

Thursby, Kim

From: Bill Parkes [bparkes@cliffberryinc.com]
Sent: Monday, September 17, 2007 1:04 PM
To: Epost HWRS
Subject: RE: Cliff Berry, Inc. - Jacksonville;FLR 000 119 784;Permit Application to Construct and Operate a Used Oil Facility 2nd Notice of Deficiency

Tim -

CBI confirms receipt of the attached document.

Thanks,

William E. Parkes, Jr.
Cliff Berry, Inc. (CBI)

-----Original Message-----

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Monday, September 17, 2007 10:47 AM
To: bparkes@cliffberryinc.com
Cc: Bodin, Christopher; Raoul.Clarke@dep.state.fl.us; Wick, Fred; Bahr, Tim; Prusty, Rabin; Kothur, Bheem
Subject: Cliff Berry, Inc. - Jacksonville;FLR 000 119 784;Permit Application to Construct and Operate a Used Oil Facility 2nd Notice of Deficiency

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

September 17, 2007

SENT VIA EMAIL

bparkes@cliffberryinc.com

Mr. William E. Parkes, Jr.
Cliff Berry, Incorporated
Post Office Box 13079
Port Everglades Station
Fort Lauderdale, Florida 33316

RE: Cliff Berry, Inc. – Jacksonville Facility
EPA I.D. No. FLR 000 119 784
Permit Application to Construct and Operate a Used Oil Facility
2nd Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has reviewed your response dated July 24, 2007 to Department's first notice of deficiency (NOD). Cliff Berry must provide additional information on items specified in the Attachment to complete the permit application for operating a Used Oil / Oily Wastewater Facility at 1518 Talleyrand Ave, Jacksonville, Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response within 30 days of receipt of this notice. If you cannot submit this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. William E. Parkes, Jr.
September 17, 2007
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Rabin Prusty at (850) 245-8780 or via e-mail: rabin.prusty@dep.state.fl.us.

Sincerely,



Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

Enclosure

cc: Christopher Bodin, DEP/Jacksonville, christopher.bodin@dep.state.fl.us
Raoul Clarke, DEP/Tallahassee, raoul.clarke@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us

ATTACHMENT
September 14, 2007
Cliff Berry, Inc. – Jacksonville Facility
EPA I.D. No. FLR 000 119 784
2nd Notice of Deficiency

Specific Comments: Comments are numbered in the same order of CBI response numbering.

Item 1(b): the correct facility # for this application is EPA ID # FLR000119784, please resubmit the application page with the correct facility EPA ID#.

Item 2(a & e): Tank volumes are inconsistent on **Attachment 2**. Secondary containment calculations are not correct [under estimated], however the containment wall, as designed, appears to provide approximately 6,216 cubic feet containment which is greater than 110% of the volume of the largest tank (34,000gal). Please provide the correct volumes and calculations.

- 1) Please provide information on how CBI plans to manage the used antifreeze. Identify antifreeze unit on a facility map. Will it be sent off-site for recycling, if so **where?** Please address as appropriate.
- 2) Please provide information on how CBI plans to manage the used diesel fuel. Identify diesel fuel storage unit on a facility map. Will it be sent off-site for recycling as used oil, if so **where?** Please address as appropriate.
- 3) Please provide a copy of the Forms CBI will use for incoming and outgoing shipments of used oil filters and any other waste materials.
- 4) In CBI's "Audit Information" submittal, section 2, page 2-2 the CBI Jacksonville facility is shown as a Used Oil and Used oil filter transfer facility, however from the submitted Registration (July 31, 2006) it appears that at present the facility is not authorized as a Used Oil or Used oil filter transfer facility. Please revise the information to reflect correct DEP authorization and resubmit the page.
- 5) If CBI plans to manage petroleum contact water (**PCW**) waste, please provide information on how CBI will comply with the applicable requirements of **62-740.200 FAC**. Also, identify the storage unit, on a facility map, in which PCW will be managed.
- 6) If CBI plans to **receive** and store any hazardous waste on-site for more than 24 hours; please provide information on how CBI will comply with the applicable requirements of **403.7211 F.S. "Hazardous waste facilities managing hazardous wastes generated onsite; federal facilities managing hazardous waste."** Also please provide the information requested in Item 4 of the Departments April 25, 2007 letter to CBI.
- 7) Please provide information that training will include used oil handling and transportation requirements.

8) Please provide a copy of the spill prevention, control, and countermeasures (SPCC) contingency plan for the planned CBI Jacksonville facility. [The plan submitted is for CBI's Miami facility.] Please revise as appropriate.

Item 4 & 5: The closure cost estimate still appears low as compared to similar UO Processing facilities located in Jacksonville. Please provide copies of the quotes from the third party Contractor(s) CBI used in calculating the closure cost. CBI needs to submit a detailed written closure plan which includes where and how waste will be disposed of, tanks and equipment decontamination procedure, sampling plan to include sampling parameters and frequency and justification for their selection, and a schedule for closure activities. The closure plan should also include a statement that final closure will be certified by the owner and an independent P.E. registered in the State of Florida. The closure plan should also include contingency to close the facility as HW landfill in case all of the contaminated soils cannot be removed.

Item 6: Please submit a written business and operations plan specific for CBI's Jacksonville facility, explaining what waste CBI plans on receiving, fingerprint analysis procedures, and where the facility plans to send the material for further processing or disposal. Please include procedures facility will use to monitor tank levels, respond to spills, and procedures for management (removal and characterization) and disposal of accumulated sludge/solids in the storage tanks.

General Comments

1. Site Map: Cliff Berry must provide a site map (8 ½ “x 11”) identifying all tanks. The site map will be attached to the permit.

2. Waste Determination: If Cliff Berry, Incorporated is going to have the generator make a non-hazardous waste determination based upon product knowledge or analytical information or both for the waste to be processed it should be noted that generator knowledge or “acceptable knowledge” includes “process knowledge” and the facility’s records of analysis performed before the effective date of RCRA regulations or a combination of these with actual chemical analysis of the waste. “Process Knowledge” could constitute acceptable knowledge when detailed information on the wastes is obtained from existing published or documented waste analysis data or studies conducted on hazardous wastes generated by processes similar to that which generated the waste.

If Cliff Berry, Incorporated relies on acceptable knowledge of a waste provided by the generator we suggest the following:

- Cliff Berry, Incorporated personnel should become familiar with the generator’s processes by site visits, sampling data, and/or other information.
- Waste analysis data contained in documented studies from the generator must be based on valid sampling and analytical techniques; and
- Process descriptions and documented studies from the generator should be reviewed to determine if any differences exist between the processes described in the studies and those actually employed by the generator.

No action is required for this item, Cliff Berry, Incorporated must just be aware of the information provided above.

3. Establishing Existing Site Condition: The Facility is encouraged to establish preexisting conditions at the site by taking soil and groundwater samples (if necessary), so that when the facility is ready for final closure these preexisting conditions have been defined. This information will be helpful in final closure.

4. Revised Application: CBI must resubmit a revised application in its entirety incorporating all of the Departments' comments from both NOD's.

5. Please make sure that all the maps, tank table and tank sizes are consistent (Attachment 2).