

## Thursby, Kim

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**From:** Bill Parkes [BParkes@cliffberryinc.com]  
**Sent:** Wednesday, January 16, 2013 3:31 PM  
**To:** Epost HWRS  
**Cc:** Bahr, Tim; Goddard, Charles; Winston, Kathy; Kantor, Karen E.; ambrosefox@charter.net; Miller, Randy J.; Bejnar, Tor; Martin, Lee; Kothur, Bheem; Tripp, Anthony  
**Subject:** RE: CBI Inc - Miami, FLD058560699; Request for Additional Information

CBI has received.

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**From:** Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]  
**Sent:** Tuesday, January 15, 2013 5:13 PM  
**To:** Bill Parkes  
**Cc:** Bahr, Tim; Goddard, Charles; Winston, Kathy; Kantor, Karen E.; [ambrosefox@charter.net](mailto:ambrosefox@charter.net); Miller, Randy J.; Bejnar, Tor; Martin, Lee; Kothur, Bheem; Tripp, Anthony  
**Subject:** CBI Inc - Miami, FLD058560699; 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](mailto: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](http://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](mailto: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 BLAIRSTONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

JENNIFER CARROLL  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

January 15, 2013

**SENT VIA E-MAIL**

[bparkes@cliffberryinc.com](mailto:bparkes@cliffberryinc.com)

Mr. William E. Parkes, Jr.  
Regional Affairs Manager  
Cliff Berry, Incorporated  
P.O. Box 13079  
Fort Lauderdale, Florida 33316

RE: Cliff Berry, Inc.-Miami Facility  
EPA I.D. No. FLD 058 560 699  
Permit Numbers: 77628-HO-006 and 77628-SO-007  
Used Oil and Material Processing Facility Permit Applications  
Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated December 12, 2012 and received on December 14, 2012 to operate a Used Oil Processing Facility in Miami, 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.

January 15, 2013

Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit one hard copy and one electronic copy of your written response to the Tallahassee Solid and Hazardous Waste Regulation Section, and one hard copy to the Southeast 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](mailto:Bheem.kothur@dep.state.fl.us)

Sincerely,



Bheem Kothur, P.E. III  
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Kathy Winston, FDEP/Southeast District, [kathy.winston@dep.state.fl.us](mailto:kathy.winston@dep.state.fl.us)  
Karen Kantor, FDEP/Southeast District, [karen.kantor@dep.state.fl.us](mailto:karen.kantor@dep.state.fl.us)  
D.M. Ambrose, P.E., [ambrosefox@charter.net](mailto:ambrosefox@charter.net)  
Randy Miller, OGC/Tallahassee, [randy.j.miller@dep.state.fl.us](mailto:randy.j.miller@dep.state.fl.us)  
Tor Bejnar, FDEP/Tallahassee, [tor.bejnar@dep.state.fl.us](mailto:tor.bejnar@dep.state.fl.us)  
Lee Martin, FDEP/Tallahassee, [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us)

## ENCLOSURE

Cliff Berry, Inc. - Miami Facility  
Used Oil and Material Facility Processing Operating Permit No.:  
77628-HO-006 and 77628-SO-007  
Notice of Deficiencies  
January 15, 2013

### **GENERAL COMMENTS:** Application Form for a Used Oil Processing Facility Permit.

1. Application Form for a Used Oil Processing Facility Permit, Part I, A. General Information, Item 2, Page 8: Please provide the revision number as "1".
2. Application Form for a Used Oil Processing Facility Permit, B. Site Information, Item 1. Facility location, Page 9: Please provide the degree symbols for Latitude and Longitude.
3. CBI, Inc. Cover Letter dated December 12, 2012: The facility indicates that there have been no changes in the CBI-Miami facility since the final permit was issued on July 8, 2008. However, the submitted renewal application shows that there are going to be added six (6) new tanks and deleted five (5) existing tanks from the facility. However, there is no tank table to determine the net effect of tank storage. Therefore, please review and revise the C 1 of 1, tank table with the proposed changes and its contents, revise the closure plan and closure cost estimates as appropriate for the facility.
4. Florida DEP Application, Form # 62-710.901(6), C.3 through C.10, Operating Information, Page 10 and 11: Certification that "on-file" documents content have been changed. Please identify or reference the Attachments on this form. Also, provide copies of all the Attachments with current updates, since some of these attachments are old more than six (6) years old.
5. Letter of Transmittal for Used Oil and Material Processing Facility Permit Renewal, Third Paragraph and letter dated December 12, 2012: The letter indicates that the facility is proposing to install six (6) new above ground storage tanks. Please review the drawings and prepare the tank table with appropriate contents accordingly.
6. Used Oil Processing Facility Closure Cost Estimate, Dated December 19, 2012 and DEP received on Dated January 10, 2013, Pages 1 through 3: The facility has a total of 29 above ground storage tanks with a total capacity of unknown quantity of used oil to dispose when the facility decides to close the facility. The approved closure cost estimate amount we need a total capacities of gallons to disposed and close facility. The approved closure cost estimates for the facility for the year 2012 is \$232,821.00. Therefore, the submitted estimates of \$242,200.00 are insufficient to close the facility by a third party. Please revise the estimate and resubmit. Also facility submitted on January 10, 2013 for storage of used oily rags in drums. Please identify such storage location on the map and number of drums to be stored and include the additional quantities of solid waste to be disposed on final closure. Please review and revise the closure cost estimates as appropriate.

7. Drawing C1 of 1, and Tank Table: The facility previously submitted the permit application in 2008 and the current renewal permit application appears to be a major expansion and revisions at the site including number of tanks, tank sizes, and their capacities, additions and deletions. Therefore, the facility must recalculate the secondary containment calculations, and revise the evacuation route etc.
8. Storage Tank and Piping Inspections: Please provide the documentation forms for the required daily, monthly and annual inspections.
9. Tanks Inspection: CBI, Inc. Miami facility is in operation since 1995 and some of the tanks were installed in 1946, 1965 and 1995. The facility must provide the documentation of each tanks's last detailed inspection and certification in accordance with API 653 tank inspections to the Department. Also, the facility must specify in the application the frequency of sludge removal from the tanks.
10. 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. Miami 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 see that the employee training program includes USDOT hazardous materials training.
11. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
12. 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.
13. A hazardous waste determination will be conducted on any oily wastes or sludge generated at the facility that cannot be managed for energy recovery. The materials will be managed in accordance with 40 CFR Part 279.10(c) and (e).
14. CBI, Inc. Permit Application dated December 12, 2012 indicates that there have been no changes in CBI, inc. Miami facility concerning the Used Oil Processing facility permit since the permit was issued on July 8, 2008. However, CBI, Inc. Miami facility is requesting to delete five (5) tanks and adding six (6) new tanks to the processing facility to include additional storage capacity of used oil. Therefore, the SPCC Plan, Contingency Plan, Emergency Response Contact Information including Phone Numbers, Training, and Evacuation Routes should be updated to reflect the proposed changes.
15. 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.

16. Please prepare the entire application, including all attachments, and resubmit the renewal application as a standalone document.
17. Cliff Berry Inc. Miami facility submitted the SPCC Plan dated January 2013 on January 14, 2013. This plan is currently under review. Any additional comments we might have concerning this document will be sent to you at a later date.
18. Facility must provide the electronic copy of wind load and containment calculations to the Department.
19. Department held an inspection on December 6, 2012 and found a number of violations related to the permit application and the permit conditions. Please address such violations with appropriate corrective action.
20. Closure Plan: Attach a copy of the closure plan and schedule in detail. The closure plan should also include the Solid Waste Processing facility closure. Also address how many drums of non-hazardous waste will be stored at any one time for cost estimate purpose. The closure plan should also include detailed closure information for used oil tanks, including schedules.
21. Closure Plan: All wastes need to be tested for hazardous waste characteristics. Please revise as appropriate.