

Thursby, Kim

From: Bill Parkes [BParkes@cliffberryinc.com]
Sent: Tuesday, April 17, 2012 4:20 PM
To: Epost HWRS
Cc: Bahr, Tim; Coates, John; Patel, Ashwin; Bejnar, Tor; Wick, Fred; Holmes, Georgiana; Kothur, Bheem; Tripp, Anthony; ambrosefox@charter.net
Subject: RE: CBI Jacksonville, FLR000119784, Request for Additional Information

CBI has received.

From: Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]
Sent: Friday, April 13, 2012 3:37 PM
To: Bill Parkes
Cc: Bahr, Tim; Coates, John; Patel, Ashwin; Bejnar, Tor; Wick, Fred; Holmes, Georgiana; Kothur, Bheem; Tripp, Anthony; ambrosefox@charter.net
Subject: CBI Jacksonville, FLR000119784, Request for Additional Information

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

We ask that you verify receipt of this document by sending a "reply" message to epost_hwrs@dep.state.fl.us. (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

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

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

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

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

Please take a few minutes to share your comments on the service you received from the department by clicking on this link. [DEP Customer Survey](#).



Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

April 13, 2012

SENT VIA E-MAIL

bparkes@cliffberryinc.com

Mr. William E. Parkes, Jr.
Manager Regulatory Affairs and Capital Projects
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Cliff Berry, Inc., Jacksonville Facility
EPA I.D. No. FLR 000 119 784
Permit Number: 00249482-HO-003
Used Oil Processing Facility Renewal Permit
Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has reviewed your permit renewal application dated March 14, 2012, and received on March 22, 2012, to operate a used oil processing facility in Jacksonville, Florida.

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

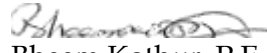
The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

Mr. William E. Parkes, Jr.
Manager Regulatory Affairs and Capital Projects
April 13, 2012
Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Central District Office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Should you like to arrange a meeting or if you have any questions, please contact me at (850) 245-8781 or e-mail: Bheem.kothur@dep.state.fl.us

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc:

Ashwin Patel, DEP/Jacksonville, ashwin.patel@dep.state.fl.us
Tor Bejnar, DEP/Tallahassee, tor.bejnar@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Georgiana, Holmes, OGC/Tallahassee, Georgiana.holmes@dep.state.fl.us
D.M. Ambrose, P.E., ambrosefox@charter.net

ENCLOSURE

Cliff Berry, Inc. Jacksonville Facility

Used Oil Facility Operating Permit No.: 00249482-HO-003

First Notice of Deficiencies

April 13, 2012

SPECIFIC COMMENTS: Application Form for a Used Oil and Waste Processing Facility Permit.

1. The application has indicated the intent to install six new tanks at some point in the future for increased used oil processing capacity. The facility has also proposed to expand operations at the site to process solid waste associated with used oil activities, specifically used oil filters. If the permit to be issued includes permission for the installation and operation of increased capacity and solid waste processing, the financial assurance for these activities must be provided prior to the time that permit is issued. Therefore, financial assurance shall be provided for all proposed activities at this location before this application can be considered complete.
2. Florida DEP Application, Form # 62-710.901(6), C.3 through C.10, Operating Information, Page 10: Please identify the appropriate Attachment numbers on this form where indicated. The Attachments should be updated and copies of all the Attachments must be submitted with the revised application.
3. Letter of Transmittal for Used Oil Processing Facility Permit Renewal, Second Paragraph and letter dated March 14, 2012: The letter indicates that the facility is proposing to install six (6) above ground storage tanks in addition to the existing 15,000 gallon double walled storage tank. The facility also indicated that the 4,000 and 2,000 gallon tanks currently in use will be removed. The application needs to include language to the effect that none of the new tanks shall be used for used-oil processing until as-builts have been approved and specific permission received from the Department. The facility must also address in detail the sequence of tank removal, decontamination, and sampling for tanks that will be removed. A closure report will be required for the removal of any tank used for used-oil processing. The closure report is due within 30 days of closure. The closure report must be certified and submitted to the Department.
4. Attachment 2, Used Oil Processing Facility Closure Cost Estimate, Pages 1 through 3: With the addition of the six additional tanks the facility will have a total of seven (7)

tanks with a combined total capacity of 127,000 gallons of used oil to dispose when the facility decides to close the facility. The current closure cost estimate does not account for disposal of this volume of used oil, it also does not account for the disposal of containers of used oil and used oil filters. Please revise the estimate and resubmit. The Department will review these estimates prior to approval. Upon approval of these estimates the facility must provide the financial assurance within 90 days. The application cannot be considered complete until financial assurance is provided.

5. CBI, Inc. Jacksonville Facility, SPCC Plan, Page iii, Last Revised March 2012: The facility name should be "CBI, Inc. Jacksonville" not "CBI, Inc. Port Everglades Facility". Please review and revise as appropriate.
6. CBI, Inc. Jacksonville Facility, SPCC Plan, Section 1, Page 2: The paragraph describes (3) AST storage tanks with the next integrity inspection listed as proposed until 2028. Please review this paragraph and revise such that an integrity inspection is performed at least every 10 years.
7. CBI, Inc. Jacksonville Facility, SPCC Plan, Introduction, Second Paragraph, Page 2: This paragraph describes that Cliff Berry, II is in charge of the facility even though he does not reside in the Jacksonville area. The facility is required to be in charge by someone who lives in the Jacksonville area. Please review and revise the plan as appropriate.
8. CBI, Inc. Jacksonville Facility, Personnel Training And Drills, Section 8, First Paragraph, Second Paragraph and third Paragraph, Page 1: list applicable pollution control rules and regulations; list and define the spill prevention briefing "frequency"; and list and define "appropriate personnel" respectively.
9. CBI, Inc. Facility, SPCC Plan, Emergency Contact Phone Numbers, Page 6: Please correct the phone number of DEP Northeast District Office as "904-257-1700" not as "561-681-6600".
10. CBI, Inc. Jacksonville Facility, Emergency Coordinator, Pages 3 and 6, Cliff Berry, II is listed as the primary Emergency Responsible person: The facility's primary responsible person must be someone who resides in the Jacksonville area. Please make sure to revise all appropriate sections of the application to include information specific to the Jacksonville facility and not to other facilities.
11. Tank Table 1, Section 2, Page 3, Last Revised March 2012: There is a Note on Section 2, Page 1 and also on Section 3, Page 1, that says that "the three (3) storage tanks are double walled tanks and therefore do not require secondary containment". It is not clear from the tank table or the drawings which tanks are double walled and which are not

doubled walled? Please identify which three (3) tanks are double walled. Please revise the drawing and tank table accordingly.

12. Drawing C1 of 1, Tank Table: The facility previously submitted a permit application in 2007 and the current renewal permit application appears to be a major expansion at the site including number of tanks, tank sizes, and their capacities. Therefore, the facility must recalculate the secondary containment calculations, and revise the evacuation route etc.
13. On Shore Storage Tank Farm and Truck Loading Facility, Second Paragraph, Last Sentence, Page 1: Please delete the reference of the word "Canaveral" and replace by "Jacksonville".
14. Storage Tank and Piping Inspections, Last Paragraph, Page 3: The facility indicates that the inspections are performed daily, monthly and annually. Please provide examples of these inspection forms.
15. Personnel Training and Drills, Page 1: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. CBI, Inc. Jacksonville used oil screening procedure from the waste analysis plan only includes halogen screening. Chlor D Tect kits will not assess the flammability of the materials CBI, Inc. may be called upon to transport. Please revise the application so that the employee training program includes USDOT hazardous materials training.

GENERAL COMMENTS:

1. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
2. The Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.
3. The facility Form 8700-12FL-Florida Notification of Regulated Waste Activity, C. Used Oil Activities: This form indicates that the facility is also a Used Oil Filter Transfer Facility. Please indicate on a site map where these activities take place. Also, revise the closure cost estimate to include such disposal activities.
4. For any oily wastes or sludge generated at the facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR Part 279.10 (c) and (e).

5. CBI, Inc. Permit Application dated March 14, 2012 indicates that there have been changes in the CBI-Jacksonville facility concerning the Used Oil Processing facility since the permit was issued on April 14, 2008. CBI, Inc. is requesting to add additional tanks to the facility to add additional storage capacity of 34,000 gallons of used oil. Therefore, the SPCC Plan, Contingency Plan, Emergency Response Contact Information (including phone numbers), the Training, and the Evacuation Routes should all be updated to reflect the proposed changes.
6. In addition to comment #4 under specific comments concerning the facility closure cost estimates: The facility proposed to expand the site to process solid waste activities, specifically used oil filters. Therefore, the facility must revise the closure costs to include disposal of solid waste quantities. The permit application cannot be considered complete and a permit issued until such time as financial assurance has been provided and approved. Please review the current estimate and revise as appropriate.
7. CBI, inc. Jacksonville facility permit issued dated April 14, 2008, Attachment B, Tank Table indicates that Tank 5 was proposed to store 10,000 gallons of antifreeze. However, the renewal permit application, Tank Table 1, does not show any tanks storing antifreeze. Please review and revise as appropriate.
8. The latitude and longitude should use the appropriate symbols for degree, minute, and second. Please modify the SPCC Plan, Page ii, Last Revised March 2012 and the Florida DEP Application, Form #62-710.901(6), B.1-Site Information, Page 9.