by this permit, and the Department will approve the dropping of the parcel so long as the parcel never contained a contaminated site, or so long as any contamination associated with the contaminated site has been addressed to the satisfaction of the Department. The satisfaction of the Department maybe conditioned on a sale with certain legal restrictions on the future use and/or remedial activity requirements on the parcel being dropped. Even though a parcel is no longer defined as part of the facility as a result of the permit modification (using the minor modification requirements of subsection 62-730.290(4), F.A.C.), in

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the unanticipated and improbable event that a previously unknown contaminated site is found on the parcel, and such contamination resulted from activities which occurred prior to the sale, the Permittee will be responsible for any corrective action along with any other persons who may have legal responsibility for the contamination.

## **PART II - OPERATING CONDITIONS**

Not applicable at this time.

## **PART III - POSTCLOSURE CONDITIONS**

Not applicable at this time.

## **PART IV - ENVIRONMENTAL MONITORING CONDITIONS**

Environmental Monitoring Reports shall be submitted and comply with the schedule set forth in the latest Corrective Action Deliverable Schedule identified in the Long-Term Surveillance and Maintenance Plan (LTS&M) approved by the Department pursuant to Specific Condition Part VI Subpart A.7 below.

## **PART V - CORRECTIVE (REMEDIAL) ACTION CONDITIONS**

1. The Conditions of this Part apply to:
  - a. The SWMUs and AOCs identified in Appendix A;
  - b. Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means; as used in this Part of the permit, the terms "discover", "discovery", or "discovered" refer to the date on which the Permittee either:
    - (1) visually observes evidence of a new SWMU or AOC;
    - (2) visually observes evidence of a previously unidentified release of contaminant(s) to the environment; or
    - (3) receives information from a credible source of the presence of a new release of contaminant(s) to the environment; and
  - c. Contamination that has migrated beyond the facility boundary, if applicable.

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2. Within 15 calendar days of discovery, the Permittee shall notify the Department in writing of any newly discovered release(s) of contaminant(s) to the environment; any suspected new AOC(s); and any additional SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means. The notification shall include, at a minimum, the location of the release, AOC or SWMU (hereinafter referred to collectively as "site"), and all relevant information (*e.g.*, location of site(s) on a topographic map of appropriate scale; general dimensions of affected area; media affected; hazardous constituents released; and magnitude of release). The Department may conduct, or require that the Permittee conduct, confirmatory sampling in order to determine whether contamination is present. The Department will notify the Permittee in writing of the final determination as to the status of the newly discovered or suspected site.
3. Upon notification by the Department, the Permittee shall prepare and submit a Confirmatory Sampling (CS) Work Plan for known, suspected, or newly discovered sites. Unless the notification letter specifically establishes a different time frame for work plan submittal, the Work Plan shall be submitted within 120 calendar days of notification by the Department that a CS Work Plan is required. The CS Work Plan shall include schedules for implementation and completion of specific actions necessary to determine whether or not contamination has occurred in any potentially affected media. In order to partly or wholly satisfy the CS requirement, previously existing data may be submitted with the work plan for the Department's consideration.

In accordance with the schedule in the approved CS Work Plan, or no later than 180 calendar days after Department written approval of a CS Work Plan if no schedule is included in the Work Plan, the Permittee shall submit a Confirmatory Sampling (CS) Report identifying those sites that are contaminated and those sites that are not contaminated. The CS Report shall include an analysis of the analytical data to support all determinations. Based on the results of the CS Report, the Department will determine the need for further investigation at sites covered in the CS Report and notify the Permittee in writing.

4. De Minimis discharge is a release of contaminant(s) that is removed from the soil, sediment, surface water, and groundwater to cleanup target levels or background concentrations within 30 days of discovery of the release. If the Permittee intends to treat a discharge under the De Minimis discharge provision of Rule 62-780.550, F.A.C., the Permittee must meet the notification requirements of Condition 2 of this Part, notifying the Department that a De Minimis action is underway. A De Minimis Remediation Report must be submitted to the Department within 90 days

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of discovery of the release. The report must include a description of all actions taken in response to the discharge and the information required by the Interim Source Removal Report pursuant to paragraph 62-780.500(7)(a), F.A.C.

5. Upon notification by the Department, the Permittee shall commence site rehabilitation in accordance with Rule 62-730.225 and Chapter 62-780, F.A.C., for all SWMUs and/or AOCs ("contaminated sites") identified in the notification. Unless the notification letter specifically establishes a different time frame to commence or complete site assessment, the Permittee shall commence and complete site assessment in the manner and within the time limits set forth in Rule 62-780.600, F.A.C.
6. Upon notification by the Department, the Permittee shall submit to the Department an Interim Measures (IM) Work Plan for any release, SWMUs or AOCs that the Department determines necessary to minimize or prevent further migration of contaminants or to limit human or environmental exposure to contaminants. The IM Work Plan shall be designed to mitigate any current or potential threat(s) to human health or the environment and to be consistent with long-term corrective actions at the facility. The IM Work Plan shall include the IM objectives, procedures for implementation, a schedule of activities, and associated designs, plans, and specifications.
7. If the Department or the Permittee at any time determines that any approved work plan no longer satisfies the requirements of 40 C.F.R. 264.101 or this permit for prior or continuing releases of contaminant(s) to the environment, the Permittee shall submit an amended work plan to the Department within 60 calendar days of such determination.

## **PART VI - REMEDY SELECTION AND IMPLEMENTATION**

### **Part VI Subpart A - General Conditions**

1. Within 180 calendar days of Department approval of a Site Assessment Report or Site Assessment Report Addendum the Permittee shall submit a Remedial Action Plan developed in accordance with Chapters 62-780 and 62-730, F.A.C. Remedial Action Plans may be performance based, including remediation options to be implemented based on changing conditions at the site.
2. Within 30 days of Department written approval of the remedial alternative(s) selected, the Permittee shall publish notice of a proposed permit modification in accordance with subsection 62-730.292(3)(c), F.A.C. This modification will serve to

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incorporate a final remedy into this permit. Final approval of remedial action which is achieved through interim measures shall be in accordance with this condition.

3. The Remedial Action Plan shall include a provision for the Permittee to submit periodic Remedial Action Status Reports in accordance with subsection 62-780.700(13), F.A.C. The intent to implement a different approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report. Proposals to modify a previously approved remedy in a performance based Remedial Action Plan can be provided in the Remedial Action Status Report and implemented with written Department approval.
4. When site rehabilitation (remedial action) is complete, the Permittee shall submit to the Department a Site Rehabilitation Completion Report in accordance with Chapter 62-780, F.A.C. Site Rehabilitation Completion Reports can be part of a combined document with the Remedial Action Status Report.
5. For site rehabilitation involving the cleanup of groundwater contaminated by a release from a designated regulated unit, the Permittee must demonstrate that the concentration of constituents of concern remain below cleanup goals for three consecutive years after active remediation has ceased as per 40 C.F.R. 264.100.(f).
6. When appropriate, the Department will approve completion of site rehabilitation by inclusion in a permit renewal, permit modification, or separate Site Rehabilitation Completion Order.
7. The Permittee shall comply with the schedule set forth in the latest Corrective Action Deliverable Schedule identified in the Long-Term Surveillance and Maintenance Plan (LTS&M) approved by the Department.

#### **Part VI Subpart B - Selected Remedies**

1. The selected interim remedy for SWMU PIN15, the Northeast Site, is Post Active Remediation Monitoring (PARM) as described in the following documents:
  - a. The Sitewide Environmental Monitoring Semiannual Progress Report for the Young-Rainey STAR Center December 2010 Through May 2011, June 2011; and
  - b. Long-Term Surveillance and Maintenance Plan for the Pinellas Site, December 2010; and

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- c. Interim Remedial Action for Source Removal at the Northeast Site-Final Report, September 2009.
2. The selected proposed remedy for SWMU PIN18, the Wastewater Neutralization Area/Building 200 Area is No Further Action with Controls as described in the following documents:
  - a. Young Rainey STAR Center Wastewater Neutralization Area No Further Action With Controls Proposal, March 2007; and
  - b. Long-Term Surveillance and Maintenance Plan for the Pinellas Site, September 2011.
3. Within sixty (60) days of permit issuance, the Permittee shall submit a final Remedial Action Plan (RAP) permit modification application for all of the SWMUs/AOCs in Appendix A.3 below.
4. The final Remedial Action Plan (RAP) shall contain the following:
  - a. Natural Attenuation with Monitoring (NAM) for the Northeast Site (SWMU PIN15) in accordance with Rule 62-780.690, F.A.C.
  - b. An updated No Further Action with Controls Proposal for the Wastewater Neutralization Area & Building 200 Area (SWMU PIN18) in accordance with Rule 62-780.680, F.A.C.
5. Within 180 days of permit issuance, the Permittee shall submit a Declaration of Restrictive Covenant (DRC) for each SWMU/AOC.

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**Appendix A**  
**Summary of Facility Sites (Solid Waste Management Units and Areas of Concern)**

<b>A.1. List of SWMUs/AOCs requiring Confirmatory Sampling:</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment and Basis for Determination	Dates of Operation	Potentially Affected Media
There are no units identified as requiring Confirmatory Sampling at this time pursuant to this permit.				
<b>A.2. List of SWMUs/AOCs requiring a Site Assessment (a/k/a RCRA Facility Investigation [RFI]) or a Risk Assessment:</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Potentially Affected Media
12 and 6	Industrial Drain Leaks, Building 100 and Old Drum Storage Site		1970-	Groundwater
<b>A.3. List of SWMUs/AOCs requiring a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Study [CMS]):</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media
15	Northeast Site		1968-1982	Groundwater
18	Wastewater Neutralization Area/Building 200			Groundwater

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<b>A.4. List of SWMUs/AOCs implementing a Remedial Action Plan or Natural Attenuation with Monitoring Plan (a/k/a Corrective Measures Implementation Report [CMI]):</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	SWMU/AOC Comment	Dates of Operation	Affected Media
There are no units identified at this time requiring a Remedial Action Plan or a Natural Attenuation with Monitoring Plan.				
<b>A.5. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations without controls have been made:</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation	
There are no units identified at this time at which Site Rehabilitation Completion Determinations without controls have been made.				
<b>A.6. List of SWMUs/AOCs at which Site Rehabilitation Completion Determinations with controls have been made:</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation	
There are no units identified at this time at which Site Rehabilitation Completion Determinations with controls have been made.				
<b>A.7. List of SWMUs/AOCs Where No Further Action Determinations have been made based on no suspected or confirmed contamination:</b>				
SWMU/AOC Number/Letter	SWMU/AOC Name	Unit Comment and Basis for NFA	Dates of Operation	

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OF ENVIRONMENTAL PROTECTION

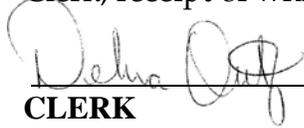


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**JOHN A. COATES, P.E., CHIEF**  
**BUREAU OF SOLID AND HAZARDOUS WASTE**

Filing and Acknowledgment

Filed on this date, pursuant to Section 120.52, Florida Statutes, with the designated Clerk, receipt of which is acknowledged.



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**CLERK**

January 9, 2012  
**DATE**

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### ATTACHMENT A-FACILITY MAP

