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PERMIT HO44-230669 FOR HAZARDOUS WASTE STORAGE FACILITY NAS KEY WEST FL  
6/28/1994  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



# Department of Environmental Protection

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901

Virginia B. Wetherell  
Secretary

**PERMITTEE:**

Naval Air Station Key West  
c/o Captain J. M. Munninghoff  
Commanding Officer  
Naval Air Station  
Key West, Florida 33040-5000

I.D. No: FL6170022952  
Permit/Certification  
Number: HO44-230669  
Date of Issue: June 28, 1994  
Expiration Date: June 28, 1999  
County: Monroe  
Latitude: 24° 34' 23" N  
Longitude: 81° 41' 31" W  
Section/Town/Range: 29/67S/26E  
Project: Hazardous Waste  
Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rule 17-730. 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:

To operate a hazardous waste storage facility consisting of a building for storing a maximum of 22,000 gallons in six individual storage bays. The maximum storage capacity for the building shall be 22,000 gallons of the following wastes:

D001 through D009, D011, D013, D018 through D043, F001 through F006, P015, P068, P098, U133 and U151 including those wastes which are not routinely generated, but are occasionally mixed with other wastes or non-routinely generated.

The facility is to be operated at Key West Naval Air Station, Boca Chica Key, Florida, at the location (Building A-4078) shown on Figure B-1 of the application.

Operation of the facility shall be in accordance with the application received May 3, 1993 and subsequent additional information on file. The issuance of this permit is subject to the following 16 general and 24 specific conditions.

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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 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (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 Subsections 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 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 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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GENERAL CONDITIONS:

7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential 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 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 non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance 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.
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 17-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

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11. This permit is transferable only upon Department approval in accordance with F.A.C. Rule 17-4.120 and 17-730.300 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 also constitutes:
  - (a) Determination of Best Available Control Technology (BACT)
  - (b) Determination of Prevention of Significant Deterioration (PSD)
  - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
  - (d) Compliance with New Source Performance Standards
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 for 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 dates analyses were performed;
    4. the person responsible for performing the analyses;
    5. the analytical techniques or methods used;
    6. the results of such analyses.

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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 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. The following conditions also shall apply.
  - (a) The undermentioned reports shall be submitted to the Department:
    - (1) 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.
    - (2) Unmanifested waste report. The Permittee shall submit a unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
    - (3) Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted to the Department by March 1, of each even numbered year pursuant to Chapter 17-730, F.A.C.
  - (b) Notification of any noncompliance 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 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:
    - (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.

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- (c) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.
- (d) All reports or information required by the Department by the Permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS:

1. Quantities of wastes stored in the facility shall not exceed 22,000 gallons. These wastes shall be stored in 27-gallon, 55-gallon, 85-gallon or other-sized containers appropriately approved by the U. S. Department of Transportation.
2. All hazardous wastes shall be transported from the storage facility by a licensed hazardous waste transporter.
3. All hazardous wastes shall be disposed of at an approved disposal facility or recycled in an approved manner.
4. The Permittee shall maintain the operating records required by 40 CFR 264 Subparts I and J.
5. The Permittee shall store only those hazardous wastes specified in Table L-1 of the application for the facility. Prior to acceptance of new hazardous wastes, the permittee shall submit to the Department, for approval, waste analysis of the proposed new waste stream as required by 40 CFR 264.13. This analysis must also be incorporated in the general waste analysis plan and retained in the facility records.
6. The Permittee shall inspect the facility operating, emergency and safety equipment in accordance with the schedule approved in Attachment H, Table H-3 of the application and 40 CFR 264.15. Changes, additions, or deletions to the schedule must be approved in writing by the Department. The schedule must be maintained as part of the operating record at the facility.
7. Facility personnel must successfully complete the approved training program indicated in Attachment K of the application and 40 CFR 264.16. Verification of this training must be kept with the personnel training records and maintained on-site. Personnel shall not work unsupervised until training has been completed.

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SPECIFIC CONDITIONS:

8. The contingency plan must be amended and distributed to the appropriate agencies if any criteria in 264.54 are met. Amendments to the plan must be approved in writing by the Department.
9. The Permittee shall keep a written operating record at the facility as required by 40 CFR 264.73, as it becomes available, and maintained until closure of the facility. The operating record shall include but not limited to the following:
  - a) A description and the quantity of each hazardous waste received;
  - b) The location of each hazardous waste within the facility and the quantity at each location;
  - c) Records and results of waste analyses;
  - d) Summary reports and details of all incidents that require implementing the contingency plan.
  - e) Records and results of inspections (for 3 years)
  - f) Notices to generators at off-site locations;
  - g) All closure cost estimates;
  - h) A certification by the permittee no less often than annually, that the permittee has a program in place to reduce the volume and toxicity of hazardous waste that the facility generates to the degree determined by the permittee to be economically practicable.
10. The Permittee shall keep all records and waste analyses regarding compliance with 40 CFR 268 (for 5 years).
11. The Permittee shall apply for a Closure Permit at least 180 days prior to beginning closure at the facility, as required by 17-30.260, Florida Administrative Code.
12. The Permittee is allowed to store the hazardous waste(s) approved in the application in the approved storage area only. Containers must conform to descriptions given in Attachment Q of the application and be managed in accordance with the approved operational plan. Containers shall be kept closed except when adding or removing waste and be handled in a manner that will not allow the containers to rupture or leak as required by 40 CFR 264.173. If a container holding hazardous waste is not in good condition, or begins to leak, the waste shall be transferred to another container in good condition as required by 40 CFR 264.171.

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13. The Permittee shall inspect the container storage area in accordance with the schedule and procedures approved in Table I-1 and I-2 of the application and 40 CFR 264.174.
14. Spilled or leaked waste and accumulated precipitation must be removed from the collection area, identified and disposed of in accordance with Attachment Q of the application and 40 CFR 264.175.
15. Incompatible waste shall not be stored in the same containers or placed in unwashed containers that have previously held an incompatible waste. The Permittee must comply with requirements of 40 CFR 264.177.
16. No hazardous waste shipments shall be initiated via public roads during an emergency evacuation event, such as may be ordered with the approach of a hurricane.
17. The Permittee shall sample and analyze all waste material in accordance with Attachment M of the application.
18. The Permittee shall follow the emergency procedures specified in 40 CFR 264.56 and/or 264.196, and Attachment H of the permit application. The permittee shall give proper notification if an emergency situation arises, and within 15 days must submit to the Department a written report which includes all information required in 40 CFR 264.56(j) or within 30 days if, 40 CFR 264.196 is applicable.
19. The permittee shall submit an application for a renewal of the Operation Permit at least 180 days prior to expiration of this permit in accordance with Florida Administrative Code Rule 17-730.300(1).
20. The Department may modify this permit if any of the conditions of Florida Administrative Code Rule 17-730.290(1) apply.
21. The Permittee shall notify the Department in writing four weeks prior to receipt of hazardous waste from a foreign source in accordance with 40 CFR 264.12.
22. The amount of waste stored in each bay shall not exceed ten times of the sump capacity of that bay. Storage of hazardous waste containers shall be in accordance with 40 CFR 264 Subpart I and Attachment Q of the permit application.
23. The Permittee shall manage ignitable waste in accordance with 40 CFR 264.17, 164.176 and 264.198.

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**SPECIFIC CONDITIONS:**

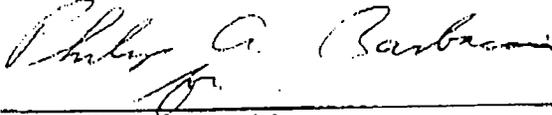
24. The Permittee shall manage incompatible waste in accordance with 40 CFR 264.199

Should you need further information, please call Ghaus Minhaj at (813) 332-6975.

**Note:** In the event of an emergency the permittee shall contact the Department by calling (904) 488-1320. During normal business hours, the permittee shall call (813) 332-6975.

Issued this 28th day of June, 1994

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

  
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Ronald D. Blackburn  
Acting Director of  
District Management

Attachment & Enclosure  
RDB/GM/vo  
12 Pages Attached