

**NORTHEAST DISTRICT
 Division of Law Enforcement
 BUREAU OF EMERGENCY RESPONSE
 7825 BAYMEADOWS WAY
 SUITE 200-B
 JACKSONVILLE, FLORIDA 32256
 Kenton L. Brown, CHMM
 PHONE (904) 807-3246
 Cell (904) 237-6260
 FAX (904) 807-3385
 Pager- 346-7436**

DATE FAXED: 6/17/04

TO: EPA Emergency Response/Ben Franco or Rick Gardine

COMPANY: EPA

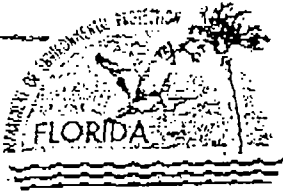
FAX NUMBER: 404-562-8701

FROM: *Kenton L. Brown*

**Number of pages including cover sheet: 10
 Comments:**



10452006



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wecherell
Secretary

PERMITTEE:

International Processing
Specialists, Inc.
1859 East Adams Street
Jacksonville, FL 32202

Attn.: Ferrell J. Carden,
President

I.D. Number: FLD 980 841 472
Permit/Cert Number: 15629-001-HO
Date of Issue: December 8, 1997
Expiration Date: December 8, 2002
County: Duval
Lat/Long: 30°19'28"N/81°37'35"W
Section/Township/Range: 45/2S/27E
Project: Used Oil Processing
Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4 and 62-710. 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 Used Oil Processing Facility consisting of eleven aboveground steel tanks and a container storage area. The tank system has a maximum operating capacity of 1,272,000 gallons and the container storage area has a maximum storage capacity of 1,320 gallons and both units are described in Attachment 1 of the permit and Exhibit "A", Exhibit "A-2" and Exhibit "J" of the permit application. (Hereinafter referred to as "Facility".)

All eleven tanks are equipped with a concrete secondary containment system constructed of a 4" reinforced concrete floor and 10" wide reinforced concrete walls which are 7.5' high and have 4' wide footers. Tank 2(14-2) has a capacity of 630,000 gallons. Tank 3(7-5-3) has a capacity of 300,000 gallons. Tank 5(5-5) has a capacity of 210,000 gallons. Tank 11 has a capacity of 30,000 gallons. Tanks 12 and 13 have capacity of 12,000 gallons each. Tanks 10, 14, 15 and 16 have capacity of 15,000 gallons each and Tank 17 has a capacity of 18,000 gallons. The tank system has the ability to transfer the waste to and from any of the tanks. Drawings S-1, S-2 and Exhibit "A" and Exhibit "A-2" of the permit application describes the tanks system.

The facility also has an oil processing area including a centrifuge, located just south of the tanks system. The processing area is constructed of a concrete floor and concrete blocks walls.

The facility has the capacity to store up to 24 55-gallon drums (1,320 gallons) of used oil in the container storage area. The container storage area is constructed of reinforced concrete and

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

	Date built	Const	Type	Condition	Volume
TANK 2 (14-2)	1950	MILD STEEL	ABOVE GROUND	GOOD	630000
TANK 3 (7-5-3)	1950	MILD STEEL	ABOVE GROUND	GOOD	300000
TANK 5 (5-5)	1929	MILD STEEL	ABOVE GROUND	GOOD	210000
TANK 10	1970	MILD STEEL	ABOVE GROUND	GOOD	15000
TANK 11	1970	MILD STEEL	ABOVE GROUND	GOOD	30300
TANK 12	1975	MILD STEEL	ABOVE GROUND	GOOD	12000
TANK 13	1975	MILD STEEL	ABOVE GROUND	GOOD	12000
TANK 14	1970	MILD STEEL	ABOVE GROUND	GOOD	15000
TANK 15	1970	MILD STEEL	ABOVE GROUND	GOOD	15000
TANK 16	1970	MILD STEEL	ABOVE GROUND	GOOD	15000
TANK 17	1960	MILD STEEL	ABOVE GROUND	GOOD	18000
CAUSTIC	1991	MILD STEEL	ABOVE GROUND	GOOD	2500
SULFURIC	1991	MILD STEEL	ABOVE GROUND	GOOD	2500
ALUM	1994	POLYE- THYLANE	ABOVE GROUND	GOOD	2500
RFRACTANT (IL POLYMER)	1990	FIBERGLASS	ABOVE GROUND	GOOD	6000

N 83°22'00" W 129.40' (actual)

POINT OF BEGINNING

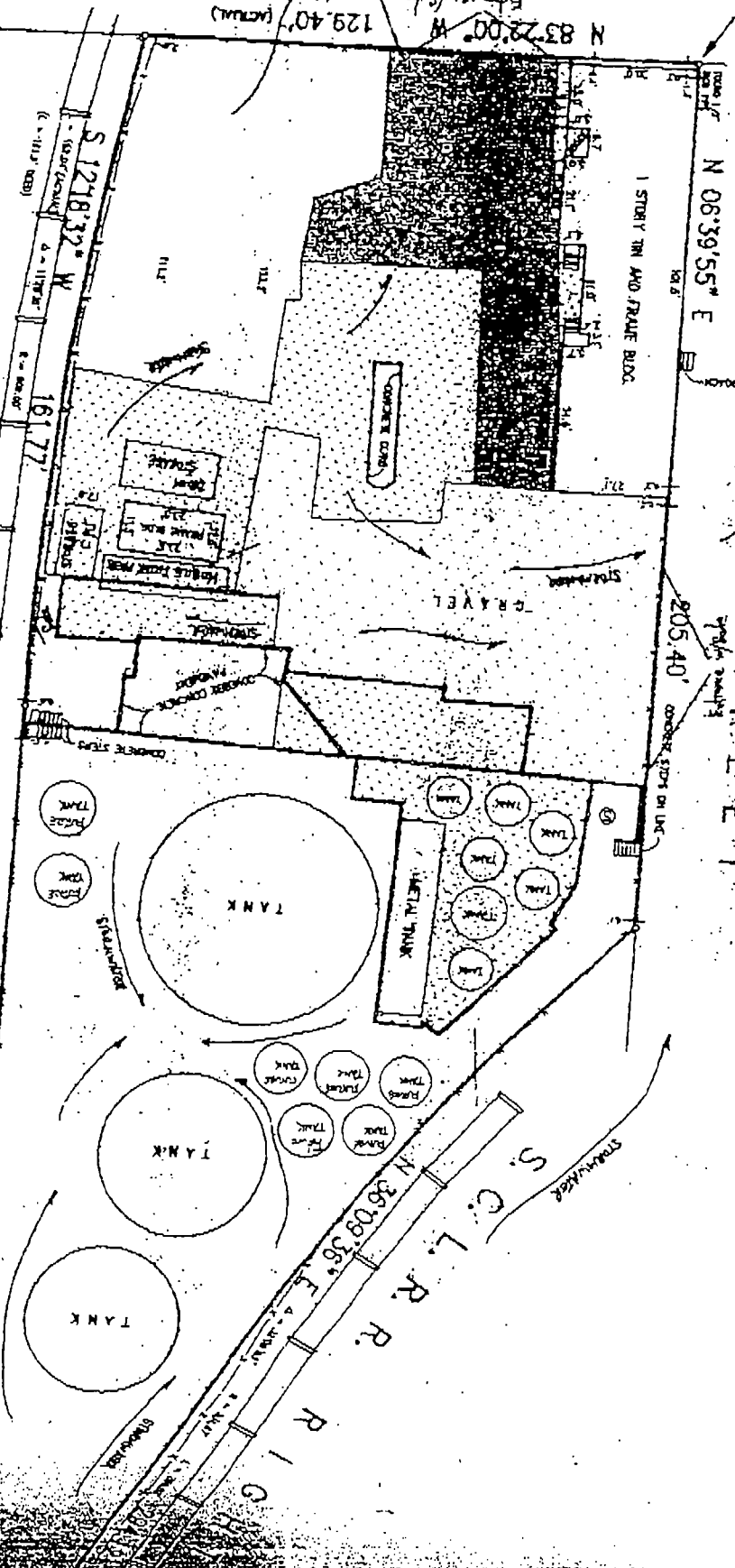
BRYAN

STREET

POINT OF COMMENCEMENT
1/2" PLAN OF LOT 14 COMMENCED
MAY 12, 1925 (SHEET 2)



S. C. L. R. R. RIGHT OF WAY



IN THE CIRCUIT COURT, FOURTH JUDICIAL
CIRCUIT, DUVAL COUNTY, FLORIDA.

CASE NO.: 16-2004-CA-003958
DIVISION: CV-G

CITY OF JACKSONVILLE, a political subdivision
of the State of Florida, and STATE OF FLORIDA,
ex rel. CITY OF JACKSONVILLE

Plaintiff,

vs.

BCX INC., a foreign corporation licensed to do
business in the State of Georgia; SEVEN OUT
L.L.C., a limited liability corporation licensed to
do business in Florida; PETROLEUM FUEL
AND TERMINAL CORPORATION, a foreign
corporation licensed to do business in the State of
Florida; S.O.S. EARTH INC., a corporation
licensed to do business in Florida; and INTERNATIONAL
PROCESSING SPECIALISTS, INC., an administratively
dissolved Florida Corporation,

Defendants.

**ORDER GRANTING PLAINTIFF'S
MOTION FOR TEMPORARY INJUNCTION**

This cause came to be heard upon the Motion for Temporary Injunction filed by Plaintiff, City of Jacksonville and State of Florida, *ex rel.* City of Jacksonville on June 11, 2004. After consideration of the evidence before this Court, the Court finds as follows:

1. Section 360.407, Ordinance Code, authorizes the City to seek injunctive relief in circuit court to restrain persons from violating or continuing to violate Chapter 362, Ordinance Code.
2. Despite repeated demands and efforts from the City, the Defendants have violated, and continue to violate the Florida Statutes, the Florida Administrative Code,

JEPB Rules and the Ordinance Code, by continually failing to correct the violations at the petroleum storage facility located at the Site.

3. Defendants BCX, Seven Out, and SOS, as owner and operators of the Site, are directly responsible for compliance with all local and state requirements for operation of its business.

4. After receiving testimony and evidence, this Court finds the requirements for issuance of a temporary injunction have been met.

Upon consideration of the foregoing, it is hereby

ORDERED:

1. Plaintiff's Motion for Temporary Injunction is granted.

(a) Defendants, their officers, agents, servants and employees shall be required to properly remove and dispose of all regulated petroleum products currently existing on the Site in the containment structure within one (1) week from the date of this Order;

(b) Defendants, their officers, agents, servants and employees shall be required to properly remove and dispose of all regulated petroleum products currently existing in the storage tanks located on the Site within three (3) months from the date of this Order. Once the storage tanks are emptied, the Defendants shall not use or permit the use of the storage tanks for any purpose;

(c) Defendants, their officers, agents, servants and employees shall sample and analyze for the presence of petroleum contamination in all existing monitoring wells located on the Site within three (3) weeks from the date of this Order;

(d) Defendants, their officers, agents, servants and employees shall remove and remediate all surficial petroleum contamination around the exterior of the containment

structure; and

(e) Defendant shall provide proof of financial responsibility and proof of payment of registration fees pursuant to Florida Administrative Code 62-761;

2. Subject to the time frames listed in paragraph 1, above, Defendants, their agents, servants, employees and assigns, are temporarily enjoined from maintaining a petroleum storage system on the Site in such a manner as to be in violation of Florida Administrative Code 62-761 and Chapter 362, Ordinance Code.

3. Because this temporary injunction is issued on the pleading of the City of Jacksonville, a municipality, this Court, pursuant to Rule 1.610, Fla. R. Civ. P., finds that a bond shall not be required.

DONE AND ORDERED in Chambers at Jacksonville, Duval County, Florida, at

10 o'clock A.m. this 11 day of June, 2004.

(SIGNED) JEAN JOHNSON

CIRCUIT JUDGE

Copies furnished to:

Jason R. Teal
Assistant General Counsel
117 West Duval Street, Suite 480
Jacksonville, FL 32202

Richard Thames, Esq.
Stutsman & Thames, P.A.
121 West Forsyth Street
Suite 600
Jacksonville, FL 32202

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State of Florida
 Department of Environmental Protection (DEP)
 Northeast District

Jacksonville Area Motels

Near the DEP Office

Best Inns of America	8220 Dix Ellis Trail	904/739-3323	
Comfort Suites Hotel	8333 Dix Ellis Trail	904/739-1155	#62/NIGH
Embassy Suites Hotel	9300 Baymeadows Road	904/731-3555	#29/NIGH
Holiday Inn	9150 Baymeadows Road	904/737-1700	#65/NIGH
Homewood Suites	8737 Baymeadows Road	904/733-9299	#45/NIGH
La Quinta Inn	8255 Dix Ellis Trail	904/731-9940	Clapham
Motel 6	8285 Dix Ellis Trail	904/731-8400	Dinner
Travelodge	I-95 & Baymeadows Road	904/731-7317	Friday

Near the Beach

Comfort Inn-Oceanfront	1515 North 1st Street	904/241-2311
Days Inn of Neptune Beach	1401 Atlantic Boulevard	904/249-7231
Oceanview Motel	60 Ocean Boulevard	904/246-9514
Ramada Resort	1201 North 1st Street	904/241-5333
Sea Horse Motel-Oceanfront	120 Atlantic Boulevard	904/246-2175
Sea Turtle Inn-Oceanfront	1 Ocean Boulevard	904/249-7402

Downtown

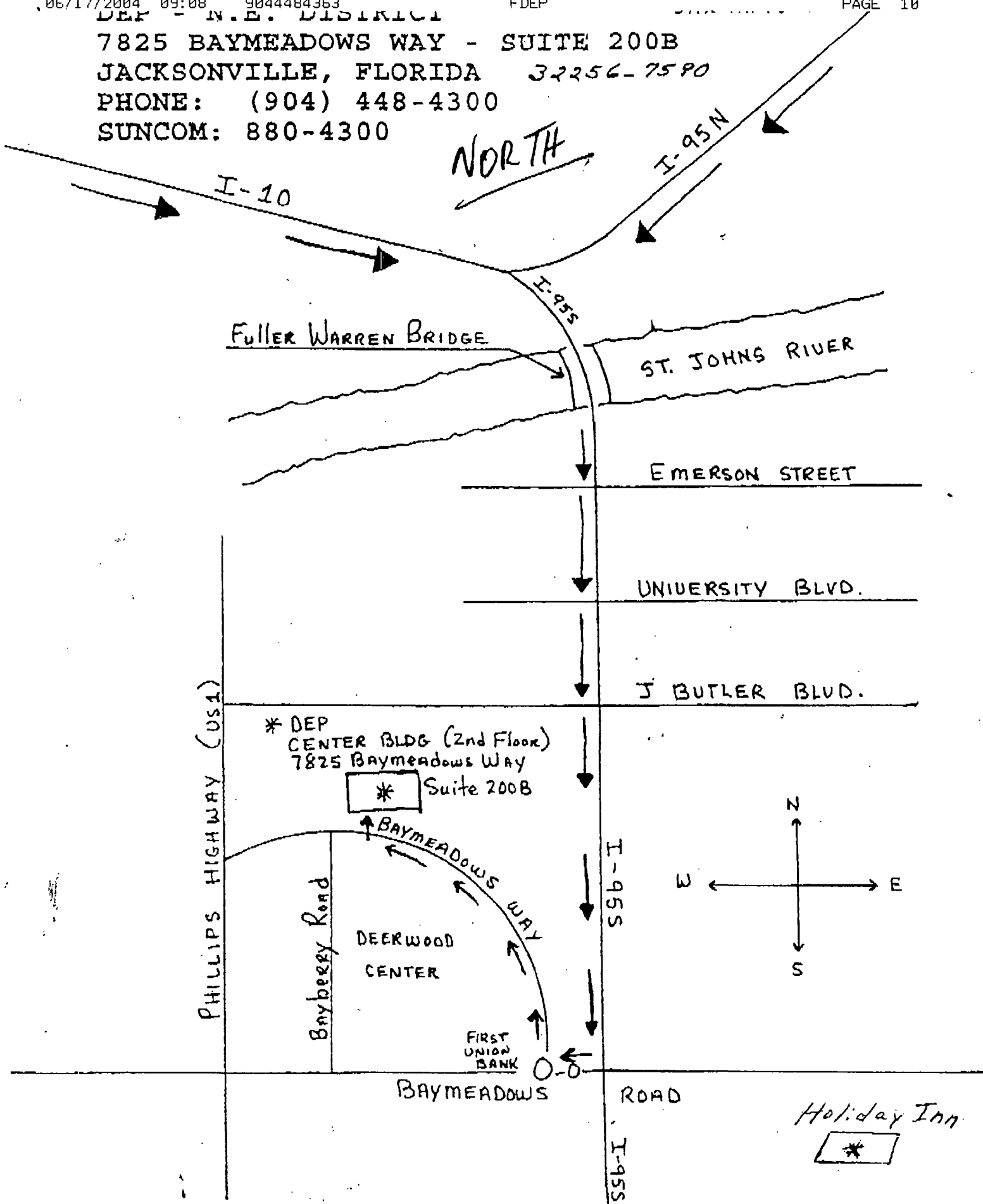
Radisson Riverwalk Hotel	St. Johns Place	904/396-5100
	1515 Prudential Drive	
Omni Jacksonville Hotel	245 West Water Street	904/355-6664
Jacksonville Hilton & Towers	1201 Riverplace Boulevard	904/398-8800

Airport

Courtyard By Marriot	14668 Duval Road	904/741-1122
Holiday Inn	I-95 & Airport Road	904/741-4404
Hampton Inn	1170 Airport Entrance Road	904/741-4980

05/00

7825 BAYMEADOWS WAY - SUITE 200B
JACKSONVILLE, FLORIDA 32256-7590
PHONE: (904) 448-4300
SUNCOM: 880-4300



SOUTH