



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc - Canaveral Facility

On-Site Inspection Start Date: 01/25/2011 **On-Site Inspection End Date:** 01/25/2011

ME ID#: 42543 **EPA ID#:** FLR000119792

Facility Street Address: 5855 Industrial Dr, Cocoa, Florida 32927-4608

Contact Mailing Address: PO Box 13079, Fort Lauderdale, Florida 33316-0100

County Name: Brevard **Contact Phone:** (954) 763-3390

NOTIFIED AS:

CESQG (<100 kg/month)

Transporter

Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Danielle M. Bentzen, Environmental Specialist

Other Participants: Lamar Boleman, Facility Manager; Michael Eckoff, Environmental Specialist

LATITUDE / LONGITUDE: Lat 28° 27' 22.892" / Long 80° 46' 17.306"

SIC CODE: 4953 - Trans. & utilities - refuse systems

TYPE OF OWNERSHIP: Private

Introduction:

On January 25, 2011, Danielle Bentzen and Michael Eckoff, Florida Department of Environmental Protection (DEP), inspected Cliff Berry Inc (CBI) for compliance with state and federal hazardous waste and used oil regulations. Lamar Boleman, Facility Manager, CBI, accompanied inspectors throughout the facility. The facility was issued used oil permit number 249477-HO-001 on February 5, 2008. The permit expires February 5, 2013.

The facility is located on 4.4 acres and connected to a septic tank and private portable water system. The property is owned by C-2 Holding, Inc. CBI employs 9 people; however, most of the employees are drivers and not on site.

INSPECTION HISTORY

On May 28, 2009, CBI was inspected as a Used Oil Processor facility and was in compliance at the time of the inspection.

Process Description:

The facility is not actually processing used oil other than allowing oily water to separate for 24 hours. The processing permit was applied for because of the quantity of used oil stored on site.

The facility operates four 7,000 gallon tanker trucks, and two vacuum trucks for oily water. CBI also operates one pump truck with two separate containers, one for used oil and the other for antifreeze/oily water.

Inside the secondary containment area were three 8,300 gallon above ground storage tanks for oily water, two 5,000 gallon tanks for used oil, a holding tank used to screen solids from the used oil prior to going into the tanks, one oil/diesel fuel tank, and three 55-gallon drums for used oil

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debris.

Used oil filters collected from facilities are loaded onto a trailer which is then transported to CBI's Miami facility every Tuesday.

Hazardous waste is generally not stored at CBI. The only occasion that hazardous waste would be stored, were if the shipment was picked up to late in the day and then it is only stored overnight. Most hazardous waste is shipped to AERC or directly to Miami. Universal waste is taken to AERC. Non-hazardous waste is shipped to Miami for consolidation. There was no hazardous waste or universal waste on site at the time of the inspection.

Waste antifreeze is mixed with the oily water. It is then transported to Miami for disposal with their wastewater. At the time of the inspection, there was no waste antifreeze on site. According to an email from CBI on January 26, 2011, antifreeze is not allowed to be mixed and disposed of in the POTW and will be stored in totes to be transported to Miami for disposal.

RECORDS REVIEW

Records reviewed for 2009, 2010, and 2011 included used oil and used oil filter disposal documents, universal waste disposal documents, hazardous waste manifests, employee training records, notification of local authorities, and contingency plan. Training was recently conducted in 2010. Above ground storage tanks are inspected by Brevard County Natural Resources Management.

There were several used oil manifests that were missing halogen screening [62-710.510(1)(g) F.A.C]. There were also used oil manifests for Small Quantity Generators of hazardous waste that were missing the EPA identification number for the facility [62-710.510(1)(b) F.A.C].

The contingency plan needed to be amended with current information for the used oil tanks and emergency contact information [40 CFR 265.54 and 40 CFR 279.52(b)(2)(iv)].

New Potential Violations and Areas of Concern:

Checklist Independent Potential Violations and Areas of Concern

Type:	Violation
Rule:	265.54(d)
Explanation:	The contingency plan must be reviewed, and immediately amended, if necessary, whenever the list of emergency coordinators changes. Specifically, CBI failed to update the information for David Lipprandt and provide a primary contact within reasonable response time to the facility.
Corrective Action:	In an email on January 26, 2011, CBI provided corrective action.

Type:	Violation
Rule:	279.52(b)(2)(iv)
Explanation:	The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see paragraph (b)(5) of this section), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. Specifically, CBI failed to update the information for David Lipprandt and needed to have a primary contact within reasonable response time to the facility.
Corrective Action:	In an email on January 26, 2011, CBI provided this corrective action.

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Type:	Violation
Rule:	62-710.510(1)
Explanation:	Each registered person shall maintain records on DEP Form 62-710.901(2) or on substantially equivalent forms which contain at least the same information as the Department form. These records shall include the following information: the source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one and documentation of halogen screening. Specifically, CBI failed to document the EPA identification number and halogen screening on several used oil manifests.
Corrective Action:	CBI shall document EPA identification numbers of the generator and halogen screening results on used oil manifests.

Summary of Potential Violations and Areas of Concern:Potential Violations

Rule Number	Area	Date Cited	Explanation
265.54(d)	Checklist Independent Violations	01/25/2011	The contingency plan must be reviewed, and immediately amended, if necessary, whenever the list of emergency coordinators changes. Specifically, CBI failed to update the information for David Lipprandt and provide a primary contact within reasonable response time to the facility.
279.52(b)(2)(iv)		01/25/2011	The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see paragraph (b)(5) of this section), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. Specifically, CBI failed to update the information for David Lipprandt and needed to have a primary contact within reasonable response time to the facility.
62-710.510(1)		01/25/2011	Each registered person shall maintain records on DEP Form 62-710.901(2) or on substantially equivalent forms which contain at least the same information as the Department form. These records shall include the following information: the source of the used oil, including the name and street address of each source, and the EPA identification number of the source if the generator has one and documentation of halogen screening. Specifically, CBI failed to document the

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Rule Number	Area	Date Cited	Explanation
			EPA identification number and halogen screening on several used oil manifests.

Areas of Concern

No Areas of Concern

Conclusion:

Cliff Berry Inc was inspected as a Used Oil Processor facility and was not in compliance at the time of the inspection.

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Danielle M. Bentzen

PRINCIPAL INSPECTOR NAME

Environmental Specialist

PRINCIPAL INSPECTOR TITLE

NO SIGNATURE

PRINCIPAL INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Michael Eckoff

INSPECTOR NAME

Environmental Specialist

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Lamar Boleman

REPRESENTATIVE NAME

Facility Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Cliff Berry

ORGANIZATION

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.