



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

## PERMITTEE:

Cliff Berry, Incorporated  
Post Office Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

Attention:  
Mr. William E. Parkes,  
Regulatory Affairs Manager

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Issue: March 25, 2003  
Date of Expiration: February 12, 2008  
County: Dade County  
Lat./Long: 25°47'48"N / 80°14'42"W  
Sect/Town/Range: 28 / 53S / 41E  
Project: Used Oil and Material Processing Facility

This permit is issued under the provisions of Section 403.769, Florida Statutes (F.S.), and Florida Administrative Code Chapters (F.A.C.) 62-4, 62-701, 62-710, 62-740 and 40 CFR Part 279. The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application dated November 20, 2002 as revised on December 10, 2002 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 hereinafter referred to as the "Facility". The Used Oil Processing Facility is located in Dade County at 3033 Northwest North River Drive, Miami, Florida 33142. A diagram of the site layout is included as **Attachment A**.

The facility is authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste and used oil filters under this permit.

The Facility consists of container and drum storage areas, an above ground tank storage area, an oil filter processing system, a waste water pretreatment system and a load/unload area. The size and contents of the tanks are listed in **Attachment B**. All tanks are located within the secondary containment unit as shown in **Attachment A**. The fence around the facility is locked during non-operating hours.

In addition to the activities regulated under this permit, the Facility is a Hazardous Waste Transfer Station.

The Facility is located on an approximately 3.39-acre parcel of land owned by Cliff Berry, Incorporated. The Permittee will process and market used oil in accordance with the permit application dated November 20, 2002 as revised on December 10, 2002.

## PERMIT HISTORY:

1. Used Oil Processing Facility Permit Application dated June 23, 1997.
2. SPCC Plan revised January 2002.

"More Protection, Less Process"

Printed on recycled paper.

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

3. Used Oil Processing Facility Permit Renewal Application dated November 20, 2002.
4. Additional information dated December 10, 2002.

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

**GENERAL CONDITIONS (PURSUANT TO CHAPTER 62-4, F.A.C.):**

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interest has been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, plant life or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (a) Have access to and copy any records that must be kept under conditions of the permit;

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or with Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Department with the following information:
  - (a) A description of and cause of non-compliance; and
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.
9. In accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The Permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the Permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-303.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-710.800, F.A.C., as applicable. The Permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - (a.) Determination of Best Available Control Technology (BACT);
  - (b.) Determination of Prevention of Significant Deterioration (PSD);

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- (c.) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500); and
  - (d.) Compliance with New Source Performance Standards.
14. The Permittee shall comply with the following:
- (a) Upon request, the Permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - (b) The Permittee shall hold at the facility, or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by this permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
  - (c) Records of monitoring information shall include:
    - 1. The date, exact places, and time of sampling or measurements;
    - 2. The person responsible for performing the sampling or measurements;
    - 3. The date(s) analyses were performed;
    - 4. The person responsible for performing the analyses;
    - 5. The analytical techniques or methods used;
    - 6. The results of such analyses.
15. When requested by the Department, the Permittee shall within a reasonable time furnish any information required by law that is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
16. In the case of an underground injection control permit, the following permit conditions also shall apply:
- (a.) All reports or information required by the Department shall be certified as being true, accurate and complete.
  - (b.) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- (c.) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
- 1 The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.
  - 2 The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.230(4)(b), F.A.C.
- (d.) The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the state.

17. The following conditions also shall apply to a hazardous waste facility permit.

(a.) The following reports shall be submitted to the Department:

- 1 Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the Permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
  - 2 Unmanifested waste report. The Permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
  - 3 Biennial report. A biennial report covering facility activities during the previous calendar year shall be submitted by March 1 of each even numbered year pursuant to Chapter 62-730, F.A.C.
- (b.) Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- 1 A description and cause of the noncompliance.
  - 2 If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
- (c.) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.
- (d.) All reports or information required by the Department by a hazardous waste Permittee shall be signed by a person authorized to sign a permit application.
- (e.) Unless expressly provided otherwise, references in this permit to specific Chapters or Rules of the Florida Administrative Code (F.A.C.) and specific parts or sections of 40 Code of Federal Regulations (CFR) shall be construed to include the caveat, "as the Chapter, Rule, part or section may be amended or renumbered from time to time."

**SPECIFIC CONDITIONS:**

**PART I – STANDARD REQUIREMENTS:**

1. Rules
  - (a) The facility shall comply with all applicable portions of 40 CFR Part 279 and Chapter 62-710, Florida Administrative Code, (F.A.C.).
  - (b) This facility shall be constructed and operated in accordance with all applicable requirements of Chapters 62-4, 62-330, 62-520, 62-522, 62-550, 62-701, 62-710, 62-713, 62-740 and 62-770, F.A.C., and all other applicable requirements of Department Rules.
  - (c) By acceptance of this Permit, the Permittee certifies that he has read and understands the obligations imposed by the Specific and General Conditions contained herein, including the date of permit expiration and renewal deadlines. It is a violation of this permit to fail to comply with all conditions and deadlines.
  - (d) Nothing contained in General Condition 10 shall be deemed to waive any right Permittee has under Florida Statutes or Department rules to oppose application of any such changes to the facility if Permittee is otherwise legally entitled to do so.
2. Submittals in response to any conditions in this permit shall be submitted as follows:
  - (a) Two (2) copies shall be submitted to:

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

Department of Environmental Protection  
Bureau of Solid and Hazardous Waste  
Hazardous Waste Regulation Section  
Attn: Environmental Administrator – MS 4560  
2600 Blair Stone Road  
Tallahassee, Florida 32399 - 2400

(b) One (1) copy shall be submitted to:

Hazardous Waste Program Administrator  
Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
West Palm Beach, Florida 33401

3. The Permittee shall display the validated registration form and identification number in a prominent place at the facility in accordance with Rule 62-710.500(4), F.A.C.
4. No later than March 1 of each year, the Permittee shall submit an annual report for the preceding calendar year to the Department on DEP form 62-701.900(14). The report shall summarize the records kept pursuant to 40 CFR 279.57(b) and Rule 62-710.510, F.A.C, Record Keeping: The records described in this paragraph shall include:
  - (a) The EPA identification number, name, and address of the processor/ re-refiner;
  - (b) The calendar year covered by the report; and
  - (c) The quantities of used oil accepted for processing/re-refining and the manner in which the used oil is processed/re-refined, including the specific processes employed.
5. The Permittee shall operate, modify, or close the facility only pursuant to a permit issued by the Department in accordance with Chapter 62-710 F.A.C.
6. Before closing or making any substantial modifications to the Facility, the Permittee shall submit to the Department the Used Oil Processing Facility Permit Modification Request, pursuant to Rules 62-710.800(6), 62-710.901 and 62-4.050(6) and (7), F.A.C.
  - (a) Pursuant to Rules 62-710.800(6) and 62-4.050(6) and (7), F.A.C., a substantial modification means a modification that is reasonably expected to lead to substantially different environmental impacts that requires a detailed review. For purposes of this subsection, an increase in storage capacity of the facility by 25% or 25,000 gallons, whichever is less is considered a substantial modification.
  - (b) Pursuant to Rules 62-4.050(4) and 62-710.800(6)(b), F.A.C., a minor modification means a modification that does not require substantial technical



Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

evaluation by the Department, does not require a new site inspection by the Department, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit. For purposes of this subsection, replacement of existing tanks with new tanks is considered a minor modification.

- (c) Pursuant to Rule 62-710.800(6)(c), F.A.C., changes at the Facility which involve routine maintenance, such as repair of equipment, replacement of equipment with similar equipment, aesthetic changes, or minor operational changes are not considered modifications, do not have to be reported to the Department, and require no permit fee. The Permittee should contact the Department if there are questions as to whether a change would be considered routine maintenance.
7. Notwithstanding the provisions of Rule 62-4.050, F.A.C., the fee for a Used Oil Processor Permit Application is \$2,000. The fee for a substantial modification to the permit or permit renewal application is \$500. No permit fee is required for minor modifications. Applications for renewal of permits shall be submitted to the Department at least 60 days prior to the expiration date of the existing permit in accordance with Rule 62-4.090, F.A.C.
8. All documents submitted pursuant to the conditions of this permit shall be accompanied by a cover letter stating: the name and date of the document submitted; the EPA I.D. number of the facility; the number(s) of the Specific Condition(s) affected; the permit number and project name of the permit involved.
9. All request for permit modifications shall be certified by the owner and operator and signed, sealed, and certified by a Professional Engineer registered in the State of Florida, in accordance with 471, F.S. All submittals incorporating interpretation of geological data shall be signed and sealed by a Professional Geologist registered in the State of Florida in accordance with 492, F.S.
10. The Department may revoke this permit in accordance with 403.087(7), F.S., or may modify this permit in accordance with Rule 62-4.080, F.A.C. The filing of a request for a permit modification or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.
11. The Permittee shall submit any substantial revisions in the permitted operation or design of this facility to the Department for approval prior to implementation. A copy of the cover letter accompanying the substantial revision and the fee shall be sent to:
- Florida Department of Environmental Protection  
Post Office Box 3070  
Tallahassee, Florida 32315 -3070
12. The Permittee shall apply for permit renewal at least 60 days before the expiration date of this permit, in accordance with the requirements of Rule 62-4.090, FAC. A copy of the cover letter accompanying the renewal and the fee shall be sent to:

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

Florida Department of Environmental Protection  
Post Office Box 3070  
Tallahassee, Florida 32315 -3070

13. The Permittee shall submit a revised "Part I" of the Application Form for a Used Oil Processing Facility Permit to the Department within 30 days of any changes in the information stated in Part I.
14. The Department may modify the conditions of this permit in accordance with Rule 62-4.080, F.A.C.
15. This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C. The Permittee shall be liable for any noncompliance with the permitted activity until the transfer is approved by the Department.
16. The Permittee shall annually register its used oil handling activities with the Department on DEP Form 62-701.900(13) by March 1 of each year.
17. The Permittee shall maintain documentation of any shipment of used oil that is refused due to failure to meet pre-screening requirements. The permittee shall notify the Hazardous Waste Section Supervisor at the DEP Southeast District office (561-681-6600) within one business day after the load is rejected.
18. The Permittee may claim confidential any information required to be submitted by this permit in accordance with Section 403.111 and 403.73, F.S.
19. The conditions in this permit shall take precedence over the permit application documents where there are differences between these documents and the permit conditions.

#### **PART II – USED OIL PROCESSING REQUIREMENTS:**

1. Pursuant to 40 CFR 279.56 (Tracking) and Rule 62-710.510(1), F.A.C., the Permittee must comply with the following tracking requirements: Cliff Berry, Incorporated shall maintain records on DEP Form 62-701.900 (13) or on substantially equivalent forms which contain at least the same information as the Department form.
  - (a) Acceptance: Used oil processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
    1. The name, address and EPA identification number (if applicable) of the transporter who delivered the used oil to the processor/re-refiner, oil-burner or disposal facility;

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

2. The name, address and EPA identification number (if applicable) of the generator or processor/re-refinery from whom the used oil was received for processing/re-refining;
  3. The quantities of each type of used oil accepted and date of acceptance.
  4. Waste stream approval number and the off load tank number.
- (b) Delivery: Used oil processor/re-refiners must keep a record of each shipment of used oil that is shipped to a used oil burner, processor/re-refiner, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:
1. The name, address and EPA identification number (if applicable) of the transporter delivering the used oil to the receiving facility;
  2. The name, address and EPA identification number (if applicable) of the oil-burner, processor/re-refinery or disposal facility receiving the shipment;
  3. The quantities of used oil shipped and date of shipment.
  4. The laboratory analytical number.
- (c) Record retention: The records described in paragraph (a) and (b) of this section must be maintained for at least three years. The records shall be kept at the permitted facility and shall be available for inspection by the Department during normal business hours.
2. Pursuant to 40 CFR 279.57, the Permittee must keep a written operating record at the Facility and maintained until closure of the Facility, which includes the following information:
    - (a) Records and results of used oil analyses performed as described in the analysis plan required under 40 CFR 279.55.
    - (b) Summary reports and details of all incidents that require implementation of the contingency plan as specified in 40 CFR 279.52(b).
  3. The Permittee shall maintain as part of the operating record of the Facility the inspection records and release detection monitoring records required in Rule 62-761.710, F.A.C., for aboveground storage tanks, integral piping, and process tanks.
  4. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of used oil, sludges, residues or constituents to air, soil, or surface water which could threaten human health or the environment, in accordance with 40 CFR 279.52(1).

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

5. Pursuant to Rule 62-710.800(3), F.A.C., aboveground storage and process tanks having a capacity greater than 550 gallons, and all integral piping shall comply with the performance standards for new tanks of Rule 62-761.500, F.A.C., for existing shop fabricated/field erected tanks of Rule 62-761.510, F.A.C. Repairs to aboveground storage and process tanks shall meet the criteria of Rule 62-761.700, F.A.C.
6. The Permittee shall prevent the release of used oil, oily waste or oily wastewater to the environment. The secondary containment system shall be maintained in accordance with the permit application and shall comply with the requirements of 40 CFR 279.54, including the requirements set forth below:
  - (a) All new components shall have secondary containment as required by parts (b) and (c) of this condition prior to being put into service.
  - (b) The secondary containment system shall meet the requirements of 40 CFR 279.54 and shall be:
    1. Designed, installed and operated to prevent any migration of wastes or accumulated liquid to the soil, groundwater or surface waters.
    2. Capable of detecting and collecting releases and run-on until the collected material is removed.
    3. Constructed of or lined with materials compatible with the waste to be stored and have sufficient strength to sustain the stresses induced by a failure of the primary containment system as well as other stresses that may be induced by the environment.
    4. Placed on a foundation or base capable of providing support to the secondary containment system.
    5. Provided with leak detection system designed and operated to detect failure of either the primary or secondary containment structures or the presence of any release within 24 hours.
    6. Sloped or otherwise designed and operated to drain or remove liquids resulting from leaks, spills, or precipitation.
    7. Designed and operated, to contain 110% of the capacity of the largest tank within its boundary.
  - (c) Ancillary equipment shall be provided with secondary containment.

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

**PART III – Non-Hazardous, Non-Used Oil Waste**

1. The facility may accept non-hazardous solid wastes generated from CERCLA sites that do not qualify as used oil, such as oily waters, petroleum contaminated debris and soil. The waste will be bulked and/or processed for acceptance at permitted solid waste disposal or processing facilities.
  - (a) All wastes received at the site will be received in 55-gallon drums and stored in an area segregated from other permitted waste. The total number of drums allowed on site is the lesser of 350 or the amount given in the approved closure cost estimate.
  - (b) All waste shall be characterized for EPA 8010, EPA 8020, Total RCRA Metals, Fl-Pro, Total Halogens, and PCB's (as required). Waste that is characterized as being hazardous shall be properly transported to a facility permitted to accept hazardous waste.
  - (c) Blending shall take place in sealed roll-off containers located within secondary containment. The same roll-off used for blending will be used to transport the processed waste to a permitted solid waste facility.
2. The permittee shall maintain compliance with the financial assurance requirements of Rule 62-701.700, F.A.C., by submitting all required updated supporting documentation in accordance with Rule 62-701.630, F.A.C., and 40 CFR Part 264 Subpart H as adopted by reference in 62-701.630, F.A.C. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection  
Financial Coordinator – Solid Waste Section  
2600 Blair Stone Road MS 4565  
Tallahassee, Florida 32399-2400

3. The permittee shall, in addition to annually adjusting the closure and long-term care estimates, adjust the financial assurance mechanism to reflect an increase in cost estimates. Cost estimate adjustments shall be in accordance with Rule 62-701.630(4), F.A.C. Instrument adjustments shall be in accordance with Rule 62-701.630, F.A.C., and 40 CFR Part 264, Subpart H as adopted by reference in Rule 62-701.630, F.A.C. Documentation of financial mechanism increases shall be submitted to the Financial Coordinator. All estimate update submittals shall be sent to:

Department of Environmental Protection  
Bureau of Solid and Hazardous Waste  
Hazardous Waste Regulation Section  
Attn: Environmental Administrator – MS 4560  
2600 Blair Stone Road  
Tallahassee, Florida 32399 – 2400

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

**PART IV – TANKS:**

“Tank system”, for the purpose of Part III of this permit, is defined as the storage tank(s), appurtenant equipment and secondary containment structures comprising the Permittee’s used oil processing facility.

1. The Permittee shall label or mark all above ground tanks and containers used to store or process used oil, with the words “Used Oil”. [40 CFR 279.54(f)]
2. The Permittee shall inspect all regulated tank systems in accordance with procedures presented in the permit application.
3. The inspection records and release detection monitoring required in Rule 62-761.600, F.A.C., for above ground process and storage tanks shall be maintained in the Permittee’s operating record.
4. Above ground storage and process tanks having a capacity greater than 550 gallons shall comply with the performance standards of Rules 62-761.500 and 62-761.510, F.A.C.
5. The Permittee shall prevent the release of used oil or other pollutants to the environment. The secondary containment shall be sealed, free of cracks and maintained in accordance with Rule 62-761.500(1)(e), F.A.C.
6. The Permittee shall provide and maintain adequate secondary containment that shall be impervious to the types of pollutant stored in the tanks and contain at least 110 percent of the volume of the largest tank in accordance with Rule 62-761.500, F.A.C.
7. Spilled or leaked waste must be removed from the secondary containment areas within three (3) days of the incident [Rule 62-761.820(1)(d), F.A.C.]. Accumulated precipitation must be removed from the secondary containment areas within one week after a rainfall event [Rule 62-761.700(3)(a), F.A.C.]. The above materials shall be managed in accordance with SPCC Plan as revised January 2002.
8. The Permittee shall submit the proposed or constructed new tanks as-built drawings within 30 days of completion of construction. Each drawing shall be certified by a Professional Engineer registered in Florida.

**PART V – PREPAREDNESS & PREVENTION / CONTINGENCY PLAN REQUIREMENTS:**

1. The Permittee must comply with General Facility Standards pursuant to 40 CFR 279.52 and Rule 62-710.800(1), F.A.C., as follows:
  - (a) Maintenance and operation of the facility: The facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- (b) Required equipment: The facility must be equipped with the following:
1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
  2. A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;
  3. Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment and decontamination equipment, as depicted in "Spill Prevention Control and Countermeasure Plan", revised January, 2002 and;
  4. Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.
- (c) Testing and maintenance of equipment: All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.
- (d) Access to communications or alarm systems: Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. If there is ever just one employee on the premises while the facility is operating, the employee must have immediate access to a device capable of summoning external emergency assistance.
- (e) Required aisle space: The Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any operational area of the facility in an emergency.
- (f) Arrangements with local authorities: Arrangements are required to familiarize police, fire departments, local hospitals, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility and possible evacuation routes.
2. The Permittee shall comply with the following conditions concerning the Spill Prevention Control and Countermeasure Plan:

Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

- (a) The Permittee shall immediately carry out the provisions of the "Contingency Plan" and follow the emergency procedures described by 40 CFR 279.52 (b) (6), whenever there is a fire, explosion, or release of used oil, oily waste or oily wastewater which threatens or could threaten human health or the environment. The Permittee shall give proper notification if an emergency situation arises, and within 15 days must submit to the Department a written report which includes all the information required in 40 CFR 279.52 (b) (6).
  - (b) Within seven days of meeting any criteria listed in 40 CFR 279.52 (b) (4), the Permittee shall amend the plan and submit the amended plan for Department approval. Any other changes to the plan must be submitted to the Department within seven days of the change in the plan. All amended plans must be distributed to the appropriate agencies.
  - (c) When the contingency plan is implemented, the Permittee shall call the Department of Environmental Protection's 24-hour emergency telephone number which is (850) 413-9911 or (800)320-0519 or, during normal business hours, the DEP Southeast District Office may be contacted at (561)681-6600.
3. The Permittee shall maintain reports of all releases that are reportable quantities as required by 40 CFR 302, as part of the facility's on-site operating. The reports shall include amount and time of release, details of corrective actions taken, and the time of the corrective actions.

#### **PART VI – TRAINING:**

1. Facility personnel must successfully complete the approved training program identified in the Training Plan included in the SPCC Plan as revised in January 2002. Personnel shall not work unsupervised until training has been completed.
2. The training plan must be reviewed by facility personnel at least annually. Verification of this training must be kept with the personnel training records and maintained on-site.
3. The Permittee shall maintain an updated list of personnel handling used oil and their respective job titles at the site.

#### **PART VII – CLOSURE REQUIREMENTS:**

1. The Closure Plan:
  - (a) The Permittee shall maintain an adequate written closure plan and it must demonstrate how the Facility will be closed in order to meet the following requirements that:
    1. There will be no need for further facility maintenance;
    2. Used oil will not contaminate soil, surface water or groundwater;



Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

3. All tanks, piping, secondary containment & ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed; and
4. Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-761.800, F.A.C.
5. In addition, pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store or process used oil in above ground tanks must comply with the following requirements:
  - i. At closure of a tank system, the Permittee must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 262.11.
  - ii. If the Permittee demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in 40 CFR 279.54(h), then the Permittee must close the tank system and perform postclosure care in accordance with the closure and post closure care requirements that apply to hazardous waste landfills as defined in 40 CFR 265.310.
- (b) The closure plan shall be updated whenever significant operational changes occur or design changes are made.
- (c) The closure plan shall be maintained with records required under Rule 62-710.510, F.A.C.
- (d) The Permittee shall submit an updated and detailed closure plan to the Department at least 60 days prior to the scheduled date of closing the facility.
- (e) Within 30 days after closing the facility, the Permittee shall submit a certification of closure completion to the Department that demonstrates that the facility was closed in substantial compliance with the detailed closure plan.
2. Containers: Pursuant to closure requirements of 40 CFR 279.54(h), Permittees who store used oil in containers must comply with the following requirements:
  - (a) At closure, containers holding used oils or residues of used oil must be removed from the site;
  - (b) The Permittee must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures or equipment contaminated with used oil, and manage them as hazardous waste unless the

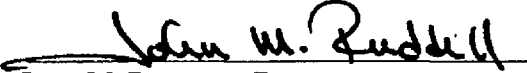
Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

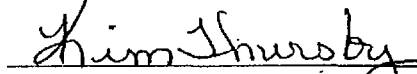
materials are not hazardous waste as defined in 40 CFR 261 or determined, pursuant to 40 CFR 261.11.

Issued 3/21/03

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
JOHN M. RUDELL, DIRECTOR  
DIVISION OF WASTE MANAGEMENT

Filing and Acknowledgment  
Filed on this date, pursuant to  
Section 120.52, Florida Statutes,  
with the designated Clerk, receipt  
of which is acknowledged.

  
CLERK

3-25-03  
DATE

This is to certify that this Notice of Permit was mailed before  
close of business on March 25, 2003



Cliff Berry, Incorporated  
P.O. Box 13079  
Port Everglades Station  
Fort Lauderdale, Florida 33316

I.D. Number: FLD 058 560 699  
Permit Number: 77628-HO-003  
Date of Expiration: February 12, 2008

Attachment B - Tanks

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   |

|         |      |        |       |            |
|---------|------|--------|-------|------------|
| 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 |

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                    | Oily Water             |
| 17 (AG) | 1965           | 17,400         | Steel                    | Oily Water             |
| 18 (AG) | 1965           | 17,400         | Steel                    | Oily Water             |