

**Thursby, Kim**

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**From:** Bill Parkes [BParkes@cliffberryinc.com]  
**Sent:** Tuesday, January 29, 2008 11:37 AM  
**To:** Epost HWRS  
**Subject:** RE: Cliff Berry, Inc., Fort Lauderdale; Facility Response Letter dated December 6, 2007; FLD 000 831 156; 54192-HO-003

Tim -

CBI confirms receipt of the attached document on January 9, 2008.

Thanks,

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

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**From:** Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]  
**Sent:** Wednesday, January 09, 2008 10:42 AM  
**To:** Bill Parkes  
**Cc:** Kantor, Karen E.; Raoul.Clarke@dep.state.fl.us; Wick, Fred; Posner, Augusta; ddupuy@broward.org; smellacheruvu@broward.org; asosnow@broward.org; pthompson@broward.org; sseibert@broward.org; McCoy, Matt; ambrose.fox@bellsouth.net; Bahr, Tim; Prusty, Rabin; Kothur, Bheem  
**Subject:** Cliff Berry, Inc., Fort Lauderdale; Facility Response Letter dated December 6, 2007; FLD 000 831 156; 54192-HO-003

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](mailto: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](http://www.adobe.com/products/acrobat/readstep2.html).

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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](mailto:epost_hwrs@dep.state.fl.us)

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# 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

January 9, 2008

SENT VIA E-MAIL

[bparkes@cliffberryinc.com](mailto:bparkes@cliffberryinc.com)

Mr. William E. Parkes, Jr.  
Regulatory Affairs Manager  
Cliff Berry, Incorporated  
P.O. Box 13079  
Fort Lauderdale, Florida 33316

SUBJECT: Cliff Berry, Inc., Fort Lauderdale Facility  
Facility Response Letter dated December 6, 2007  
EPA I.D. Number: FLD 000 831 156  
Permit Number: 54192-HO-003

Dear Mr. Parkes:

The Department of Environmental Protection (the Department) has reviewed CBI's response dated December 6, 2007 concerning Department comments on the Final Letter of Certification for Closure Completion of the CBI – Fort Lauderdale Facility. Based upon analysis of the activities performed to-date and information presented to the Department, CBI has not been able to demonstrate the source of free product at the site or that two hydraulically disconnected aquifers exist the span of the entire site.

Therefore, as previously required by the Department (letters of August 29, 2007 and November 02, 2007), CBI must install all required monitoring wells to demonstrate the origin of free product and also ascertain the theory that two distinct aquifers exist under the span of the site. The Department once again reiterates the following comments from previous correspondence:

- 1) As requested by the FDEP letter dated November 02, 2007, CBI can install piezometers at the required locations which intersect the water table but do not go into the clay layer. In addition CBI must also install monitoring wells screened below the clay layer. CBI must gauge the piezometers and wells after installation activities. In effect they would be installing twice the number of required wells but splitting the screened intervals. This would allow for CBI to complete the required work while maintaining the integrity of the "alleged aquiclude" and also afford CBI the opportunity to prove their theory regarding the source of product.

Mr. William E. Parkes, Jr.  
January 9, 2008  
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- 2) CBI should provide detailed lithologic logs (FDEP well completion logs), provide field notification, and photographic evidence identifying and documenting the geology at the site.

Please note that CBI Fort Lauderdale permit will expire on February 12, 2008. If the facility cannot be clean closed before the expiration of this permit, the permittee must renew the permit to obtain a closure Permit by submitting the renewal application, including closure cost estimates and Financial Assurance, for closure of the site. The complete renewal permit application must be submitted to the Department no later than February 12, 2008.

If you have any questions, please contact Rabin Prusty at (850) 245-8780 or via e-mail: [rabin.prusty@dep.state.fl.us](mailto:rabin.prusty@dep.state.fl.us).

Sincerely,



Bheem Kothur, P.E. III  
Hazardous Waste Regulation

BK/rp

cc: Karen Kantor, DEP/West Palm Beach, [karen.e.kantor@dep.state.fl.us](mailto:karen.e.kantor@dep.state.fl.us)  
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