



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 11, 2010

William Parkes
Cliff Berry Inc - Miami Terminal
PO Box 13079
Fort Lauderdale, FL 33316-100

Re: Florida Hazardous Waste Transporter Approval

Dear William Parkes:

Your Florida Hazardous Waste Transporter Approval Certificate is enclosed. The terms and conditions of approval are specified in Sections 62-730.170 and 62-730.171, Florida Administrative Code(FAC), a copy of which is enclosed for your reference. Please note the following.

1. You must demonstrate proof of liability coverage on an annual basis, even if your insurance policy is issued on a multi-year basis. If no changes in status or insurance coverage have occurred, you can meet this requirement by submitting a certificate of liability coverage form along with the two copies of the Hazardous Waste Transporter Status Form, copies of which are available upon request from the Department of Environmental Protection.
2. A copy of your insurance policy, together with any endorsements, must be maintained at your principal place of business.
3. Your insurer can not terminate your coverage until 30 days after filing written notice with DEP, by Certified mail, that your policy has expired or has been canceled.
4. Any changes to the information specified on your approval certificate will render it null and void. It is your responsibility to advise DEP of any changes in liability coverage or status.
5. A copy of Hazardous Waste Transporter Status Form, complete with the Department approval shall be carried in each vehicle transporting hazardous waste for the transportation company.

William Parkes
January 11, 2010
Page Two

If you intend to operate a hazardous waste transfer facility, please refer to Form 8700-12FL, page 2, item 7(e) for a list of all the required documents that must be submitted.

If you are currently operating an authorized transfer facility, you must maintain records of incoming and outgoing hazardous waste shipments. These records must include generator names and manifest numbers, and, unless otherwise approved by the Department, must be maintained at the transfer facility in accordance with Rule 62-730.171, 7(6), F.A.C. Also, please review the attached letter of March 11, 2009 addressed to all hazardous waste transporters who have notified of existing transfer facilities, subject: Required Submittal of Supplemental Information.

If you have any questions, please contact me at 850/245-8755.

Sincerely,

A handwritten signature in black ink that reads "Aprilia Graves". The signature is written in a cursive, flowing style.

Aprilia Graves
Engineering Specialist IV
Hazardous Waste Regulation Section

AG

Enclosures: Hazardous Waste Transporter Approval Certificate
Hazardous Waste Transporter Status Form (with insurance verification)
Sections [62-730.170](#) and [62-730.171](#) , FAC



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

HAZARDOUS WASTE TRANSPORTER CERTIFICATE OF APPROVAL

This is to certify that the carrier specified below has been approved as a hazardous waste transporter in Florida. The terms and conditions of this certificate require that the holder comply with all applicable portions of Chapter 62-730, Florida Administrative Code. This certificate shall be rendered null and void if any information contained within becomes obsolete. The certificate shall remain valid through the expiration date specified below.

TRANSPORTER: Cliff Berry Inc - Miami Terminal

FACILITY ID NO: FLD058560699

FACILITY ADDRESS: 3033 NW North River Dr
Miami, FL 33142-6304

INSURANCE CARRIER: XL SPECIALTY INSURANCE

INSURANCE POLICY#: AEC000638910

EFFECTIVE DATE: December 31, 2009

EXPIRATION DATE: December 31, 2010

APPROVED TRANSFER FACILITY: YES

APPROVAL ISSUED BY: *Aprilia Graves* DATE: January 11, 2010
Aprilia Graves
Engineering Specialist IV
Hazardous Waste Regulation Section
850/245-8755

Are your services commercially available? YES

RECEIVED

STATE OF FLORIDA

DEC 07 2009

HAZARDOUS WASTE TRANSPORTER STATUS FORM BY: BSHW

1. Transporter Identification:

Transporter Name: CLIFF BERRY, INC (COI)
Transporter EPA ID: FLD 058 560 699
Location Address: 3033 N.W. NORTH RIVER DRIVE
MIRAMONTE, FLORIDA 33142

Contact: WILLIAM E. PARKES, JR Telephone: (954) 763-3390

Mailing Address: P.O. Box 13079
FORT LAUDERDALE, FLORIDA 33316

II. Insurance Information:

Insurance Company: XL Specialty Insurance Company
Address: 1990 N California Blvd., Ste. 740
Walnut Creek, CA 94596

Contact: MIKE BERNATH Telephone: (800) 327-1414

Policy Number: AE000638910

Expiration date: 12/31/2010

III. Waste Information:

EPA Waste Codes for Waste Routinely or Usually Transported:

D001 D002 D006 D007 D008 D009 D031 D040

Comments: _____

IV. Certification:

I certify under penalty of law that the above information is true, correct, and complete to the best of my knowledge.

Print/Type Name CLIFF BERRY, II Title PRESIDENT

Signature [Signature] Date Signed 12/4/09

V. The transporter identified above is in compliance with the financial responsibility requirements for hazardous waste transporters pursuant to Chapter 62-730.170, Florida Administrative Code. The forms submitted by the transporter show compliance with the financial responsibility through 12/31/2010 Date

APPROVED by Theresa A. Sullivan, changes approved by the Certifier by phone 01/08/2010
Signature of Florida Department of Environmental Protection Representative Date Signed



Cliff Berry, Incorporated
Environmental Services

RECEIVED

DEC 07 2009

BY: BSHW

December 4, 2009

Ms. Aprilia Graves
Hazardous Waste Regulation Section
Florida Department of Environmental Protection (FDEP)
Twin Towers Office Building
2600 Blair Stone Road, MS 4550
Tallahassee, Florida 32399-2400

RE: Letter of Transmittal for Required Supplemental Information for the Cliff Berry, Inc. - Miami Facility
EPA ID NO: FLD 058 560 699

Dear Ms. Graves:

Cliff Berry, Inc. (CBI) hereby submits the following supplemental information to the Florida Department of Environmental Protection (FDEP) in Tallahassee, for our 10 Day Hazardous Waste Transfer Facility located at 3033 N.W. North River Drive, Miami, Florida 33142.

Please find the following required supplemental information as requested:

Attachment No. 1 - FDEP letter dated March 11, 2009.

Attachment No. 2 - The completed form (8700-12FL) [Form 62-730.900 (1) (b)].

Attachment No. 3 - Evidence of transporter financial responsibility.

Attachment No. 4 - A brief general description of the transfer facility operations, including certain specific details (such as maximum design capacity for storage) and engineering drawings or sketches if any.

Attachment No. 5 - A closure plan that meets certain standards.

Attachment No. 6 - A contingency and emergency plan.

Attachment No. 7 - A map or maps of the transfer facility, depicting structures and various pertinent features.

Attachment No. 8 - A Hazardous Waste Transporter Status form [Form 62-730.900 (5) (d)].



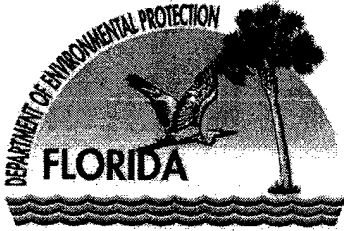
There have been no changes in the CBI - Miami Facility since the initial notification to the FDEP on March 28th, 2000. The facility will continue to comply with all applicable laws relating to its operation.

If you have any questions or need any additional information please contact me at (954) 763 - 3390 or e-mail me at bparkes@cliffberryinc.com.

Sincerely,

A handwritten signature in black ink, appearing to read "W. E. Parkes, Jr.", with a stylized flourish at the end.

William E. Parkes, Jr.
Manager Regulatory Affairs and Capital Projects



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS 4565
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

May 5, 2009

Via e-mail: BParkes@cliffberryinc.com

Mr. William E. Parkes, Jr.
Facility Manager
Cliff Berry, Inc.
Post Office Box 13079
Ft. Lauderdale, Florida 33316

Re: FLR000119792 – Cliff Berry Inc. (Canaveral facility)
FLD000831156 – Cliff Berry Inc. (Ft. Lauderdale)
FLD058560699 – Cliff Berry Inc. (Miami facility)
FLR000083071 – Cliff Berry Inc. (Port Everglades facility)
FLR000013888 – Cliff Berry Inc. (Tampa facility)

Dear Mr. Parkes:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facilities and find it is in order. Wachovia Bank, N. A. letter of credit amendment dated March 24, 2009, increasing the credit amount of letter of credit number SM206001W to \$485,483.26, covers the Department approved closing cost estimates of \$ 56,324.26, \$18,458.00, \$223,759.13, \$104,406.50 and \$82,535.37, respectively. In addition, US Bank, N.A. standby trust fund agreement, with amended Schedule A dated May 1, 2009, is acceptable. Therefore, the above referenced facilities are in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-701.630, Florida Administrative Code, at this time.

Please contact me at (850) 245-8743 if you have any questions.

Sincerely,

Tor JM Bejnar
Environmental Specialist
Solid Waste Section

cc: Fred Wick, DEP/TLH
Bheem Kothur, DEP/TLH

"More Protection, Less Process"

[HTTP://WWW.DEP.STATE.FL.US/WASTE/CATEGORIES/SWFR](http://www.dep.state.fl.us/waste/categories/swfr)
Printed on Recycled Paper

INTRODUCTION

The Miami Facility is owned and operated by Cliff Berry, Inc. It is located at: 25° 47' 48", North Latitude and 80° 14' 42" West Longitude. The facility has a local address of 3033 N.W. North River Drive, Miami, FL 33142.

The person in charge of the facility is Cliff Berry, II. He can be reached twenty-four (24) hours a day at 1-800-899-7745. The facility may be operated twenty-four (24) hours a day seven (7) days a week as needed.

The facility is fully permitted and licensed to handle the following:

- a. Oily wastewater pre-treatment processing and discharge to POTW
- b. Used oil transfer and processing
- c. Oil filters transfer and processing
- d. Non hazardous solid waste transfer and bulking
- e. Hazardous waste transfer (maximum 10 days)

The site of this facility, which covers 3.4 acres, is shown in Figure No. 1 (one line sketch). The terrain is relatively flat throughout. Also, construction details are shown in Figure No.1.

The Miami Facility has incorporated secondary containment in all areas where during normal operations there is a reasonable potential for an oily wastewater spill. Areas contained are:

Horizontal Tank Farm, Receiving Tanks, Vertical Tank Farm, Oily Wastewater Pretreatment System, Truck Rack, Hose Rack, Warehouse Contaminated Materials Storage Area (Drums), Rail Car Siding, Mixing Tank, Pipe Gallery and Used Oil Filter Crushing Operation.

Details of tank size and contents are shown in Table 1.

During normal operations, all products are received/shipped via trucks or railroad cars.



8700-12FL - FLORIDA NOTIFICATION OF REGULATED WASTE ACTIVITY

DEP Waste Management Division-HWRS, MS4560
2600 Blair Stone Rd. Tallahassee, FL 32399-2400
(850) 245-8772

Date Received
(for FDEP Official Use Only)

EPA ID

F	L	D	0	5	8	5	6	0	6	9	9
---	---	---	---	---	---	---	---	---	---	---	---

1. Reason for
Submittal

Mark 'X' in
correct box:

☐ To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities).

☒ To provide subsequent notification (to update status and facility identification information).

☐ Is this the final notification (see instructions) for the facility?

RECEIVED

SEP 01 2009

BY: BSHW

2. Facility or
Business Name

Cliff Berry, Inc. - Miami Facility

FEID No.

6	5	0	5	1	1	1	1	4
---	---	---	---	---	---	---	---	---

3. Facility Operator
(List additional
Operators in the
comments section).

Name of Operator:

Cliff Berry, Inc. (CBI)

☐ New Operator

Date became Operator: - / - / 1993
mm dd yy

Street or P.O. Box:

P.O. Box 13079

Phone Number: (954) 763-3390

City or Town:

Fort Lauderdale

State:

FL

Zip Code:

33316

Operator Type: ☒ Private

☐ Federal

☐ Municipal

☐ State

☐ Other

4. Facility Physical
Location
Information

Physical Street Address:

3033 N.W. North River Drive

City or Town:

Miami

State:

FL

Zip Code:

33142

County: Dade

If available, please attach a map or sketch of the facility boundaries.

Latitude:

2	5
---	---

4	7
---	---

4	8
---	---

 N Longitude:

8	0
---	---

1	4
---	---

4	2
---	---

 W Method:
d d m m s s . ssss d d m m s s . ssss Datum:

5. Facility North American Industry
Classification System (NAICS)
Code(s)

A. 562219

B.

C.

D.

6. Facility or
Business Mailing
Address

Street Address or P.O. Box:

P.O. Box 13079

City or Town:

Fort Lauderdale

State:

FL

Zip Code:

33316

7. Facility or
Business Contact
Person

First Name:

William

Last Name:

Parkes, Jr.

Title:

Mgr Reg Affairs

Phone Number:

(954) 763-3390

Extension:

124

E-Mail:

bparkes@cliffberryinc.com

Street or P.O. Box:

P.O. Box 13079

City or Town:

Fort Lauderdale

State:

FL

Zip Code:

33316

8. Real Property
(Land) Owner
of the Facility's
Physical Location
(List additional
real property owners
in the comments
section.)

Name of Real Property (Land) Owner:

Cliff Berry, Inc. (CBI)

☐ New Owner

Date became Owner: - / - / 1993
mm dd yy

Street or P.O. Box:

P.O. Box 13079

Phone Number: (954) 763-3390

City or Town:

Fort Lauderdale

State:

FL

Zip Code:

33316

Owner Type: ☒ Private

☐ Federal

☐ Municipal

☐ State

☐ Other

9. Type of Regulated Waste Activity (Mark 'X' in all that apply):**A. Hazardous Waste Activities:****(1) Generator of Hazardous Waste**

(Choose only one of the following three categories.)

- ☐ a. Large Quantity Generator (LQG):
Generates in any calendar month 1,000 kilograms or greater per month (kg/mo) (2,200 lbs.) of *non-acute* hazardous waste; or Greater than 1 kg (2.2 lbs) of *acute* hazardous waste
- ☐ b. Small Quantity Generator (SQG):
Generates in any calendar month greater than 100kg/mo but less than 1,000 kg/mo (>220 to <2,200 lbs.) of *non-acute* hazardous waste and/or 1 kg (2.2 lbs) or less of *acute* hazardous waste
- ☒ c. Conditionally Exempt SQG (CESQG):
Generates in any calendar month 100 kg/mo or less (220 lbs.) of *non-acute* hazardous waste and 1 kg (2.2 lbs) or less of *acute* hazardous waste

In addition, indicate other generator activities that apply.

- ☐ d. United States Importer of hazardous waste
- ☐ e. Mixed Waste (hazardous and radioactive) Generator

For Items 2 through 7, mark 'X' in all that apply.

(2) Treater, Storer, or Disposer of Hazardous Waste

(at your facility) Note: A hazardous waste permit may be required for this activity.

- ☐ a. Operating Commercial TSD
- ☐ b. Operating Non-commercial TSD
- ☐ c. Non-operating: Postclosure or Corrective Action Permit or Consent Order (HSWA, etc.)

(3) ☐ Recycler of Hazardous Waste (at your facility)Specify: ☐ Commercial; ☐ Non-Commercial.

A permit is required for storage prior to recycling.

(4) ☐ Exempt Boiler and/or Industrial Furnace

- ☐ a. Small Quantity On-site Burner Exemption
- ☐ b. Smelting, Melting, and Refining Furnace Exemption

(5) ☐ Person Authorized to Manage Conditionally Exempt Waste Generated at Other Facilities - Choose this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP.**(6) ☐ Underground Injection Control - Mark an 'X' even if the UIC well at your facility does not receive hazardous waste.**

- (7) ☒ Transporter of Hazardous Waste** [Note: A Certificate of Liability Insurance is required along with this registration.]
Registration must be renewed annually. ☐ a. For own waste only ☒ b. For commercial purposes

c. Hazardous Waste Transporter Insurance InformationInsurance Company XL Specialty Insurance CompanyAddress 1990 N. California Blvd, Suite 740 Walnut Creek, California 94596

Contact _____

Telephone _____

Policy Number AEC 000 638 909Expiration date 12-31-2009**d. Transportation Mode** ☐ Air ☐ Rail ☒ Highway ☐ Water ☐ Other - specify _____**e. ☒ Hazardous Waste Transfer Facility:** Storage Volume 145 Drums☐ **Initial notification**

The following items are required to be submitted with the initial notification for a transfer facility [Rule 62-730.171(3), Florida Administrative Code (F.A.C.)]:

- ☐ Certification by a responsible corporate officer of the transporter that the proposed location satisfies the criteria of Section 403.7211(2), Florida Statutes (F.S.) [Rule 62-730.171(3)(a)1., F.A.C.]
- ☐ Evidence of the transporter's financial responsibility [Rule 62-730.171(3)(a)3., F.A.C.]
- ☐ A brief general description of the transfer facility operations [Rule 62-730.171(3)(a)4., F.A.C.]
- ☐ A copy of the facility closure plan [Rule 62-730.171(3)(a)5., F.A.C.]
- ☐ A copy of the contingency and emergency plan [Rule 62-730.171(3)(a)6., F.A.C.]
- ☐ A map or maps of the transfer facility [Rule 62-730.171(3)(a)7., F.A.C.]

☐ **Notification of changes in above items**☒ **Annual update notification**

B. Universal Waste (UW) Activities (Mark 'X' in all that apply) ("accumulated" means at any one time):

- ☒ Large Quantity Handler (LQH) = 5,000 kg (11,000 lb) or more of any combination of UW accumulated
- ☐ Small Quantity Handler (SQH) = always less than 5,000 kg accumulated
- ☐ Mercury-containing devices LQH = 100 kg (220 lb) or more accumulated by for-hire handler
- ☒ Mercury-containing devices SQH = less than 100 kg accumulated by for-hire handler
- ☒ Mercury-containing lamps LQH = 2,000 kg (4400 lbs/8,000 lamps) or more accumulated by for-hire handler
- ☐ Mercury-containing lamps SQH = less than 2,000 kg (8,000 lamps) accumulated by for-hire handler
- [Note: 4 lamps = 1 kg, 62-737.200(10)]
- ☐ Pharmaceuticals LQH = 5,000 kg or more of universal pharmaceutical waste (UPW) accumulated
- ☐ Pharmaceuticals LQH = more than 1 kg (2.2 lb) of acutely hazardous ("P-listed") pharmaceutical waste accumulated
- ☒ Pharmaceuticals SQH = always less than 5,000 kg of UPW and always 1 kg or less of acutely hazardous UPW accumulated

(1) For those Managing	Generate/ Accumulate	Transport (see note in instructions)	Handle at Transfer Facility	(2) Enter your estimate of the maximum amount (in pounds) of each type of UW on site or transported at any one time.
a. Batteries	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10,000
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Pharmaceuticals	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50
d. Mercury Containing Devices	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	50
e. Mercury Containing Lamps	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10,000

(3) Mercury Recovery and/or Reclamation Facility ☐ [Chapter 62-737, F.A.C.] Note: A hazardous waste permit is required for this activity. [Rule 62-737.800, F.A.C.]

(4) Reverse Distributor of UW ☐ Pharmaceuticals ☐ Lamps ☐ Devices ☐

(5) Destination Facility for UW ☐ Note: for this activity, a facility must treat, dispose or recycle a UW. A permit is required for storage prior to recycling.

C. Used Oil Activities:**(1) Used Oil Transporter - indicate type(s) of activity(ies):**

- ☒ a. Transporter
- ☒ b. Transfer Facility

(2) ☐ Collection Center**(3) ☒ Used Oil Processor** (A permit is required for this activity.)**(4) ☐ Off-Specification Used Oil Burner****(5) ☒ Used Oil Fuel Marketer****(6) Used Oil Filter**

- ☒ a. Transporter
- ☒ b. Transfer Facility
- ☒ c. Processor
- ☐ d. End User

(8) Specific Certification to be signed by all Used Oil Transporters

I certify as a Used Oil Transporter that the training program and financial responsibility required under Section 62-710.600, F.A.C., are in place, current and being adhered to. If any modifications have been made to the originally approved training program, they are explained in attachments to this registration form. Evidence of financial responsibility is demonstrated by the attached Used Oil Transporter Certificate of Liability Insurance, DEP form 62-710.901(4), F.A.C.



Signature of Authorized Person

Cliff Berry, II

Print Name of Authorized Person

(7) Used Oil Transporters, Transfer Facilities, Collection Centers, Off-Specification Burners and Marketers must pay an annual \$100 registration fee. Used Oil Processors are exempt from this fee. If applicable, enclose a check or money order, in the amount of \$100, payable to Florida Department of Environmental Protection.

☐ A check is enclosed.

(9) The records required under the provisions of Rule 62-710.510, F.A.C., are kept at (check one):

- ☒ our mailing (business) address
- ☐ The site (facility) address

D. Other State Regulated Waste Activities:☒ **Petroleum Contact Water (PCW) Handler** [Chapter 62-740, F.A.C.]

Note: A water facility permit may be required for this activity.

10. Waste Codes for Federally Regulated Hazardous Wastes: List the waste codes of the Federal hazardous wastes handled at your facility. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112).

Hazardous waste transporters list codes routinely or usually transported. Use an additional page if more spaces are needed.

1	see	2	atta	3	ched	4	shee	5	t	6		7	
8		9		10		11		12		13		14	
15		16		17		18		19		20		21	
22		23		24		25		26		27		28	

11. Other Status Changes (Mark 'X' in all that apply):**A. Non-Handler of Regulated Waste at This Facility**

- ☐ (1) Business no longer generates, transports, treats, stores, or disposes of hazardous waste
- ☐ (2) Waste generated by business has been delisted.
- ☐ (3) Other (explain) _____

B. Facility Closed


- ☐ (1) Closed at this location and **moved or moving** to another - submit a new Form 8700-12FL for the new location if you will be handling regulated waste there.
- ☐ (2) Out of Business - Business closed on _____ (Date). Please provide a contact person, mailing address, and phone number where you can be reached after closing.

Contact _____ Phone _____

Address _____

City, State, Zip _____

☐ **C. Property Tax Default**☐ **D. Petition for Bankruptcy Protection****12. Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. If I have notified as a transfer facility, I am aware that transfer facilities must comply with the requirements of Rule 62-730.171, FAC, and Rule 62-730.182, FAC.

Signature of owner, operator, or an authorized representative	Print Name and Title	Date Signed (mm-dd-yyyy)
x 	Cliff Berry, II, President	11/20/2009

If the person who filled in this form is not the Facility Contact or Operator, please complete the information below:

William E. Parkes, Jr.

(954) 763-3390

bparkes@cliffberryinc.com

(Name of person completing this form)

(Phone Number)

(E-mail Address)

13. Comments:

Note: CBI uses SIC Code 1799 for OSHA 300 Logs

STATE OF FLORIDA

HAZARDOUS WASTE TRANSPORTER CERTIFICATE OF LIABILITY INSURANCE

1. XL Specialty Insurance Company
(Name of Insurer)

(the "Insurer"), of 1990 N. California Blvd., Ste 740, Walnut Creek, CA 94596
(Address of Insurer)

hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to

Cliff Berry, Inc.
(Name of Insured)

(the "Insured"), of 3400 SE 9th Avenue, Dania Beach, FL 33316
(Address of Insured)

in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 62-730.170. The coverage applies at:

<u>EPA/DEP I.D. No.</u>	<u>Name</u>	<u>Location</u>
FLR000083071	Cliff Berry, Inc.	3033 NW North River Drive Miami, FL 33142

(If coverage is for multiple facilities, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of
\$ 1,000,000 for each accident, exclusive of legal defense costs. The coverage is provided
under policy number AEC000638909, issued on 12/31/08.
(date)

The effective date of said policy is 12/31/08 and the expiration date of said policy
(date)
is 12/31/09.
(date)

This insurance is excess and the company shall not be liable for amounts in excess of
\$ 5,000,000 for each accident in excess of the underlying limit of
\$ 1,000,000 for each accident, exclusive of legal defense costs. The coverage is provided
under policy number UEC00063909, issued on 12/31/08. The effective date of
(date)

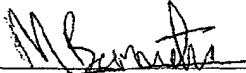
said policy is 12/31/08 and the expiration date of said policy is 12/31/09.
(date) (date)

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:

(a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.

- (b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.
- (c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
- (d) Cancellation of the insurance, whether by the Insurer or the Insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
- (e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States including Florida.


(Signature of Authorized Representative of Insurer)

Michael Bernath
(Typed name) (Social Security Number)

Senior Underwriter
(Title)

Authorized Representative of

XL Specialty Insurance Company, c/o XL Environmental, Inc.
(Name of Insurer)

P.O. Box 636, 520 Eagleview Blvd., Exton, PA 19341
(Address of Representative)

ACORD CERTIFICATE OF LIABILITY INSURANCE

12/28/2009

PRODUCER Insurance Office of America, Inc. 100 NE Third Avenue Suite 850 Ft. Lauderdale, FL 33301		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Cliff Berry, Inc. PO Box 13079 Ft. Lauderdale, FL 33316		INSURERS AFFORDING COVERAGE	NAIC #
		INSURER A: XL Specialty Ins Co	37885
		INSURER B: Greenwich Ins Co	22322
		INSURER C: XL Capital Ltd	
		INSURER D: Indian Harbor Ins Co	36940
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY	GEC000638810	12/31/2009	12/31/2010	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Each occurrence) \$ 100,000
	<input type="checkbox"/>	CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ 5,000
	<input type="checkbox"/>					PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/>					GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/>					PRODUCTS - COMP/OP AGG \$ 2,000,000
A		AUTOMOBILE LIABILITY	AEC000638910	12/31/2009	12/31/2010	COMBINED SINGLE LIMIT (Each accident) \$ 1,000,000
	<input checked="" type="checkbox"/>	ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/>	ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/>	SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/>	HIRED AUTOS				
	<input checked="" type="checkbox"/>	NON-OWNED AUTOS				
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/>	ANY AUTO				OTHER THAN EA ACC AGG \$
B		EXCESS/UMBRELLA LIABILITY	UEC000639310	12/31/2009	12/31/2010	EACH OCCURRENCE \$ 9,000,000
	<input checked="" type="checkbox"/>	OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$ 9,000,000
	<input type="checkbox"/>	DEDUCTIBLE				
	<input checked="" type="checkbox"/>	RETENTION \$ 10,000				
C		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WEC0001272810	12/31/2009	12/31/2010	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER \$ 1,000,000
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$ 1,000,000
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D		OTHER Professional & Pollution Liability (CEL)	PEC000639110	12/31/2009	12/31/2010	Each Loss: \$2,000,000 Aggregate: \$2,000,000 Retention: \$50,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Proof of Insurance Only

*10 Day Notice of Cancellation for Non-Payment of Premium.

CERTIFICATE HOLDER

CANCELLATION

Cliff Berry, Inc.
 PO Box 13079
 Fort Lauderdale, FL 33316

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30* DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
 John Harrold/TRICIA

62-730.170 Standards Applicable to Transporters of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 263 revised as of July 1, 2007.

(2) In addition to the requirements of subsection (1) of this rule, no person shall transport a hazardous waste within the state for which either a manifest is required under 40 CFR Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] or a reclamation agreement is entered between a generator and recycler pursuant to 40 CFR 263.20 [as adopted in subsection 62-730.170(1), F.A.C.] unless compliance with the following special requirements have been demonstrated.

(a) The transporter shall have and maintain financial responsibility for sudden accidental occurrences in a minimum amount of \$1,000,000 per occurrence for combined coverage of injury to persons and for damage to property and the environment from the spillage of hazardous waste while such wastes are being transported including the costs of cleaning up the spill. Such financial responsibility shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. Such financial responsibility shall be maintained at all times, be exclusive of legal defense costs, and be established by any one or a combination of the following:

1. Evidence of casualty/liability insurance on an occurrence basis with or without a deductible. With the deductible the Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer. Each insurance policy must be evidenced by a certificate of liability insurance or amended by attachment of an endorsement.

2. Surety bonds.

(b) Evidence of coverage shall include submittal of an originally signed copy of one or more of the following forms, which are hereby adopted and incorporated by reference:

1. Hazardous Waste Transporter Certificate of Liability Insurance, Form 62-730.900(5)(a), effective date January 29, 2006.

2. Hazardous Waste Transporter Liability Endorsement, Form 62-730.900(5)(b), effective date January 29, 2006

3. Hazardous Waste Transporter Liability Surety Bond, Form 62-730.900(5)(c), effective date January 29, 2006.

Rule 62-730.900, F.A.C., contains information on obtaining a copy of these forms.

(c) The insurance policy, including all endorsements, or the liability surety bond must be maintained at the carrier's principal place of business.

(d) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection, the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

(e) The transporter shall annually submit to the Department two originally signed Transporter Status Forms, Form 62-730.900(5)(d), effective date January 5, 1995, which is hereby adopted and incorporated by reference. Rule 62-730.900, F.A.C., contains information on obtaining a copy of this form. The Department shall complete the approval part of the form and return one of the originally signed forms to the transporter after verifying that the transporter is complying with the financial responsibility requirements of this section. A copy of this form complete with the Department approval shall be carried in each vehicle transporting hazardous waste for the transporter. This approval is non-transferable and non-assignable.

(f) This subsection does not apply to any person who transports hazardous waste only on the site of a hazardous waste generator or a permitted hazardous waste treatment, storage, or disposal facility.

(g) States and the federal government are exempt from the requirements of this subsection.

(3) Evidence of financial responsibility, updated for the current year, shall be verified annually by the submission of the appropriate form described in paragraph (2)(b) of this section or by the submission of a certificate of insurance. A certificate of insurance shall include a certification by the insurer that the original insurance policy and all endorsements are still in full force and effect as evidenced on the original forms submitted to the Department.

Specific Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History—New 11-8-81, Amended 5-31-84, 9-13-84, Formerly 17-30.17, Amended 9-19-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.170, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.170, Amended 1-5-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08.

62-730.171 Transfer Facilities.

(1) 40 CFR 263.12 [as adopted by reference in subsection 62-730.170(1), F.A.C.] provides that transporters who store manifested hazardous waste in proper containers at a transfer facility for 10 days or less are exempt from regulation as a hazardous waste facility. If the waste is stored for more than 10 days, the facility is subject to the permitting requirements for a hazardous waste storage facility.

(2)(a) The transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less (hereinafter referred to as “the transfer facility”) shall obtain an EPA/DEP identification number for each transfer facility location and notify the Department using Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date January 4, 2009 [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.].

(b) Notification pursuant to this subsection shall be submitted at least 30 days before the storage of hazardous waste is to begin at a transfer facility.

(c) The notification shall include the information and documentation required by subsection 62-730.171(3), F.A.C.

(d) The transfer facility shall annually submit updated information on Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date January 4, 2009, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C.

(3)(a) The following items constitute initial transfer facility notification:

1. Certification by a responsible corporate officer of the transporter that the proposed location satisfies the criteria of Section 403.7211(2), F.S. The Certification shall state a factual basis for the conclusion that the location criteria are met, and how those facts were determined.

2. Completed Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date January 4, 2009, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C.

3. Evidence of the transporter’s financial responsibility as required under subsection 62-730.170(3), F.A.C.

4. A brief general description of the transfer facility operations, including customer base, anticipated waste codes, operating procedures, structures and equipment (with the maximum design capacity for storage), including engineering drawings or sketches if any.

5. A copy of a closure plan demonstrating that the transfer facility will be closed in a manner which satisfies the closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112, 265.114 and 265.115 [as adopted by reference in subsection 62-730.180(2), F.A.C.].

6. A copy of the contingency and emergency plan required by paragraph 62-730.171(4)(a), F.A.C.

7. A map or maps of the transfer facility, depicting property boundaries, access control, buildings or other structures and pertinent features (such as recreation areas, runoff and stormwater control systems, access or internal roads, sanitary and process sewer systems, loading and unloading areas, and fire control equipment.)

(b) A transporter who is operating a transfer facility must notify the Department prior to making changes in any of the items listed in paragraph 62-730.171(3)(a), F.A.C.

(c) No person shall operate a transfer facility before receiving confirmation from the Department that the initial notification package is complete and technically adequate and receiving an EPA identification number for the transfer facility.

(4) A transfer facility shall comply with the following requirements:

(a) 40 CFR Part 265 Subparts B (general facility standards), C (preparedness and prevention), D (contingency and emergency plan), and I (management of containers), with the exception of 265.13, as adopted by reference in subsection 62-730.180(2), F.A.C.

(b) The aisle space requirements described in 40 CFR 265.35 and the special requirements for incompatible wastes described in 40 CFR 265.177(c) shall not apply at transfer facilities to containers stored in trucks loaded in accordance with DOT regulations described in 40 CFR 263.10 [as adopted by reference in subsection 62-730.170(1), F.A.C.].

(5) Hazardous waste stored at transfer facilities in containers or vehicles shall be stored on a manmade surface which is capable of preventing spills or releases to the ground.

(6) The transfer facility shall maintain a written record of the items listed below. This recordkeeping requirement applies to all hazardous waste that enters and leaves the transfer facility, including hazardous waste generated by CESQGs. Records required in this subsection shall be maintained in permanent form for at least three years and shall be available for inspection by the Department. The records shall be kept at the facility unless the Department gives written approval to do otherwise.

TRANSFER FACILITY NOTIFICATION FORM

This form must be completed as required in Florida Administrative Code Rule 62-730.171(3) by transfer facilities storing hazardous waste in accordance with Florida Administrative Code Rule 62-730.171. All information must be typed or printed clearly.

I. Transporters identification:

Company Name Cliff Berry, Inc. (CBI)

E.P.A.ID No. FLD 058560699

Company Mailing Address P.O. Box 13079
Ft. Lauderdale, FL 33316

Principal Contact William E. Parkes, Jr.

Phone Number (800) 899 - 7745

II. Transfer Facility Identification:

Name of Facility Cliff Berry, Inc. - Miami Facility

Street Address 3033 NW North River Drive
Miami, Florida 33142

Latitude 25° 47' 48" North Longitude 80° 14' 42" West

County Miami-Dade Storage Volume 300 Drums

III. Certification:

I certify under penalty of law that the above information is accurate and complete. As the owner or operator of the above-referenced hazardous waste transfer facility, I am aware that this facility must comply with the requirements of Florida Administrative Code Rule 62-730.171.

Cliff Berry II President
Print/Type Name Title

 3/28/00
Signature of Authorized Representative Date Signed

Hazardous Waste Transfer Facility (62-730.171)

Cliff Berry, Inc. operates a Hazardous Waste Transfer Facility at 3033 NW North River Dr., Miami Florida (FLD058560699). Containers of hazardous waste are held in transit at the facility for at least 24 hours but no longer than 10 days.

Containers of hazardous waste will be stored in two locations on the facility grounds. Drums will be stored in secondary containment in the section labeled as *Secured Hazmat Storage* on the attached facility diagram. Incompatible wastes will be segregated in accordance to 40CFR265.177(c). Additionally drums will be stored in trucks loaded in accordance with DOT regulations {40CFR263.10}.

All hazardous waste entering the Hazardous Waste Transfer Facility section will be recorded in a log maintained at the facility. The log will contain the following information: generators name, address, EPA Identification Number, manifest number, date received, and date shipped off site (see attached log).

All containers of hazardous waste received at the facility will be inspected daily during hours of operation. If a container is found to be defective or leaking the contents will be transferred or overpacked into a new container. All spill cleanup material will be collected and disposed of in accordance to all local, state, and federal regulations.

[illegible]

D001	F032	P068	U001	U066	U126	U190	U365
D002	F034	P070	U002	U067	U127	U191	U366
D003	F035	P071	U003	U068	U128	U192	U367
D004	F037	P072	U004	U069	U129	U193	U372
D005	F038	P074	U005	U070	U130	U194	U373
D006	F039	P075	U007	U071	U131	U196	U375
D007	K001	P077	U008	U072	U132	U197	U376
D008	P001	P082	U009	U073	U134	U200	U377
D009	P002	P084	U010	U074	U136	U201	U378
D010	P003	P085	U011	U076	U137	U202	U379
D011	P004	P087	U012	U077	U138	U203	U381
D012	P005	P088	U014	U078	U140	U204	U383
D013	P007	P089	U015	U079	U141	U206	U384
D014	P008	P092	U016	U080	U142	U207	U385
D015	P010	P093	U017	U081	U143	U208	U386
D016	P011	P094	U018	U082	U144	U209	U387
D017	P012	P097	U019	U083	U145	U210	U389
D018	P013	P098	U021	U084	U146	U211	U390
D019	P014	P099	U022	U085	U147	U212	U391
D020	P015	P101	U024	U086	U148	U213	U392
D021	P016	P102	U025	U087	U149	U214	U393
D022	P018	P103	U026	U088	U150	U215	U394
D023	P020	P104	U027	U089	U151	U126	U395
D024	P021	P105	U028	U090	U152	U218	U396
D025	P023	P106	U029	U091	U154	U219	U400
D026	P024	P108	U030	U092	U155	U220	U401
D027	P026	P109	U031	U093	U156	U221	U402
D028	P027	P110	U032	U094	U157	U222	U403
D029	P028	P111	U034	U095	U158	U226	U404
D030	P029	P113	U035	U097	U159	U227	U407
D031	P030	P114	U036	U098	U161	U228	U409
D032	P034	P115	U037	U099	U162	U230	U410
D033	P036	P116	U038	U101	U164	U231	U411
D034	P037	P118	U039	U102	U165	U232	
D035	P038	P119	U041	U103	U166	U233	
D036	P039	P120	U042	U105	U167	U235	
D037	P040	P121	U044	U106	U168	U236	
D038	P041	P123	U045	U107	U169	U237	
D039	P043	P127	U046	U108	U170	U238	
D040	P044	P128	U047	U109	U171	U239	
D041	P045	P185	U048	U110	U172	U240	
D042	P046	P188	U049	U111	U173	U242	
D043	P047	P189	U050	U112	U174	U243	
F001	P048	P190	U051	U113	U176	U244	
F002	P049	P191	U052	U114	U177	U246	
F003	P050	P192	U053	U115	U178	U247	
F004	P051	P194	U055	U116	U179	U248	
F005	P054	P196	U056	U117	U180	U271	
F006	P057	P197	U057	U118	U181	U277	
F007	P058	P198	U058	U119	U182	U278	
F008	P059	P199	U059	U120	U183	U279	
F009	P060	P201	U060	U121	U184	U280	
F010	P062	P202	U061	U122	U185	U328	
F011	P064	P203	U062	U123	U186	U353	
F012	P066	P204	U063	U124	U187	U359	
F019	P067	P205	U064	U125	U188	U364	

Cliff Berry, Inc.
Miami Facility Closure Plan
Revised: September, 2005

Introduction:

Cliff Berry, Inc. (CBI) operates a used oil transfer station which receives used oil, oily water and contaminated soil which are generated by retail gasoline stations, oil companies, automobile dealerships, airports and marine interests. All product is delivered to the CBI plant by over the road transport vehicles or railroad tank cars. The facility has a capacity of storing approximately 1.3 million gallons of used oil and oily waste water.

The facility operates under licenses issued by the Miami Dade County Department of Environmental Resource Management (DERM), and the State of Florida Department of Environmental Protection (FDEP). Company owned transport vehicles are licensed by Broward County Department of Planning and Environmental Protection (DPEP) and Miami Dade County Department of Environmental Resources Management (DERM). All oily liquids and contaminated soils are transferred and stored within containment areas which have been designed to meet rules and regulations current at the time of installation. All oily liquids and contaminated soils delivered to the facility are handled under manifests issued by the generators.

General Provisions:

As required by the Florida Administrative Code (FAC) Rule 63-710.800 (9), CBI has adopted this document to be used as required, during the closure of the facility.

At closure, CBI will institute the following steps:

1. Remove all standing liquids, waste and waste residues from the facility. All stored liquids will be tested, if POTW standards are met, discharge will be made to the sewer system. All liquids which do not meet POTW standards will be transferred to a suitable transfer station.
2. Current plans require that the closure event will result in the complete cessation of all operations at the CBI Transfer Station. Management does not contemplate partial operation of the facility. There will be no need for further facility maintenance.
3. All on site monitoring wells will be sampled in accordance with an approved Quality Assurance Plan and analyzed for US EPA approved mixed product analytical group parameters - Volatile Halocarbons (601), volatile aromatics in water (602), Total Volatile Aromatics (VOA), Poly-nuclear Aromatic Hydrocarbons (610, 1,2 dibromomethane (EDB), Methyl tert-butyl ether (MTBE) and lead.

4. A split spoon coring device will be used for the extraction of composite soil samples (taken from the surface to groundwater). Soil samples will be taken from areas immediately adjacent to where trucks are stored. Visual inspection of soils adjacent to the containment area will determine the location of soil sampling. An OVA/FID instrument will be used for the detection of organic contamination at levels greater than 50 parts per million. The samples identified as being most contaminated will be submitted to an approved laboratory for analysis and identification of individual constituents. Should contamination be found, CBI will submit a Contamination Assessment Plan (CAP). After the approval and implementation of the CAP a Contamination Assessment Report (CAR) and Remedial Action Plan (RAP) will be developed.
5. All tanks, piping, secondary containment and ancillary equipment will be emptied, cleaned and decontaminated as necessary. Filter sand, sludge and treatment process residues will be tested for hazardous characteristics; disposal of these items will be consistent with the results of the analysis. Contaminated surfaces will be high pressure washed with appropriate detergents. The effectiveness of all decontamination steps will be assessed by using swab samples of the formerly contaminated surfaces. Decontamination will be confirmed through the analysis of final rinsate liquids.

All assessment and remedial work will be done in accordance with the Florida Administrative Code (F.A.C.) Rules 62-762 and 62-710.510.

Should material or containerized soils be encountered during the closure, steps will be taken to control mitigation of hazardous waste and hazardous waste constituents from the affected area into ground or surface water. Used oil will not contaminate ground or surface water.

These steps will include:

1. Contaminated material will be containerized and sealed prior to their proper disposal to prevent runoff due to rainfall.
2. Isolation of contaminated areas and materials from contact with personnel. Closed, covered containers will be utilized for soils.
3. Separation of decontaminated material from non-contaminated materials.
4. Containment of all wash water and decontamination materials. Such will be handled as appropriate, either as a hazardous waste through a manifest or will be discharged to POTW. Approval from the POTW will be obtained prior to release.

During the execution of the above steps, the following factors will provide the basis of action:

1. Should disposal of closure generated materials require land treatment, the type and

amount of hazardous waste and hazardous waste constituents along with the mobility and expected rate of migration of the material will be evaluated prior to implementing a remedial plan.

2. Factors such as location, topography surrounding land use, climate (frequency) and PH of precipitation and biological characteristics of potential disposal sites will be performed.
3. Site specific studies involving unsaturated zone monitoring, type, concentration and depth of migration of hazardous waste constituents in the soil as compared to their background concentrations will be performed.

Prior to initiating site closure, the following will be done:

- i. Contaminated soil and liquids will be manifested off site to a permitted TSD facility.
- ii. Tanks, piping and machinery will be either removed and/or decontaminated.
- iii. Placement of final cover considering:
 - a. Functions of the cover.
 - b. Characteristics of the cover including material, final surface contours, thickness, porosity/permeability, slope, length of run of slope and type of area vegetation.
 - c. Monitoring of groundwater.

Final Closure:

Sixty (60) days prior to the scheduled date of closing of the Facility, CBI will submit an updated and detailed closure plan to the FDEP.

In the event hazardous wastes are temporarily stored, a revised final plan will be submitted. This plan will be issued during a closure event and will identify the steps necessary to perform partial and/or final closure of the facility. The amended closure plan will include:

1. A description of how each hazardous waste management unit at the facility will be closed.
2. A description of how final closure of the facility will be conducted. The description will identify the maximum extent of operation which will be unclosed during the active life of the facility,.
3. A projection of the maximum inventory of hazardous waste stored on site over the active life of the facility; and a detailed description of the methods to be used during partial and

final closure including but not limited to procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of contamination necessary to satisfy the closure performing standards.

4. A detailed description of the steps necessary to remove or decontaminate all hazardous waste residues and contaminated material systems components, equipment, structures, and soil during partial and final closure including but not limited to procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of contamination necessary to satisfy the closure performing standards.
5. A detailed description of other activities necessary during the partial or final closure period to insure that all closure activities satisfy the closure performance standards including but not limited to groundwater monitoring, leachate collection, and run-on and run-off control.
6. A schedule for closure of each hazardous waste management unit and for final closure of the facility. The schedule will include the total time required to close each hazardous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of partial and final closure.

Within thirty (30) days of final closure of the Facility, CBI will submit a certification of closure completion to the FDEP demonstrating that the Facility was closed in substantial compliance with the detailed Closure Plan.

CBI

Spill Prevention Control & Countermeasurement Plan

and

Contingency Plan and Emergency Procedures

Miami Facility

CLIFF BERRY, INC. (CBI)

SPILL PREVENTION CONTROL & COUNTERMEASURE PLAN (SPCCP)

AND

CONTINGENCY PLAN AND EMERGENCY PROCEDURES

MIAMI FACILITY

3033 N.W. North River Drive Miami, Florida 33142

Location: Latitude: 25 - 47 - 48 North Longitude: 80 - 14 - 42 West

Telephone Numbers: Miami Facility _____ (305) 638-2030

24 Hour Emergency Response - (800) 899-7745

Fort Lauderdale (Main Office) - (954) 763-3390

Mailing Address: PO Box 13079 Fort Lauderdale, Florida 33316

Responsible Person: Cliff Berry, II President and QI

Plan reviewed and revised: September, 2009

Plan No. _____

**MIAMI FACILITY
SPCC AND CONTINGENCY PLAN
DISTRIBUTION LIST**

PLAN NO.	ENTITY
1	Florida Department of Environmental Protection (FDEP)
2	Miami-Dade Department of Environmental Resources Management (DERM)
3	Miami-Dade County Police Department
4	Miami-Dade County Fire Department
5	UM/Jackson Memorial Medical Center
6	Miami Facility Copy
7	Larry Doyle (CBI)
8	Bill Parkes (CBI)

TABLE OF CONTENTS

Spill Prevention Control & Countermeasure Plan

- 1. Certification of SPCC Plan**
- 2. Introduction:**
 - ◆ Location and Site Maps
 - ◆ Table of Tanks
 - ◆ Spill Events
 - ◆ Prediction of Spill Behavior
 - ◆ Bulk Storage Tanks
 - ◆ Inspection Records
 - ◆ Monitoring Wells Location Maps
 - ◆ Storage Tanks and Piping Inspection
- 3. Oily Waste Water and Used Oil Storage Tank Farm:**
 - 3A Retaining Walls
 - 3B Curbing
 - 3C Sumps
 - 3D Spill Diversion Ponds
 - 3E Retention Ponds
 - 3F Sorbent Materials
 - 3G Spill and Rainwater Disposal
 - 3H Visual Inspection
 - 3I Fail-Safe Operation
 - 3J Safe Vehicle Operation
 - 3K Operation On-Call Status
 - 3L Daily Inspections
 - 3M Hazardous Waste Transfer Facility
- 4. Security at Facility**
- 5. Spill Response**
- 6. Security on Spills**
- 7. Materials and Equipment Listing**
- 8. Personnel Training**

TABLE OF CONTENTS

(Continued)

Contingency Plan and Emergency Procedures

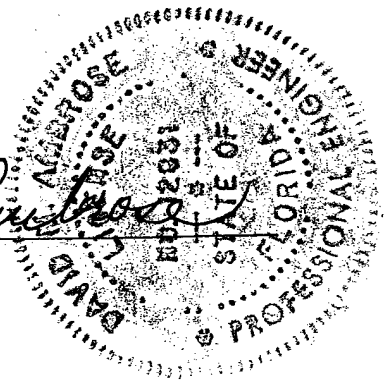
- 9. Facility Emergency**
 - ◆ Facility Emergency Response Plan Approval
 - ◆ Review and Update
 - ◆ Emergency Response Arrangements
 - ◆ Certified Receipt of Contingency Plan
 - ◆ Emergency Coordinators
 - ◆ Emergency Procedures
 - ◆ Requirements for Notification
 - ◆ Emergency Contact Phone Numbers
 - ◆ Company Emergency Response Phone Listing
- 10. General Responsibilities**
 - ◆ Personnel Assignments
 - ◆ Description of Personnel Assignments
- 11. Fire Response**
 - ◆ Fire Control Systems and Equipment
 - ◆ Automatic Fire Sprinkle System Inspection/Test Report
 - ◆ Emergency Procedures
 - ◆ Emergency Evacuation
 - ◆ Shutdown of Operation
 - ◆ Fire and Explosion
- 12. Explosion Response**
 - ◆ Bomb Threat Procedure
 - ◆ Bomb Threat Call Checklist
- 13. All Clear**
- 14. Medical Emergency**
 - ◆ Medical Emergency Procedure
 - ◆ Rescue
- 15. Inclement Weather**
 - ◆ Inclement Weather and Natural Disaster
 - ◆ Preparations for Hurricanes

CERTIFICATION OF SPCC PLAN

CERTIFICATION

I hereby certify and attest that I am familiar with this facility and the information contained in this plan; that to the best of my knowledge and belief such information is true, complete and accurate. Also, the plan submitted has been prepared in accordance with good engineering practices.

D.M. AMBROSE, 9-04-2009 *David M. Ambrose*
Name, Date, Signature & Seal of Professional Engineer



Approval

This Spill Prevention Control and Countermeasure Plan (SPCCP) is hereby approved for implementation.

Cliff Berry II

Name of Responsible Officer

President

Title of Responsible Officer

Cliff Berry II
Signature of Responsible Officer

INTRODUCTION

The Miami Facility is owned and operated by Cliff Berry, Inc. It is located at: 25° 47' 48", North Latitude and 80° 14' 42" West Longitude. The facility has a local address of 3033 N.W. North River Drive, Miami, FL 33142.

The person in charge of the facility is Cliff Berry, II. He can be reached twenty-four (24) hours a day at 1-800-899-7745. The facility may be operated twenty-four (24) hours a day seven (7) days a week as needed.

The facility is fully permitted and licensed to handle the following:

- a. Oily wastewater pre-treatment processing and discharge to POTW
- b. Used oil transfer and processing
- c. Oil filters transfer and processing
- d. Non hazardous solid waste transfer and bulking
- e. Hazardous waste transfer (maximum 10 days)

The site of this facility, which covers 3.4 acres, is shown in Figure No. 1 (one line sketch). The terrain is relatively flat throughout. Also, construction details are shown in Figure No.1.

The Miami Facility has incorporated secondary containment in all areas where during normal operations there is a reasonable potential for an oily wastewater spill. Areas contained are:

Horizontal Tank Farm, Receiving Tanks, Vertical Tank Farm, Oily Wastewater Pretreatment System, Truck Rack, Hose Rack, Warehouse Contaminated Materials Storage Area (Drums), Rail Car Siding, Mixing Tank, Pipe Gallery and Used Oil Filter Crushing Operation.

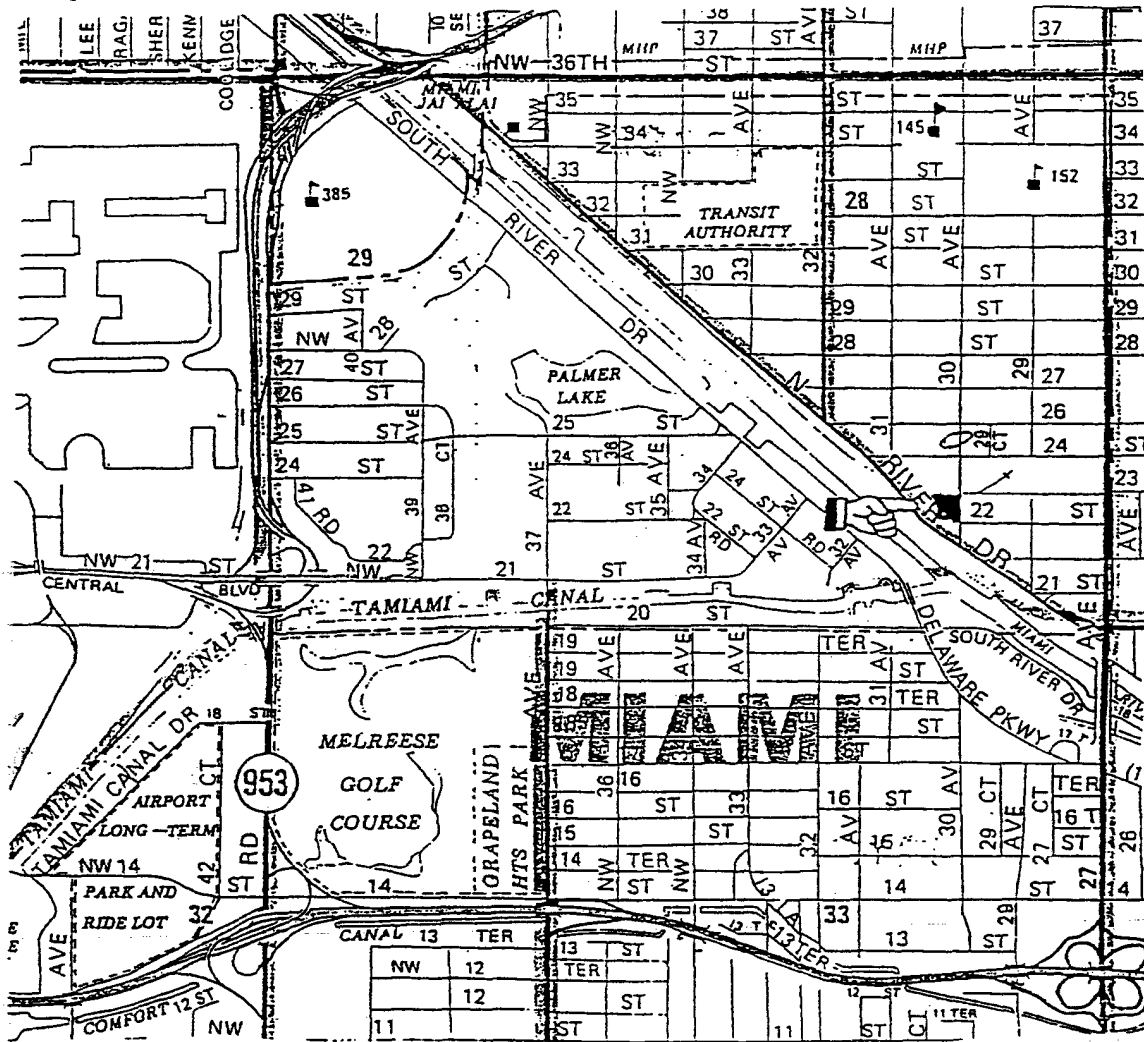
Details of tank size and contents are shown in Table 1.

During normal operations, all products are received/shipped via trucks or railroad cars.

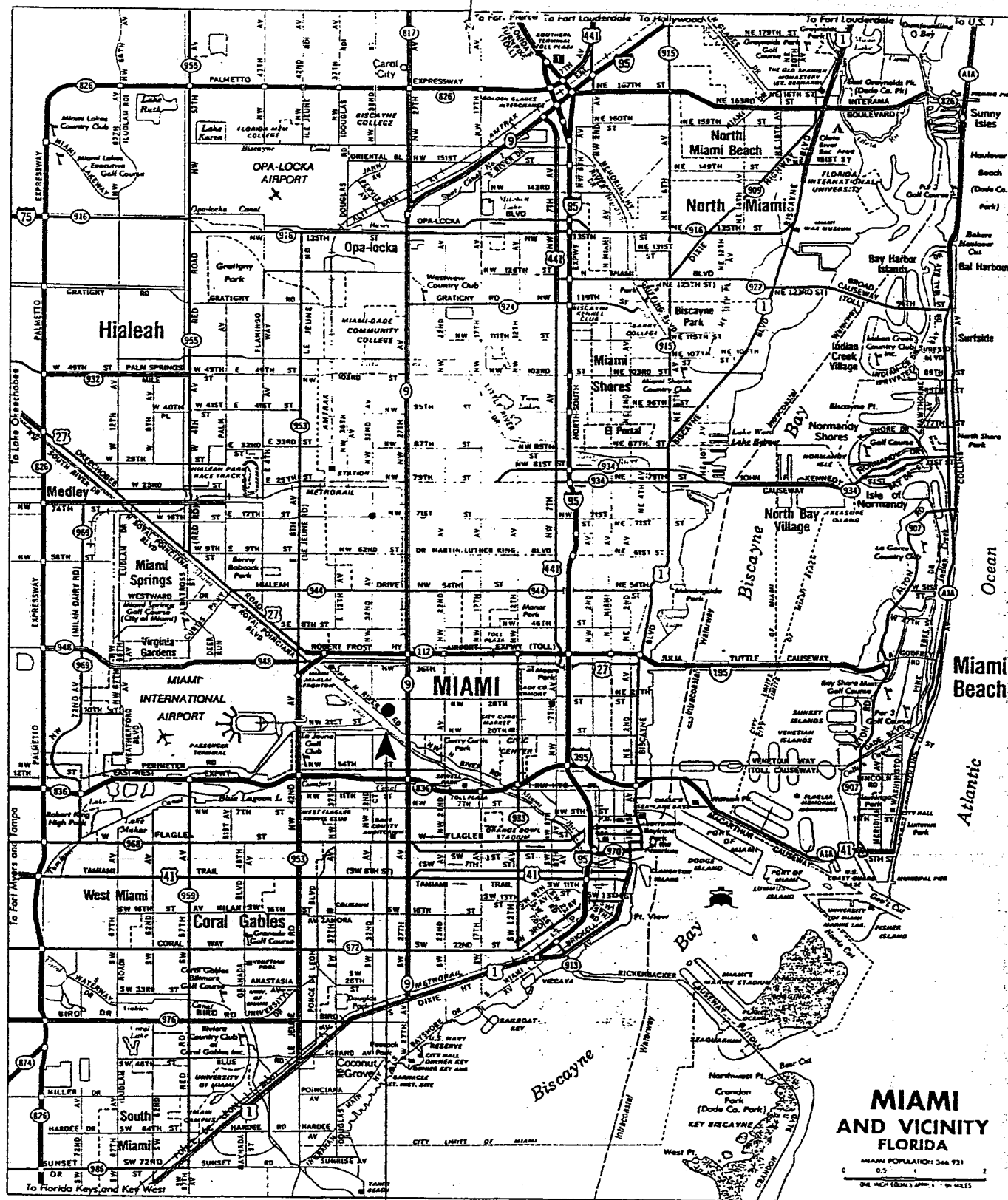


Cliff Berry, Incorporated
Environmental Services

33CFR 154.310 (a) (1) - Geographic Location of the Miami Facility:



CBI
Miami
Collection & Processing Facility
3033 N.W. North River Drive
Miami, FL. 33142



SITE

IMAGE QUALITY

AS YOU REVIEW THE NEXT PAGE(S),
PLEASE NOTE THAT THE ORIGINAL
DOCUMENT WAS OF POOR QUALITY.

CLIFF BERRY, INC - MIAMI FACILITY SITE PLAN

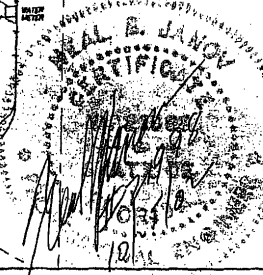
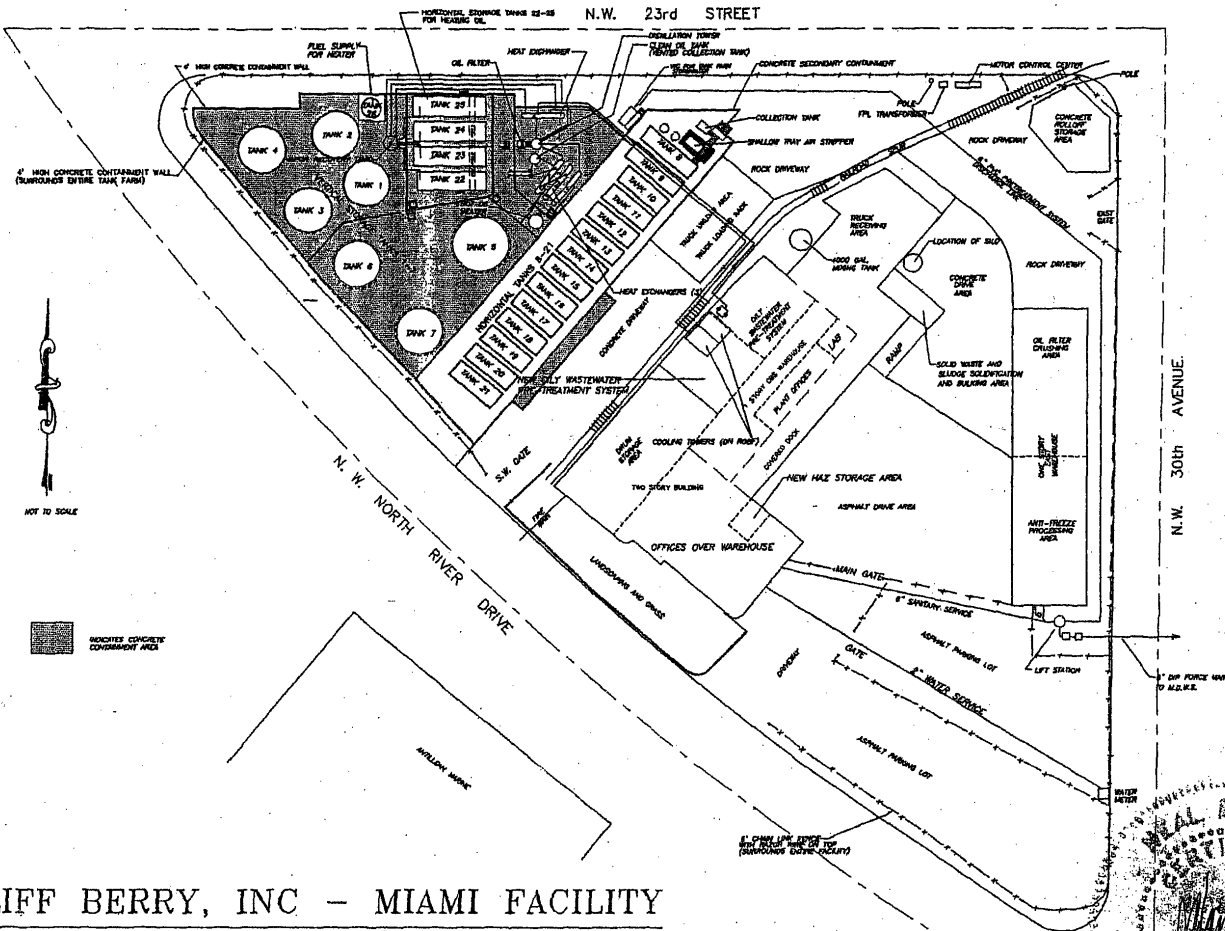


Figure No. 1

DIVERSIFIED CONSTRUCTION	
DCES	
ENGINEERING SERVICES	
2617 N. W. 30th Avenue, Fort Lauderdale, FL 33311	
TEL: 561-541-9771 FAX: 561-541-9758	

REVISION	DATE	BY	CHKD
1	10-31-92	REAL E. JANON	REAL E. JANON
2	11-10-92	REAL E. JANON	REAL E. JANON
3	11-10-92	REAL E. JANON	REAL E. JANON
4	11-10-92	REAL E. JANON	REAL E. JANON
5	11-10-92	REAL E. JANON	REAL E. JANON

CLIFF BERRY, INC.	
MIAMI FACILITY	
3023 N.W. NORTH RIVER ROAD, MIAMI, FL 33142	
SITE PLAN	

DCES	
SCALE: HTS	
DATE: 9-18-90	
BY: E. JANON	
CHKD: E. JANON	
P.L. NO.	
JOB NO.	732-98
SHEET: 1	OF 5

Table #1
Vertical Tanks

Tank #	Date Installed	Size (Gallons)	Material of Construction	Products
01 (AG)	1946	126,000	Steel	Used Oil
02 (AG)	1946	126,000	Steel	Used Oil
03 (AG)	1946	126,000	Steel	Oily Water
04 (AG)	1946	126,000	Steel	Oily Water
05 (AG)	1946	210,000	Steel	Oily Water
06 (AG)	1946	126,000	Steel	Oily Water
07 (AG)	1946	126,000	Steel	Used Oil

Horizontal Tanks

Tank #	Date Installed	Size (Gallons)	Material of Construction	Products
08 (AG)	1965	20,100	Steel	Treated Water Effluent
09 (AG)	1965	20,100	Steel	Treated Water Effluent
10 (AG)	1965	19,000	Steel	Oily Water
11 (AG)	1965	19,000	Steel	Oily Water
12 (AG)	1965	19,500	Steel	Oily Water
13 (AG)	1965	19,500	Steel	Oily Water
14 (AG)	1965	19,500	Steel	Oily Water
15 (AG)	1965	19,500	Steel	Oily Water
16 (AG)	1965	17,600	Steel	Diesel Fuel
17 (AG)	1965	17,400	Steel	Oily Water
18 (AG)	1965	17,400	Steel	Oily Water

19 (AG)	1965	17,400	Steel	Oily Water
20 (AG)	1965	17,600	Steel	Used Oil
21 (AG)	1965	17,600	Steel	Used Oil
22 (AG)	2000	25,000	Steel	Used Oil
23 (AG)	2000	25,000	Steel	Used Oil
24 (AG)	2000	25,000	Steel	Used Oil
25 (AG)	2000	25,000	Steel	Used Oil

Vertical Tanks

26 (AG)	2000	5,000	Steel	Used Oil
Vertical Tank (mixing AG)	1965	4,000	Steel	Used for mixing Products

Receiving Tanks

Tank #	Date Installed	Size (Gallons)	Material of Construction	Products
Receiving Tank #1	1995	5,000	Steel	Oily Waste Water
Receiving Tank #2	1995	5,000	Steel	Used Oil
Receiving Tank #3	1995	5,000	Steel	Oily Waste Water

FACILITY EMERGENCY RESPONSE PLAN

Name of Facility: Miami Facility

Type of Facility: Oily Wastewater Processing Facility

Location of Facility: 3033 N.W. North River Drive
Miami, FL 33142

Name and Address of Owner or Operator:

Name: Cliff Berry, Inc.

Address: P.O. box 13079
Ft. Lauderdale, FL 33316

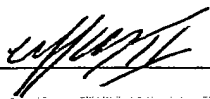
Person accountable for spill prevention, emergency procedures, reporting and employee training:

Name: Cliff Berry, II
Title: President

MANAGEMENT APPROVAL

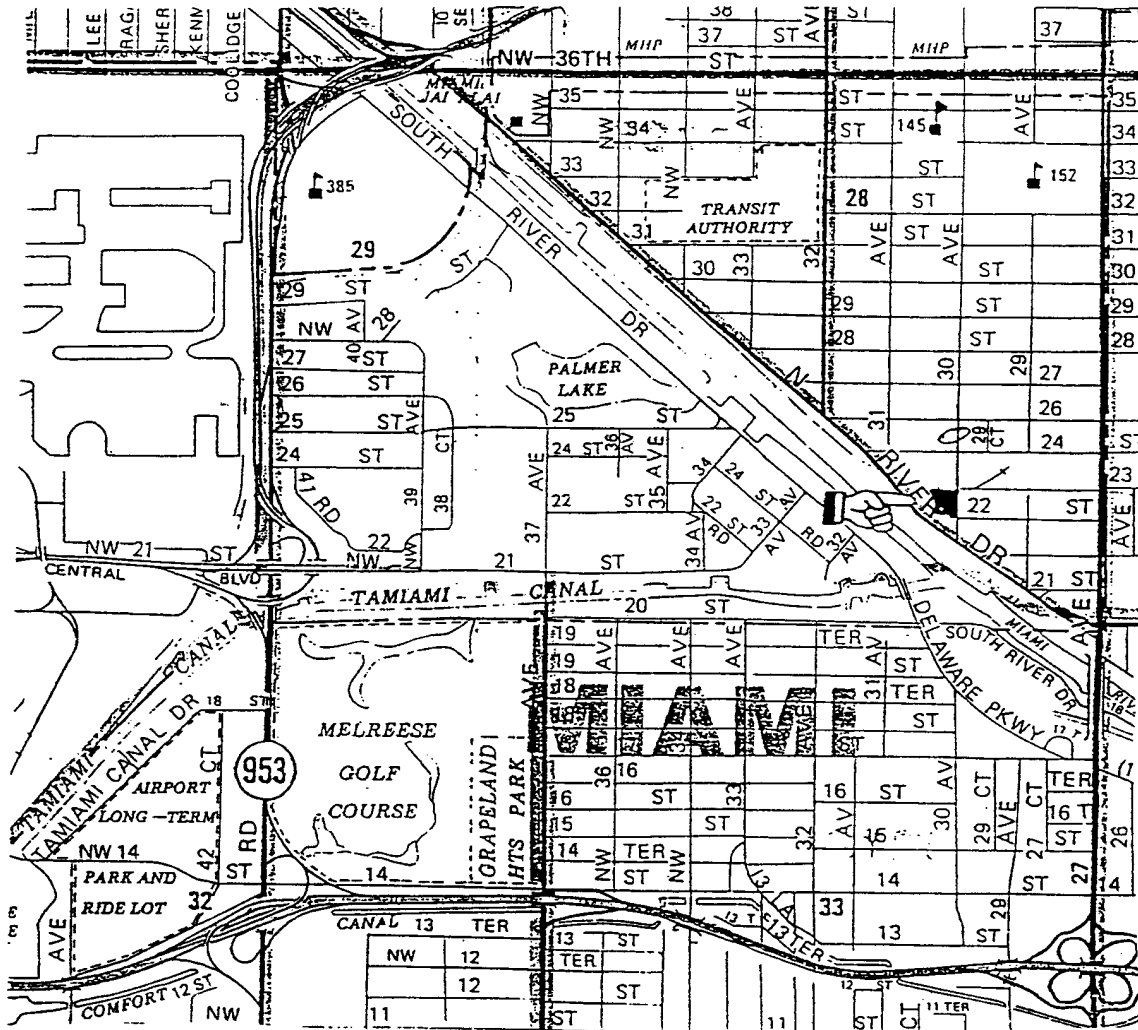
The individuals designated as Emergency Coordinators in the absence of the emergency coordinator are authorized to commit the resources needed to carry out this plan.

Signature

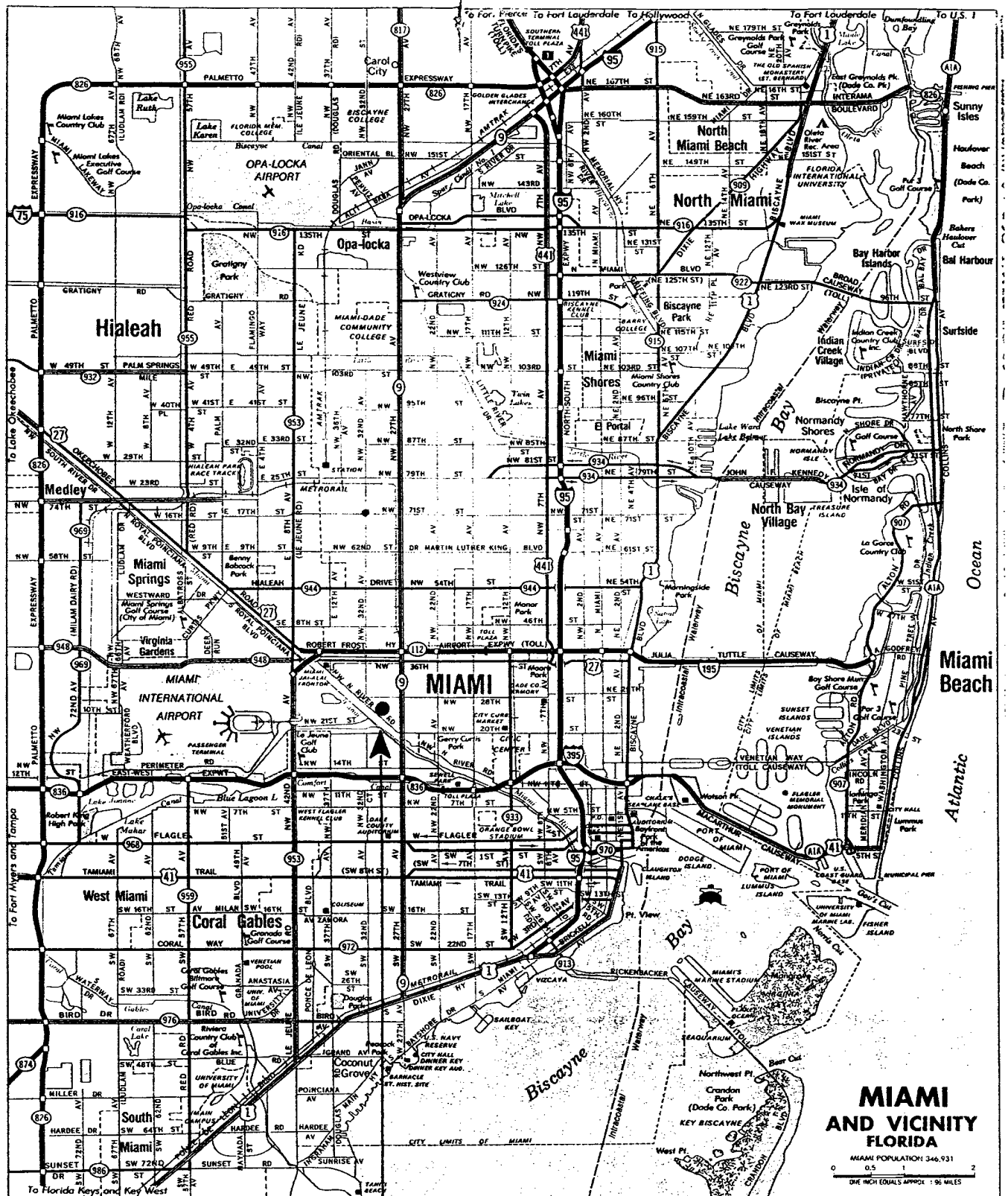


Name: Cliff Berry, II
Title: President

33CFR 154.310 (a) (1) - Geographic Location of the Miami Facility:



CBI
Miami
Collection & Processing Facility
3033 N.W. North River Drive
Miami, FL 33142



SITE

