



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 7, 1997

Mr. Eugene B. Silverman
ARD Environmental, Inc.
9115 Whiskey Bottom Road,
Laurel, Maryland 20273

File No. EQ-302

RE: DEP Approval of an In-Service Aboveground Tank Inspection
Program pursuant to Rule 62-762.850, Florida Administrative
Code (F.A.C.)

Dear Mr. Silverman:

The Bureau of Petroleum Storage Systems has concluded its review of the Inspection Program approval request dated September 10, 1997, that was submitted for above the referenced equipment.

Based on the information provided by ARD Environmental, Inc., the Department finds that the applicant's In-Service Aboveground Tank Inspection Program will provide environmental protection substantially equivalent to that provided by compliance with the requirements established in the Rule 62-762.500(3)(g) and 62-762.520(1)(a), F.A.C.

Pursuant to Rule 62-762.850, F.A.C., the request for the use of the above referenced inspection program is **Approved** for aboveground storage system inspections in as a part of an in-servive API 653 evaluation in the State of Florida.

Notwithstanding the above, a person whose substantial interests are affected by this Order may petition for an administrative determination in accordance with Section 120.57, Florida Statutes (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 at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, within twenty-one (21) days of receipt of this notice. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination under Section 120.57, F.S.

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the DEP facility number, and the name and address of the facility;

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- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

Mediation is not available as a dispute resolution mechanism for equipment requests which are approved.

Any questions you have on the technical aspect of this approval should be directed to Farid Moghadam at (904)488-3935.

Sincerely,



John M. Ruddell, Director
Division of Waste Management

JMR/fm