



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc - Miami Terminal

On-Site Inspection Start Date: 11/07/2011

On-Site Inspection End Date: 11/07/2011

ME ID#: 51668

EPA ID#: FLD058560699

Facility Street Address: 3033 NW North River Dr, Miami, Florida 33142-6304

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

County Name: Miami-Dade

Contact Phone: (954) 763-3390

NOTIFIED AS:

CESQG (<100 kg/month)

Transporter

Transfer Facility

Used Oil

INSPECTION TYPE:

Follow-Up Inspection for Hazardous Waste Transfer Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Roger E. Carman, Inspector

Other Participants: Zach Davis, Disposal Services Coordinator; Leo Garciljuad, Biodiesel System Operator

LATITUDE / LONGITUDE: Lat 25° 47' 47.6926" / Long 80° 14' 38.8063"

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

TYPE OF OWNERSHIP: Private

Introduction:

The inspector conducted a follow up inspection on November 11, 2011, to confirm the location of the current HWTa. Mr. Davis accompanied the inspector during this portion of the follow up inspection. The inspector also obtained addition information about the bio-diesel manufacturing process. Mr. Garciljuad accompanied the inspector and provided additional information about the bio-diesel process.

Process Description:

The location of the current HWTa was determined to be located southwest of the actual permitted (2008) HWTa as shown on the attached site map - Attachment 1. The current HWTa consisted of fenced bay approximately X' and its back wall was the facility's south exterior wall. The east side of the HWTa was an interior wall of the warehouse and the west side was contiguous with the non-hazardous waste storage and was separated by a drive-over curb and fencing. The front of the HWTa was gated, but not provided with a berm or curb. The oily wastewater treatment plant (WWTP) and the nonhazardous waste storage areas in this warehouse were provided with curbs and thus were segregated from the HWTa. However, the HWTa did not appear to be segregated from the WWTP's bulk treatment chemical containers stored both east and north within the common secondary containment of the warehouse. The inspector roughly measured that the back wall of the HWTa was approximately 30 feet north of the north curb of NW North River Drive. The facility's actual property line was not determined by the inspector. Containers labeled with hazardous waste labels and flammable DOT labels were observed near the back wall of the HWTa.

CBI Miami uses the base-catalyzed methanol process to process used vegetable oils into bio-diesel fuel. Sodium hydroxide is used as the base. At the time of the follow up inspection, CBI Miami had

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approximately 70,000 gallons of used vegetable oil stored on-site in two frac tanks, one tanker trailer, and numerous 55-gallon drums. Water removed from the vegetable oil is processed through CBI Miami's WWTP. Glycerin from the process is being accumulated on-site in a plastic tote. No hazardous waste determination had been made for the glycerin because Mr. Garciljuad believed the glycerin was a usable material that could be sold as a product. The bio-diesel fuel is mixed with the facility's on-site diesel fuel supply.

Pre-existing Potential Violations and Areas of Concern:**Violations**

Type:	Violation
Rule:	262.11
Explanation:	CBI-Miami failed to determine if the gasoline contaminated rags used for cleanup in the bio-fuel area were a hazardous waste prior to placing them in the nonhazardous rag compactor unit.
Corrective Action:	Prior to disposal, CBI-Miami must make a determination for these rags.
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Type:	Violation
Rule:	263.22(a)
Explanation:	CBI-Miami was not shown as a transporter on manifest# 008202734 JJK when it was received at their hazardous waste transfer facility on 09-16-2011 and subsequently shipped out on 09-22-2011.
Corrective Action:	CBI-Miami must notify the generator, each transporter, and the designated facility of the error and provide documentation showing the date they received the waste at their transfer facility.
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Type:	Violation
Rule:	265.176
Explanation:	Ignitable hazardous wastes in the hazardous waste transfer area were stored <50 feet from the facility's property line.
Corrective Action:	Determine a distance >50 feet to store ignitable and reactive wastes in the hazardous waste transfer area.
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Type:	Violation
Rule:	265.177(c)
Explanation:	Hazardous wastes stored in the hazardous waste transfer area were not segregated from incompatible hazardous wastes or incompatible materials by means of a dike, berm, wall or other device.
Corrective Action:	Provide segregation of incompatible wastes and other incompatible materials stored nearby.
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Type:	Violation

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Rule: 265.35

Question Number: 1.520

Question: Is there sufficient aisle space to allow unobstructed movement of personnel and equipment? (e.g., adequate aisle space in between barrels to check for leakage, corrosion and proper labeling, etc.)

Explanation: The inspector observed that there was inadequate aisle space between containers stored in the hazardous waste transfer area.

Corrective Action: CBI-Miami needed to remove and rearrange containers stored in this area. During the inspection personnel began removing containers of biomedical waste from this area.

Type: Violation

Rule: 279.54(f)

Question Number: 28.190

Question: Are ASTs, UST tank fill lines and containers labeled "used oil"?

Explanation: During the inspection of the used oil processing area, the inspector observed that used oil tanks #2 and #5 were not properly labeled with word "Used Oil". The tanks had been repainted and the labeling had not been restored.

Corrective Action: Label each above-ground used oil storage tank with the words "Used Oil".

Type: Violation

Rule: 62-710.800(2)

Explanation: The inspector observed that the secondary containment curb on the south side of the oily waste storage area was severely damaged such that large gaps were visible between the joints of the cement blocks of the curb. Part I - General and Standard Conditions, Paragraph 25, of the Used Oil and Material Processing Facility permit requires that 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 and Rule 62-710.800(1), F.A.C.

Corrective Action: CBI-Miami must repair and maintain the secondary containment for the oily waste storage area.

Conclusion:

Based on the initial and follow up inspections, it appeared that at least the back part of the relocated HWTa was less than 50 feet from the facility's property line and ignitable hazardous wastes were observed stored in the HWTa near the back wall. It also appeared that the HWTa shared a common secondary containment with bulk chemicals used for the WWTP, and therefore, incompatible mixing of hazardous wastes and other materials could occur.

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Signed:

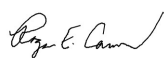
A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection 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.

Roger E. Carman

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP

ORGANIZATION

1/5/2012

DATE**Supervisor:** Karen Kantor

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.