NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME	TYPE OF INSPECTION:			
CLIFF BERRY INC - FT. LAUDERDALE	CAV: ☐	CEI: ☒	CI: ☐	OTHER: ☐
ADDRESS	CITY	STATE	ZIP CODE	
2601 SE 4th AVENUE	FT. LAUDERDALE	FL	33316	
EPA ID NUMBER	DATE OF INSPECTION	PAGE	OF	
FLD000831150	8/16/06	1	2	
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: ☐ YES ☐ NO				

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.***

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED to assist in accomplishing corrective actions

- ☐ DEP Small Quantity Generator Handbook
- ☐ EPA *Understanding the Hazardous Waste Rules*
- ☐ EPA *Notification of Regulated Waste Activity*
- ☐ Florida Automotive Recyclers Handbook
- ☐ EPA *Managing Used Oil*
- ☐ Environmental Yellow Pages
- ☐ List of HW/Used Oil Transporters
- ☐ Antifreeze Recycling Vendors
- ☐ Mercury Lamp Recyclers
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Florida Fact Sheets

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

ITEMS REQUESTED OR RECOMMENDATIONS BY THE *"INSPECTOR"*:

FACILITY NOT OPERATING; VACANT/CLEARED LOT

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within __ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as ***"INSPECTOR"***, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Karen Kanto 6720 *at (561) 681-6600.*

***"INSPECTOR"* (signature):** Karen Kanto **Date:** 8/17/06

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE:	**PRINTED NAME:**
TITLE:	**DATE:** MAILED TO FACILITY

Department of
Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

June 9, 2006

RECEIVED
JUN 14 2
DEPT OF ENV PR
WEST PALM

CERTIFIED – RETURN RECEIPT
7000 0600 0026 4130 9163

Mr. William E. Parkes, Jr.
Cliff Berry, Incorporated
Post Office Box 13079
Port Everglades Station
Fort Lauderdale, Florida 33316

SUBJECT: Closure Cost Estimate Approval
Cliff Berry, Inc., Miami Facility, EPA ID No. FLD 058 560 699
Cliff Berry, Inc., Port Everglades Facility, EPA ID No. FLR 000 083 071
Cliff Berry, Inc., Fort Lauderdale Facility, EPA ID No. FLD 000 831 156
Cliff Berry, Inc., Tampa Facility, EPA ID No. FLR 000 013 888

Dear Mr. Parkes:

The Florida Department of Environmental Protection (FDEP) has reviewed the Proposed Closure Cost Estimate dated December 5, 2005 and sucsequent submittal dated April 10, 2006 along with supporting documentation submitted by the Cliff Berry, Incorporated, Florida. The Department has the following comments:

1. The Department hereby approves the Closure Cost Estimates for the following Cliff Berry Incorporated facilities:

Miami Facility	FLD 058 560 699	$141,900.00
Tampa Facility	FLR 000 013 888	$ 75,900.00
Port Everglades	FLR 000 083 071	$ 80,300.00
Fort Lauderdale	FLD 000 831 156	$ 60,500.00

2. The Department requests the facility to submit proof of financial assurance sufficient to cover the estimated closing cost using any of the tools allowed under 62-710.800(6), to Solid Waste Financial Coordinator within 60 days of receiving this letter.

3. Also, note that the closure cost estimate must be annually adjusted for inflation in accordance with the provisions of the Rule 62-710.800, Florida Administrative Code (F.A.C).

If you have any questions or need additional information, please contact Rabin Prusty at (850) 245-8780.

Sincerely,

6/9/06

Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/rp

cc: Albert Gephart, DEP/Tampa
Karen Kantor, DEP/West Palm Beach
Rick Neves, DEP/Tallahassee
Fred Wick, DEP/Tallahassee

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME	TYPE OF INSPECTION:			
Cliff Berry, Inc.	CAV: ☐	CEI: ☒	CI: ☐	OTHER: ☐
ADDRESS	CITY	STATE	ZIP CODE	
951 Ellis Drive	Fort Lauderdale	FL		
EPA ID NUMBER	DATE OF INSPECTION	PAGE	OF	
	12/22/04	1	2	
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS:	☐ YES	☐ NO		

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- ☐ Antifreeze Recycling Vendors
- ☐ Mercury Lamp Recyclers
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Florida Fact Sheets

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIALVIOLATIONS

ITEMS REQUESTED OR RECOMMENDATIONS BY THE *"INSPECTOR"*:

→ Please provide update Training In January

→ SPCC should include location of Spill equipment

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 14 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as ***"INSPECTOR"***, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within 14 days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Stephen Braun *at (561) 681-6600.*

***"INSPECTOR"* (signature):** [signature] **Date:** 12/22/04

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: [signature]	**PRINTED NAME:** Larry A. Doyle
TITLE: Executive V.P.	**DATE:** 12-22-04

Department of Environmental Protection

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Jeb Bush
Governor

Colleen M. Castille
Secretary

OCT 6 - 2004

Mr. William Parkes
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades, Florida 33316

Broward County
HW- Cliff Berry, Inc.

RE: Hazardous Waste Compliance Evaluation Inspection at Cliff Berry, Inc.
2601 S.E. 14th Ave., Fort Lauderdale, Florida, EPA ID Number: FLD000831156

Dear Mr. Parkes:

On June 16, 2004 the Department conducted a hazardous waste and used oil compliance evaluation inspection at your facility. The facility appears to be a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste, as well as a Used Oil Processor. The inspection also found possible violations of Chapter 403, Florida Statues (F.S.), Chapter 62-710 and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding management of used oil and hazardous waste. Enclosed, please find the CESQG and Used Oil Processor checklists used to determine compliance at your facility. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268 and 279, as adopted in Chapter 62-730, F.A.C. and Chapter 62-710, F.A.C.

The Department has reviewed the documents received on August 18, 2004, in response to our exit interview. It appears that your facility has returned to compliance.

This will conclude the Department's investigation into this matter, however, please be advised that the State will continue to conduct random and unannounced compliance evaluation inspections in the future.

If you have any questions about the inspection or any other compliance related issues, please contact Mr. Stephen Brown at 561/681-6722. Thank you for your cooperation.

Sincerely,

Kathy Winston
Environmental Manager
Hazardous Waste Compliance/Enforcement Section

cc: West Palm Beach DEP Files
Al Gomez, Broward DPEP

Jeb Bush
Governor

Department of Environmental Protection

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

OCT 6 - 2004

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT _Complaint X Routine _Follow-up __Permitting

FACILITY NAME Cliff Berry, Inc. DEP/EPA ID# FLD000831156

ADDRESS 2601 Southeast 14th Avenue, Fort Lauderdale, Florida 33316

COUNTY Broward PHONE (954) 763-3390 DATE 6/16/04 TIME 10:00am

TYPE OF FACILITY:

Generator
X Cond. Exempt S.Q.G.
__ Small Quantity
__ Generator
_ Non-Handler
X Used Oil

Storage
_ Container
_ Tank
_ Waste Pile
_ Surface Impoundment

Treatment
_ Tank
_ Land Treatment
_ Thermal
_ Chem/Phys/Bio.
_ Incinerator
_ Surface

Transporter
_ Transporter
_ Transfer Station

Disposal
_ Landfill
_ Surface Impoundment
_ Waste Pile

2. Applicable Regulations:

X 40 CFR 261.5 _ 40 CFR 262 _ 40 CFR 263 _ 40 CFR 264

_ 40 CFR 265 _ 40 CFR 266 _ 40 CFR 268 X 40 CFR 279

3. Responsible Official: (Name & Title)
Cliff Berry, II, Vice President

4. Survey Participants & Principal Inspector:
Cliff Berry, Inc.: Larry Doyle, Don Church
DEP: Stephen Brown, Jim Chapman, Derrell Jones

5. Facility Latitude: 26° 05' 27.5" Longitude: 80° 07' 43.7"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: _Yes X No

CESQG CHECKLIST
Date: 6/16/04
Facility Name: Cliff Berry, Inc. Ft. Lauderdale_ Facility ID #: FLD000831156
Facility Representative:Mr. Don Church Inspectors: Steve Brown, Jim Chapman, Derrell Jones

40 CFR 261.5

1. Describe the facility's hazardous and potentially hazardous waste streams 40 CFR 262.11:

Waste	EPA Waste #s	Generation Rate	Disposal facility?	Proper Waste ID?
Waste Solvents	D001	100kg/year	Permafix Orlando FLD980559728	Yes

(describe discrepancies in waste identification in narrative)

Standards for Conditionally Exempt Small Quantity Generators - 40 CFR 261.5

2. Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? Y X N___

   And less than 1kg/mo of acutely toxic (P-listed, 40 CFR 262.33) hazardous wastes? Y X N___

3. Has the facility obtained an EPA ID #? (not required for CESQGs) Y X N___

4. Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? (40 CFR 261.5) Describe discrepancies in narrative. Y X N___

5. Is the facility disposing of hazardous waste by mixing with used oil? Y___ N X

6. Can the facility document proper disposal of all hazardous wastes? Y X N___

7. Are any hazardous wastes treated or disposed of on site? Describe in narrative: Y___ N X

8. Are there any unpermitted discharges of other wastes to the environment? Y___ N X

USED OIL PROCESSOR CHECKLIST

Facility Name: Cliff Berry Date: June 16, 2004

Facility Representative: William Parkes Facility ID : FLD000831156

Inspector: Stephen Brown, Jim Chapman, Derrell Jones Registration #_____

40 CFR 279 Subpart F -- Processor Standards

1. Is the facility exempt under any of the following? (279.50(a)) Y ____ N X

   Transporter or burner processing incidental to normal course of operations? Y ____ N X

   Processors who also generate, transport, market, dispose or burn used oil must comply with the applicable Subparts of Part 279.

2. Does the processor have an EPA ID Number? (279.51(a)) Y X N ____

3. Is the processor Registered? (62-710.500(1)(b)) Y X N ____

4. Does the processor have a general permit? 62-710.800(1)) Y X N ____

5. For new facilities, was the notification of intent to use the general permit submitted 30 days prior to beginning operation? For existing facilities, was " the notification for renewal submitted 30 days prior to expiration of the general permit?(62-710.800(2)) N/A X ____

Oil Filter Processing Standards-- 62-710.850 F.A.C.

1. Does the facility process used oil filters by removing oil, draining, crushing or element separation? Describe in narrative. Generators who process their own filters are not regulated provided the filters are not disposed of in a landfill but are managed by a registered processor. Y X N ____

Is the facility a registered used oil filter processor? (62-710.850) Y X N ____

2. Are the filters stored in above ground containers which are: (62-710.850(6))

   In good condition? Y X N ____

   Closed or otherwise protected from weather? Y X N ____

   Labeled "Used Oil Filters"? Y X N ____

   Stored on an oil impervious surface? Y X N ____

3. Are records maintained on DEP Form 62-710.900(2) or equivalent that include: (62-710.850(5)(a))

   Destination or end use of the processed filters? Y X N ____

   Name and street address of each destination or end user? Y X N ____

   Are copies kept at the facility's street address for 3 years? (62-710.850(5)(b)) Y X N ____

4. Is an Annual Report submitted by March 1 for the previous calendar year summarizing the above records? (62-710.850(5)(c)) Y X N ____

Oil Management Standards - 279.54

1. Is used oil stored only in tanks or containers? (Circle applicable units) Y X N

2. If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C. rules? Y X N
(Applicable to USTs over 100 g and ASTs over 550 gallons. Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)

   Is secondary containment consisting of a floor and dike which are impervious to oil provided for ASTs ? Applies to all ASTs regardless of size per 279.54(d & e) Y X N

3. Are containers and tanks in good condition and not leaking? (279.54(b)) Y X N

4. Are containers provided with secondary containment consisting of walls and floor at a minimum? (279.54(c)) Y X N

   Is the containment system impervious to oil so as to prevent migration? Y X N

5. Are ASTs, UST tank fill lines and containers labeled "used oil? (279.54(f)) Y X N

6. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? (279.54(g)) Y X N

General Facility Standards - 279.52

1. Is the facility maintained and operated to prevent a fire, explosion or planned or unplanned release of used oil to the air, soil, or water which could threaten human health or the environment? (279.52(a)(1)) Y N X

   Note: Damage to the secondary containment of the tank farm was observed during the inspection. Based on the information received, the violation has been corrected.

2. Does the facility have an internal communication or alarm system capable of giving immediate emergency instruction to facility personnel?(279.52(a)) Y X N

3. Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance from local fire departments? (279.52(a)(2)(ii)) Y X N

   Is there immediate access to this equipment by all personnel who are engaged in pouring, mixing, spreading or otherwise handled, either directly or by voice or visual contact with another employee? (279.52(a)(4)) Y X N

4. Describe fire control equipment. Is it adequate? (279.52(a)(2)(iii)) Y X N

5. Is spill control and decontamination equipment present? (279.52(a)(2)(iii)) Y X N

6. If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (279.52(a)(2)(iii)) Y X N

7. Is the emergency equipment inspected and tested periodically? Y X N
   Frequency? Annually

8. Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (279.52(a)(5i)) Y X N

9. Has the facility made emergency response arrangements with the following: (279.52(a)(6))

   Fire Department: Broward County Fire and Rescue Y X N
   Police: Broward County Sheriff's Office Y X N
   Hospital: Broward General Medical Center Y X N
   Emergency Response Contractor: Cliff Berry Y X N

10. If not, has the facility attempted to do so and is the refusal documented? N/A X

Contingency Plans and Emergency Response -- 279.52(b)

1. Does the facility have a contingency plan? Y X N

2. Is it at the facility and easily available? Y X N

3. Does the plan include:

   Fire Response Procedure: (compare to 279.52(b)(6)) Y X N
   Spill Response Procedures: " Y X N
   Explosion Response Procedures: " Y X N
   Instructions for handling contaminated materials & residues Y X N
   A description of arrangements with local authorities: Y X N
   Emergency Coordinators: (Name)Cliff Berry, II Y X N
   Addresses and telephone numbers of Emergency Coordinators: Y X N
   Emergency equipment list: Y X N
   Specifications and capabilities of emergency equipment: Y X N
   Locations of emergency equipment: Y X N
   An evacuation plan and routes: Y X N
   Evacuation/alarm signals: Y X N
   External reporting procedures: Y X N
   Internal recordkeeping requirements: Y X N

4. Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision? (279.52(b)(4)) Y X N

5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (279.52(b)(3)) Y X N

6. Is the emergency coordinator authorized to commit funds for incident response? Y X N

7. Has the processor noted in the operating record any incidents requiring implementation of the contingency plan? (279.52(b)(6)(ix)) N/A X

9. Were written reports made within 15 days to the DEP? (279.52(b)(6)(ix)) N/A X

Facility Name: Cliff Berry, Inc.
Date: June 16, 2004

Rebuttable Presumption and Analysis Plan -- 279.53, 279.55

1. Does the processor have a written analysis plan to determine whether used oil stored at the facility has a total halogen content above or below 1,000 ppm and whether the facility's used oil fuel meets the used oil specification? (279.55)(a)) Y X N

2. Is the 1,000 ppm halogen determination made by testing? Y X N

   If so, does the analysis plan cover: (279.55(a)(2))

   Sampling methods? Y X N

   Frequency of sampling? Y X N

   Analytical Methods? Y X N

   Is the 1,000 ppm halogen determination made by process knowledge? . Y N X

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(a)(3)) N/A X

3. Have any analyses showed exceedances of the 1,000 ppm level? Y N X

   If so, was the oil managed as hazardous waste? N/A X

   If not, was the oil exempt? Describe basis for presumption rebuttal in narrative. (ex. analysis, refrigerant oil, etc.) N/A X

4. Is the used oil fuel specification determination made by testing? Y X N

   If so, does the analysis plan cover: (279.55(b)(2))

   Sampling methods? Y X N

   Whether the oil will be tested before or after processing? Y X N

   Frequency of sampling? Y X N

   Analytical Methods? Y X N

   Is the used oil fuel specification determination made by process knowledge? Y N X

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(b)(3)) N/A X

5. Are all oil processing residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? (279.59) N/A X

   If not, has the processor conducted a hazardous waste determination? (279.10(e)) N/A X

6. Are test records or copies of records providing basis for determinations kept for 3 years? Y X N

Recordkeeping and Reporting -- 279.57, 62-710.510-520 F.A.C.

1. Do used oil acceptance records include: (279.56(a))

Name & address of the generator or off site source of the used oil?	Y X	N
EPA ID # of oil provider (if applicable)?	Y X	N
Name & Address of the transporter delivering the oil to the facility?	Y X	N
EPA ID # of the transporter delivering the oil	Y X	N
Quantity of oil shipped?	Y X	N
Type of oil received (62-710.510(1)(c))	Y X	N
Date of shipment?	Y X	N

2. Do used oil delivery records include: (279.56(b), also check marketer requirements) Y X

Name & Address of receiving facility? (burner, processor or disposal site)	Y X	N
EPA ID # of receiving facility?	Y X	N
Name & Address of transporter delivering the oil?	Y X	N
EPA ID # of transporter?	Y X	N
Quantity of oil delivered?	Y X	N
End Use of the oil? (62-710.510(1)(e))	Y X	N
Date of delivery?	Y X	N

3. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1)) Y X N

4. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520) Y X N

   If not, is the facility an electric utility processing only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)? N/A X

5. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2)) Y X N

Closure -- 62-710.800(3) F.A.C. and 279.54(h)

1. Has the facility submitted a written closure plan? (62-710.800(3)(a)) Y X N

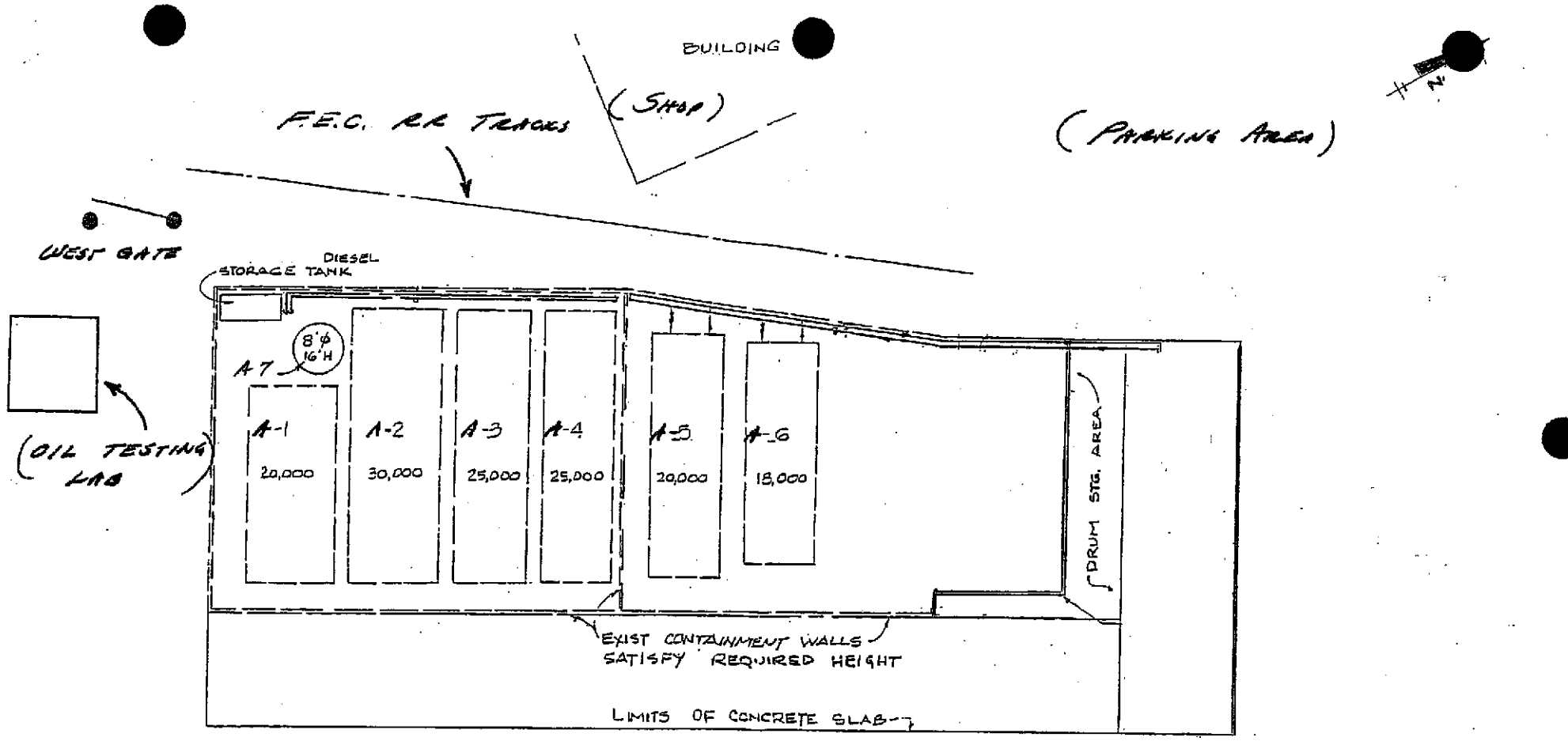
2. Does the plan include procedures for removing containers of oil and residues? Y X N

   Cleaning and decontaminating tanks and ancillary equipment? Y X N

   Removing contaminated soils? Y X N

   Eliminating the need for further maintenance? Y X N

If the facility operated tank systems, and not all contaminated soils can be practicably removed, the owner or operator must close the facility as a hazardous waste landfill.



Note:
CONTAINMENT VOLUME REQUIRED = 4412 Ft³.
CONTAINMENT VOLUME PROVIDED = 4700 Ft³
WITH 0.15 FT. FREE BOARD. CONTAINMENT
WALLS SHALL BE 23"± HIGH TO MATCH EXIST.

CARNAHAN-PROCTOR AND ASSOCIATES, INC.
CONSULTING ENGINEERS
SURVEYORS LAND DEVELOPMENT CONSULTANTS PLANNERS

IN 970491

SITE PLAN - 12/16/97

OIL/WATER SEPARATION FACILITY

CLIFF BERRY, INCORPORATED
PORT EVERGLADES, FL.

FORT LAUDERDALE FACILITY

FIGURE 1
REV: 8/16/04

RECEIVED
AUG 18 2004
DEPT OF ENV PROTECTION
WEST PALM BEACH

Table #1

Horizontal Tanks

Tank #	Date Installed	Size (Gallons)	Material of Construction	Products
A-01	7-89	20,100	Steel	Used Oil/Water
A-02	7-89	30,100	Steel	Used Oil/Water
A-03	7-89	25,000	Steel	Antifreeze
A-04	7-89	25,000	Steel	Antifreeze
A-05	7-89	20,000	Steel	Antifreeze
A-06	7-89	18,000	Steel	Antifreeze
Diesel	10-90	2,000	Steel	PCW

Vertical Tanks

Tank #	Date Installed	Size (Gallons)	Material of Construction	Products
A-07	12-97	8,000	Steel	Antifreeze

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS – Page 1 of 2

FACILITY NAME: Cliff Berry Inc. | TYPE OF INSPECTION: CAV: ☐ CEI: ☒ CI: ☐ FOLLOW-UP: ☐

ADDRESS: 2601 SE. 14th St. | CITY: Port Everglades | STATE: FL | ZIP CODE: 33316

EPA ID NUMBER OF FACILITY (9 digit #)_____ | DATE & TIME OF INSPECTION: 6-16-04

Compliance Assistance Visit (CAV) Inspection: A Follow Up Inspection Will be conducted within 120 DAYS: ☐ YES ☐ NO

A hazardous waste/used oil compliance inspection was completed on the date listed above, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-710, 62-730, 62-737, and 62-740, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-710, 62-730, 62-737 and 62-740, F.A.C. The following potential violations were identified by the inspector(s). ***This is not a formal enforcement action and may not be a complete listing of all violations which exist at the time of this inspection. You are advised to immediately begin correcting these potential violations noted below:***

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT VIOLATIONS:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS VIOLATIONS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED BY INSPECTORS: To assist in accomplishing corrective actions:

- ☐ FDEP Small Quantity Generator Handbook
- ☐ EPA *Understanding the Hazardous Waste Rules*
- ☐ EPA *Notification of Regulated Waste Activity*
- ☐ Florida Automotive Recyclers Handbook
- ☐ EPA *Managing Used Oil*
- ☐ Environmental Yellow Pages
- ☐ List of HW/Used Oil Transporters
- ☐ Antifreeze Recycling Vendors
- ☐ Mercury Lamp Recyclers
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

FLORIDA FACT SHEETS:

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations

Other: _____

Other: _____

Other: _____

ITEMS REQUESTED OR RECOMMENDATIONS BY THE *"INSPECTOR"*:

- Please update SPCC to reflect actual number of tanks & contents
- Recommend assessment of containment wall around PCW tank

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 14 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as ***"INSPECTOR"***, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within 14 days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Stephan E. Braun *at (561) 681-6600.*

***"INSPECTOR"* (signature):** _____ **Date:** 6/16/04

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: Donald W. Church II	**PRINTED NAME:** Donald W. Church II
TITLE: Director	**DATE:** 6/16/04

Department of Environmental Protection

Jeb Bush
Governor

MAY 12 2003

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

David B. Struhs
Secretary

Mr. William Parkes
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades, Florida 33316

Broward County
HW- Cliff Berry, Inc.

RE: Hazardous Waste Compliance Evaluation Inspection at Cliff Berry, Inc.
2601 S.E. 14th Ave., Port Everglades Florida, EPA ID Number: FL000851131

Dear Mr. Parkes:

On January 30, 2003, the Department conducted a hazardous waste and used oil compliance evaluation inspection at your facility. The facility appears to be a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste as well as a Used Oil Processor. The inspection also found possible violations of Chapter 403, Florida Statues (F.S.), Chapter 62-710 and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding management of used oil and hazardous waste. Enclosed, please find the CESQG and Used Oil Processor checklists used to determine compliance at your facility. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268 and 279, as adopted in Chapter 62-730, F.A.C. and Chapter 62-710, F.A.C.

The Department has reviewed the documents received on February 18, 2003, in response to our exit interview. It appears that your facility has returned to compliance.

This will conclude the Department's investigation into this matter, however, please be advised that the State will continue to conduct random and unannounced compliance evaluation inspections in the future.

If you have any questions about the inspection or any other compliance related issues, please contact Mr. Stephen Brown at 561/681-6722. Thank you for your cooperation.

Sincerely,

Kathy Winston
Environmental Manager
Hazardous Waste Compliance/Enforcement Section

cc: [redacted]
Jeff Halsey, Broward DPEP

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

David B. Struhs
Secretary

MAY 12 2003

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT _Complaint X Routine _Follow-up __Permitting

FACILITY NAME Cliff Berry, Inc. Ft. Lauderdale DEP/EPA ID# FLD000851131

ADDRESS 2601 SE 14th Avenue, Ft. Lauderdale, FL 33316

COUNTY Broward PHONE (954) 763-3390 DATE 1/30/03 TIME 11:40am

TYPE OF FACILITY:

Generator
X Cond. Exempt S.Q.G.
__Small Quantity
__ Generator
_ Non-Handler
X Used Oil

Storage
_ Container
_ Tank
_ Waste Pile
_ Surface Impoundment

Treatment
_ Tank
_ Land Treatment
_ Thermal
_ Chem/Phys/Bio.
_ Incinerator
_ Surface

Transporter (Used Oil & Hazardous Waste)
X Transporter
X Transfer Station (Hazardous Waste)
X Processor (Used Oil)

Disposal
_ Landfill
__Surface Impoundment
__Waste Pile

2. Applicable Regulations:

X 40 CFR 261.5 _40 CFR 262 X 40 CFR 263 _40 CFR 264

__40 CFR 265 _ 40 CFR 266 _40 CFR 268 X 40 CFR 279

3. Responsible Official: (Name & Title)
William Parkes, Manager

4. Survey Participants & Principal Inspector:
Cliff Berry, Inc.: William Parkes, Manager
DEP: Stephen Brown, John Harris

5. Facility Latitude: 26° 4' 56" Longitude: 80° 7' 42.1"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: _Yes X No

CESQG CHECKLIST

Date: 1/30/03

Facility Name: Cliff Berry, Inc. Ft. Lauderdale Facility ID #: FLD000831156

Facility Representative: Mr. William Parkes Inspectors: Steve Brown, John Harris

40 CFR 261.5

1. Describe the facility's hazardous and potentially hazardous waste streams 40 CFR 262.11:

Waste	EPA Waste #s	Generation Rate	Disposal facility?	Proper Waste ID?
Waste Solvents	D001	100kg/year	Permafix Orlando FLD980559728	Yes

(describe discrepancies in waste identification in narrative)

Standards for Conditionally Exempt Small Quantity Generators - 40 CFR 261.5

2. Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? Y X N___

   And less than 1kg/mo of acutely toxic (P-listed, 40 CFR 262.33) hazardous wastes? Y X N___

3. Has the facility obtained an EPA ID #? (not required for CESQGs) Y X N___

4. Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? (40 CFR 261.5) Describe discrepancies in narrative. Y X N___

5. Is the facility disposing of hazardous waste by mixing with used oil? Y_____N X

6. Can the facility document proper disposal of all hazardous wastes? Y X N___

7. Are any hazardous wastes treated or disposed of on site? Describe in narrative: Y_____N X

8. Are there any unpermitted discharges of other wastes to the environment? Y_____N X

USED OIL PROCESSOR CHECKLIST

Facility Name: Cliff Berry Inc. Ft. Lau Date: 1/30/03
Facility Representative: Bill Parkes Facility ID: FLD000831156
Inspector: Brown/Harris Registration #

40 CFR 279 Subpart F -- Processor Standards

1. Is the facility exempt under any of the following? (279.50(a)) Y___ N X

   Transporter or burner processing incidental to normal course of operations? Y___ N X

   Processors who also generate, transport, market, dispose or burn used oil must comply with the applicable Subparts of Part 279.

2. Does the processor have an EPA ID Number? (279.51(a)) Y X N___

3. Is the processor Registered? (62-710.500(1)(b)) Y X N___

4. Does the processor have a general permit? 62-710.800(1)) Y X N___

5. For new facilities, was the notification of intent to use the general permit submitted 30 days prior to beginning operation? For existing facilities, was " the notification for renewal submitted 30 days prior to expiration of the general permit?(62-710.800(2)) Y X N___

Oil Filter Processing Standards-- 62-710.850 F.A.C.

1. Does the facility process used oil filters by removing oil, draining, crushing or element separation? Describe in narrative. Generators who process their own filters are not regulated provided the filters are not disposed of in a landfill but are managed by a registered processor. Y X N___

   Is the facility a registered used oil filter processor? (62-710.850) Y X N___

2. Are the filters stored in above ground containers which are: (62-710.850(6))

   In good condition? Y X N___
   Closed or otherwise protected from weather? Y X N___
   Labeled "Used Oil Filters"? Y X N___
   Stored on an oil impervious surface? Y X N___

3. Are records maintained on DEP Form 62-710.900(2) or equivalent that include: (62-710.850(5)(a))

   Destination or end use of the processed filters? Y X N___
   Name and street address of each destination or end user? Y X N___
   Are copies kept at the facility's street address for 3 years? (62-710.850(5)(b)) Y X N___

4. Is an Annual Report submitted by March 1 for the previous calendar year summarizing the above records? (62-710.850(5)(c)) Y X N___

Facility: CBI Ft. Lauderdale
Date: 10-03

Oil Management Standards - 279.54

1. Is used oil stored only in tanks or containers? (Circle applicable units) Y X N____

2. If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C. rules? Y X N____
(Applicable to USTs over 110 g and ASTs over 550 gallons. Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)

   Is secondary containment consisting of a floor and dike which are impervious to oil provided for ASTs ? Applies to all ASTs regardless of size per 279.54(d & e) Y X N____

3. Are containers and tanks in good condition and not leaking? (279.54(b)) Y X N____

4. Are containers provided with secondary containment consisting of walls and floor at a minimum? (279.54(c)) Y X N____

   Is the containment system impervious to oil so as to prevent migration? Y X N____

5. Are ASTs, UST tank fill lines and containers labeled "used oil? (279.54(f)) Y X N____

6. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? (279.54(g)) Y X N____

General Facility Standards - 279.52

1. Is the facility maintained and operated to prevent a fire, explosion or planned or unplanned release of used oil to the air, soil, or water which could threaten human health or the environment? (279.52(a)(1)) Y X N____

2. Does the facility have an internal communication or alarm system capable of giving immediate emergency instruction to facility personnel?(279.52(a)) Y X N____

3. Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance from local fire departments? (279.52(a)(2)(ii)) Y X N____

   Is there immediate access to this equipment by all personnel who are engaged in pouring, mixing, spreading or otherwise handled, either directly or by voice or visual contact with another employee? (279.52(a)(4)) Y X N____

4. Describe fire control equipment. Is it adequate? (279.52(a)(2)(iii)) Y X N____

5. Is spill control and decontamination equipment present? (279.52(a)(2)(iii)) Y X N____

6. If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (279.52(a)(2)(iii)) Y X N____

7. Is the emergency equipment inspected and tested periodically? Y X N____
Frequency? annually

Facility: CBI Ft. Lauderdale
Date: 1-30-03

8. Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (279.52(a)(5i)) Y X N____

9. Has the facility made emergency response arrangements with the following: (279.52(a)(6))
   Fire Department: BCFD Port Everglades Y X N____
   Police: BSO Port Everglades Y X N____
   Hospital: Broward General Medical Center Y X N____
   Emergency Response Contractor: CBI Y X N____

10. If not, has the facility attempted to do so and is the refusal documented? Y X N____

Contingency Plans and Emergency Response -- 279.52(b)

1. Does the facility have a contingency plan? Y X N____

2. Is it at the facility and easily available? Y X N____

3. Does the plan include:
   Fire Response Procedure: (compare to 279.52(b)(6)) N/A____ Y X N____
   Spill Response Procedures: " N/A____ Y X N____
   Explosion Response Procedures: " N/A____ Y X N____
   Instructions for handling contaminated materials & residues Y X N____
   A description of arrangements with local authorities: N/A____ Y X N____
   Emergency Coordinators: (Name) Bill Parkes Y X N____
   Addresses and telephone numbers of Emergency Coordinators: Y X N____
   Emergency equipment list: Y X N____
   Specifications and capabilities of emergency equipment: Y X N____
   Locations of emergency equipment: (corrected 2/21/03) Y____ N X
   An evacuation plan and routes: Y X N____
   Evacuation/alarm signals: Y X N____
   External reporting procedures: Y X N____
   Internal recordkeeping requirements: Y X N____

4. Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision? (279.52(b)(4)) Y X N____

5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (279.52(b)(3)) Y X N____

6. Is the emergency coordinator authorized to commit funds for incident response? Y X N____

7. Has the processor noted in the operating record any incidents requiring implementation of the contingency plan? (279.52(b)(6)(ix)) Y N/A N____

9. Were written reports made within 15 days to the DEP? (279.52(b)(6)(ix)) Y N/A N____

Facility: CBI Ft. Lauderdale
Date: 10-30-03

Rebuttable Presumption and Analysis Plan -- 279.53, 279.55

1. Does the processor have a written analysis plan to determine whether used oil stored at the facility has a total halogen content above or below 1,000 ppm and whether the facility's used oil fuel meets the used oil specification? (279.55)(a)) Y X N____

2. Is the 1,000 ppm halogen determination made by testing? Y X N____

   If so, does the analysis plan cover: (279.55(a)(2))

   Sampling methods? Y X N____

   Frequency of sampling? Y X N____

   Analytical Methods? Y X N____

   Is the 1,000 ppm halogen determination made by process knowledge? Y____ N X

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(a)(3)) Y____ N____

3. Have any analyses showed exceedances of the 1,000 ppm level? Y____ N X

   If so, was the oil managed as hazardous waste? Y N/A N____

   If not, was the oil exempt? Describe basis for presumption rebuttal in narrative. (ex. analysis, refrigerant oil, etc.) N/A X Y____ N____

4. Is the used oil fuel specification determination made by testing?

   If so, does the analysis plan cover: (279.55(b)(2))

   Sampling methods? Y X N____

   Whether the oil will be tested before or after processing? Y X N____

   Frequency of sampling? Y X N____

   Analytical Methods? Y X N____

   Is the used oil fuel specification determination made by process knowledge? Y____ N X

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(b)(3)) Y N/A N____

5. Are all oil processing residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? (279.59) N/A X Y____ N____

   If not, has the processor conducted a hazardous waste determination? (279.10(e)) N/A X Y____ N____

6. Are test records or copies of records providing basis for determinations kept for 3 years? Y X N____

Facility: CBI Ft. Lauderdale
Date: 4-30-03

Recordkeeping and Reporting -- 279.57, 62-710.510-520 F.A.C.

1. Do used oil acceptance records include: (279.56(a))

Name & address of the generator or off site source of the used oil?	Y X	N____
EPA ID # of oil provider (if applicable)?	Y X	N____
Name & Address of the transporter delivering the oil to the facility?	Y X	N____
EPA ID # of the transporter delivering the oil	Y X	N____
Quantity of oil shipped?	Y X	N____
Type of oil received (62-710.510(1)(c))	Y X	N____
Date of shipment?	Y X	N____

2. Do used oil delivery records include: (279.56(b), also check marketer requirements)

Name & Address of receiving facility? (burner, processor or disposal site)	Y X	N____
EPA ID # of receiving facility?	Y X	N____
Name & Address of transporter delivering the oil?	Y X	N____
EPA ID # of transporter?	Y X	N____
Quantity of oil delivered?	Y X	N____
End Use of the oil? (62-710.510(1)(e))	Y X	N____
Date of delivery?	Y X	N____

3. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1)) Y X N____

4. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520) Y X N____

   If not, is the facility an electric utility processing only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)? Y N/A N____

5. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2)) Y X N____

Closure -- 62-710.800(3) F.A.C. and 279.54(h)

1. Has the facility submitted a written closure plan? (62-710.800(3)(a)) Y X N____

2. Does the plan include procedures for removing containers of oil and residues? Y X N____

   Cleaning and decontaminating tanks and ancillary equipment? Y X N____

   Removing contaminated soils? Y X N____

   Eliminating the need for further maintenance? Y X N____

If the facility operated tank systems, and not all contaminated soils can be practicably removed, the owner or operator must close the facility as a hazardous waste landfill.

CBI
Cliff Berry, Incorporated
Environmental Services

RECEIVED
FEB 2 1 2003
DEPT OF ENV PROTECTIO
WEST PALM BEACH

February 18th, 2003

Mr. Stephen E. Brown
Florida Department of Environmental Protection (FDEP)
Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

RE: Hazardous Waste Inspection Exit Interview
Dated 1/30/03 Cliff Berry, Inc. – Ft. Lauderdale Facility

Dear Mr. Brown,

Cliff Berry, Inc. CBI) has received your hazardous waste inspection exit interview dated January 30th, 2003, concerning our Fort Lauderdale Facility. Specifically you listed one (1) item that CBI needs to address.

I reviewed your exit interview and personally followed up on the matter. Listed below is the item from the exit interview and our response:

1. Should indicate location of spill response equipment in contingency plan.

   See attached copy of site plan showing the location of spill response equipment at the Facility.

Thank you for bringing this issue to my attention so that it could be addressed.

If you have any questions, please contact me at (954) 763 – 3390.

Sincerely,

William E. Parkes, Jr.
Manager Regulatory Affairs

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME: CBL	TYPE OF INSPECTION: CAV: ☐ CEI: ☐ CI: ☒ OTHER: ☐		
ADDRESS: 2601 SE 14th AVE	CITY: Ft. Laud.	STATE: FL	ZIP CODE:
EPA ID NUMBER	DATE OF INSPECTION	PAGE: 1	OF: 2
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: ☐ YES ☐ NO			

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.***

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
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MATERIALS PROVIDED to assist in accomplishing corrective actions

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- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Florida Fact Sheets

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

OTHER: _____

ITEMS REQUESTED BY INSPECTOR:

Shall indicate location of Spill response equipment in Contingency Plan

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within ~~30~~ 7 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as *"INSPECTOR"*, Florida Department of Environmental Protection, ~~3319 Maguire Blvd., Suite 232, Orlando, FL 32803-3~~767. The actions taken within ~~30~~ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Stephen Brown *at (407) 893-3323.*

INSPECTOR (signature): _____ Date: 1/30/03

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands same.

SIGNATURE:	PRINTED NAME: William E. Parker, Jr.
TITLE: Manager Regulatory Affairs	DATE: 1/30/03

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 1 of 2

FACILITY NAME	TYPE OF INSPECTION:			
CLIFF BERRY INC.	CAV: ☐	CEI: ☑	CI: ☐	OTHER: ☐
ADDRESS	CITY	STATE	ZIP CODE	
851 ELLER DR	FT. LAUDERDALE	FL	33316	
EPA ID NUMBER	DATE OF INSPECTION	PAGE	OF	
FLD000851156	7/25/01	1	2	
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS:	☐ YES	☑ NO		

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- ☐ Environmental Yellow Pages
- ☐ List of HW/Used Oil Transporters
- ☐ Antifreeze Recycling Vendors
- ☐ Mercury Lamp Recyclers
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Florida Fact Sheets

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 2 of 2

OTHER: Please Provide To The Dept Within 30 Days: 1) Standard Procedures For Used O.I. Pickups At Generating Facilities.

ITEMS REQUESTED BY INSPECTOR:

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within __ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as *"INSPECTOR"*, Florida Department of Environmental Protection, P.O. Box 15425, West Palm Beach, FL 33416. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Jeff Smith *at (561) 681-6600.*

INSPECTOR (signature): James R Ayers Date: 7/25/01

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands same.

SIGNATURE:	PRINTED NAME: Kyle D Boudreau
TITLE: Hazardous Waste Coordinator	DATE: 7/25/01

CBI
Cliff Berry, Incorporated
Environmental Services

facsimile TRANSMITTAL

Date: 9/25

To: Jim Ayers

Of: FL DEP

Fax: 561 681 6770

From: M A Doyle

Pages: 3, including this cover sheet.

Jim -

Per our conversation, attached are the two corrected pages of the MIA & FT LAUD. SAC Plans.

I sent you an e-mail earlier w/ a digital photo of the area where the ramp used to be.

MAD

P.O. Box 13079 Port Everglades Station Fort Lauderdale, Florida 33316 (954) 763 3390 fax (954) 763 8375

Emergency Contact Phone Numbers

1. Fire (Broward County Fire Rescue Division) 911

2. Police (Broward County Sheriff's Office) 911

3. Ambulance 911

4. Nearest Emergency Medical Facility
   Medwork
   407 S.E. 24th Street,
   Ft. Lauderdale, FL 33316 ..... (954) 467-2140

5. Nearest Hospital
   Broward General Medical Center
   1600 S. Andrews Ave
   Ft. Lauderdale, FL 33316 ..... (954) 335-4400

6. National Response Center ..... (800) 424-8802

7. Federal - U.S. EPA, Region IV ..... (770) 347-3016

8. State - Florida DEP (State warning point) ..... (800) 320-0519
   Emergency Response (Local) ..... (954) 467-5970

9. Local - DPEP ..... (954) 519-1400

10. Chemtrec ..... (800) 424-9300

11. U.S. Coast Guard ..... (305) 535-8705

Emergency Contact Phone Numbers

1. Fire (Miami Dade County Fire Department) 911
2. Police (Miami Dade County Police Department) 911
3. Ambulance 911
4. Nearest Emergency Medical Facility
   Keisler Occupational Medical Services
   1025 E. 25th Street, Hialeah, FL 33013 ..... (305) 585-6901
5. Nearest Hospital
   UM/Jackson Memorial Medical Center
   1611 N.W. 12th Avenue, Miami, FL
   Emergency Care Center ..... (305) 585-6901
6. National Response Center ..... (800) 424-8802
7. Federal - U.S. EPA, Region IV ..... (770) 347-3016
8. State - Florida DEP (State warning point) ..... (800) 320-0519
   Emergency Response (Local) ..... (954) 467-5970
9. Local - DERM ..... (305) 372-6789
10. Chemtrec ..... (800) 424-9300
11. U.S. Coast Guard ..... (305) 535-8705

USED OIL PROCESSOR CHECKLIST

Facility Name: Clint Berry - Ft. Everglades Date: 9/20/00

Facility Representative: Larry Doyle Facility ID : FLD000831156

Inspector: Tim Ayers / Jeff Smith Registration # —

40 CFR 279 Subpart F -- Processor Standards

1. Is the facility exempt under any of the following? (279.50(a)) Y____ N✓

   Transporter or burner processing incidental to normal course of operations? Y____ N____

   Processors who also generate, transport, market, dispose or burn used oil must comply with the applicable Subparts of Part 279.

2. Does the processor have an EPA ID Number? (279.51(a)) Y✓ N____

3. Is the processor Registered? (62-710.500(1)(b)) Y✓ N____

4. Does the processor have a general permit? 62-710.800(1)) Y✓ N____

5. For new facilities, was the notification of intent to use the general permit submitted 30 days prior to beginning operation? For existing facilities, was " the notification for renewal submitted 30 days prior to expiration of the general permit?(62-710.800(2)) Y✓ N____

Oil Filter Processing Standards-- 62-710.850 F.A.C.

1. Does the facility process used oil filters by removing oil, draining, crushing or element separation? Describe in narrative. Generators who process their own filters are not regulated provided the filters are not disposed of in a landfill but are managed by a registered processor. Y____ N✓

   Is the facility a registered used oil filter processor? (62-710.850) Y____ N✓

2. Are the filters stored in above ground containers which are: (62-710.850(6))

   In good condition? Y____ N____

   Closed or otherwise protected from weather? Y____ N____ N/A

   Labeled "Used Oil Filters"? Y____ N____

   Stored on an oil impervious surface? Y____ N____

3. Are records maintained on DEP Form 62-710.900(2) or equivalent that include: (62-710.850(5)(a))

   Destination or end use of the processed filters? Y____ N____

   Name and street address of each destination or end user? Y____ N____

   Are copies kept at the facility's street address for 3 years? (62-710.850(5)(b)) Y____ N____ N/A

4. Is an Annual Report submitted by March 1 for the previous calendar year summarizing the above records? (62-710.850(5)(c)) Y____ N____

Facility: [redacted] - Ft. Everglades
Date: 9/26/00

8. Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (279.52(a)(5i)) Y✓ N

9. Has the facility made emergency response arrangements with the following: (279.52(a)(6))

Fire Department: Y✓ N
Police: Y✓ N
Hospital: Y✓ N
Emergency Response Contractor: SELF Y✓ N

10. If not, has the facility attempted to do so and is the refusal documented? Y N N/A

Contingency Plans and Emergency Response -- 279.52(b)

1. Does the facility have a contingency plan? Y✓ N
2. Is it at the facility and easily available? Y✓ N
3. Does the plan include:

Fire Response Procedure: (compare to 279.52(b)(6)) N/A Y✓ N
Spill Response Procedures: " N/A Y✓ N
Explosion Response Procedures: " N/A Y✓ N
Instructions for handling contaminated materials & residues Y✓ N
A description of arrangements with local authorities: N/A Y✓ N
Emergency Coordinators: (Name)_____ * Y N✓ Needs to be updated
Addresses and telephone numbers of Emergency Coordinators: * Y✓ N
Emergency equipment list: Y✓ N
Specifications and capabilities of emergency equipment: Y✓ N
Locations of emergency equipment: Y✓ N
An evacuation plan and routes: Y✓ N
Evacuation/alarm signals: Y✓ N
External reporting procedures: Y✓ N
Internal recordkeeping requirements: Y✓ N

4. Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision? (279.52(b)(4)) Y N✓
5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (279.52(b)(3)) Y✓ N
6. Is the emergency coordinator authorized to commit funds for incident response? Y✓ N
7. Has the processor noted in the operating record any incidents requiring implementation of the contingency plan? (279.52(b)(6)(ix)) Y N✓
9. Were written reports made within 15 days to the DEP? (279.52(b)(6)(ix)) Y N N/A

Facility: [redacted] - Ft. Everglades
Date: 7/20/00

Rebuttable Presumption and Analysis Plan -- 279.53, 279.55

1. Does the processor have a written analysis plan to determine whether used oil stored at the facility has a total halogen content above or below 1,000 ppm and whether the facility's used oil fuel meets the used oil specification? (279.55)(a)) Y ✓ N

2. Is the 1,000 ppm halogen determination made by testing? Y ✓ N

   If so, does the analysis plan cover: (279.55(a)(2))

   Sampling methods? Y ✓ N

   Frequency of sampling? Y ✓ N

   Analytical Methods? Y ✓ N

   Is the 1,000 ppm halogen determination made by process knowledge? Y N ✓

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(a)(3)) Y N N/A

3. Have any analyses showed exceedances of the 1,000 ppm level? Y N ✓

   If so, was the oil managed as hazardous waste? Y N N/A

   If not, was the oil exempt? Describe basis for presumption rebuttal in narrative. (ex. analysis, refrigerant oil, etc.) N/A ✓ Y N

4. Is the used oil fuel specification determination made by testing? Facility does not produce "on spec" used oil

   If so, does the analysis plan cover: (279.55(b)(2))

   Sampling methods? Y N

   Whether the oil will be tested before or after processing? Y N

   Frequency of sampling? Y N N/A

   Analytical Methods? Y N

   Is the used oil fuel specification determination made by process knowledge? Y N

   If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(b)(3)) Y N

5. Are all oil processing residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? (279.59) N/A Y ✓ N
   See Records Provided

   If not, has the processor conducted a hazardous waste determination? (279.10(e)) N/A ✓ Y N

6. Are test records or copies of records providing basis for determinations kept for 3 years? Y ✓ N

Facility: [redacted] - Pt. Everglades
Date: 7/20/00

Recordkeeping and Reporting -- 279.57, 62-710.510-520 F.A.C.

1. Do used oil acceptance records include: (279.56(a))

Name & address of the generator or off site source of the used oil?	Y ✓	N
EPA ID # of oil provider (if applicable)?	Y ✓	N
Name & Address of the transporter delivering the oil to the facility?	Y ✓	N
EPA ID # of the transporter delivering the oil	Y ✓	N
Quantity of oil shipped?	Y ✓	N
Type of oil received (62-710.510(1)(c))	Y ✓	N
Date of shipment?	Y ✓	N

2. Do used oil delivery records include: (279.56(b), also check marketer requirements)

Name & Address of receiving facility? (burner, processor or disposal site)	Y ✓	N
EPA ID # of receiving facility?	Y ✓	N
Name & Address of transporter delivering the oil?	Y ✓	N
EPA ID # of transporter?	Y ✓	N
Quantity of oil delivered?	Y ✓	N
End Use of the oil? (62-710.510(1)(e))	Y ✓	N
Date of delivery?	Y ✓	N

3. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1)) Y ✓ N

4. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520) Y ✓ N

   If not, is the facility an electric utility processing only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)? Y N ✓

5. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2)) Y ✓ N

Closure -- 62-710.800(3) F.A.C. and 279.54(h)

1. Has the facility submitted a written closure plan? (62-710.800(3)(a)) Y ✓ N

2. Does the plan include procedures for removing containers of oil and residues? Y ✓ N

   Cleaning and decontaminating tanks and ancillary equipment? Y ✓ N

   Removing contaminated soils? Y ✓ N

   Eliminating the need for further maintenance? Y ✓ N

If the facility operated tank systems, and not all contaminated soils can be practicably removed, the owner or operator must close the facility as a hazardous waste landfill.

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 1 of 2

FACILITY NAME	TYPE OF INSPECTION:			
C.A.F. Berry, Inc.	CAV: ☐	CEI: ☑	CI: ☐	OTHER: ☐
ADDRESS / CITY	STATE	ZIP CODE		
2601 S.E. 14th Ave / Port Everglades	FL	33316		
EPA ID NUMBER / DATE OF INSPECTION	PAGE	OF		
FLD000831156	1	2		

FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: ☐ **YES** ☑ **NO**

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-710, 62-730, 62-737, and 62-740, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-710, 62-730, 62-737 and 62-740, F.A.C. The following 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 which exist at the time of this inspection. You are advised to immediately begin correcting these potential violations noted below:***

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☑ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED to assist in accomplishing corrective actions

- ☐ DEP Small Quantity Generator Handbook
- ☐ EPA *Understanding the Hazardous Waste Rules*
- ☐ EPA *Notification of Regulated Waste Activity*
- ☐ Florida Automotive Recyclers Handbook
- ☐ EPA *Managing Used Oil*
- ☐ Environmental Yellow Pages
- ☐ List of HW/Used Oil Transporters
- ☐ Antifreeze Recycling Vendors
- ☐ Mercury Lamp Recyclers
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

Florida Fact Sheets

- ☐ Antifreeze for Recycling / Waste Antifreeze
- ☐ Summary of Hazardous Waste Regulations
- ☐ Summary of Used Oil/Used Oil Filter Regulations
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 2 of 2

OTHER: Please provide the following within 10 days: 1) Profiles on sludges removed from oil processing tanks, 2) Update Contingency Plan (contacts/phone numbers).

ITEMS REQUESTED BY INSPECTOR:

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within __ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as *"INSPECTOR"*, Florida Department of Environmental Protection, P.O. Box 15425, West Palm Beach, FL 33416. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Jim Ayers *at (561) 681-6600.*

INSPECTOR (signature): James R. Ayers Date: 9/20/00

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands same.

SIGNATURE:	PRINTED NAME: LADOYCE
TITLE: Engr V.R	DATE: 9/20/00

Florida Department of
Environmental Protection

Memorandum

TO: Larry Morgan
Office of General Council

FROM: Jeffrey Smith, EM, Hazardous Waste C/E Section

DATE: 10/16/00

SUBJECT: Case deactivation of OGC Case No. 00-1192
DEP vs. Cliff Berry, Inc.

****

CASE NAME: DEP vs Cliff Berry, Inc.

COUNTY: Broward PROGRAM: Hazardous Waste

OGC CASE NO. 00-1192 Attorney: NA

Amount of assessment if any: $3,000.00 + $250.00 C&E

Paragraph No.	Date Complete	Comments
Short Form CO	10/12/00	Rec'd final payment

Case Deactivation Request

Pursuant to the executed Short Form Consent Order OGC Case No.: 00-1192 dated 6/26/00, DEP vs. Cliff Berry, Inc., the Respondent has met the obligations. The District therefore recommends that this case be deactivated.

Cc: West Palm Beach, DEP File

CBI

Cliff Berry, Incorporated
Environmental Services

P.O. Box 13079 Port Everglades Station
Fort Lauderdale, Florida 33316
(954) 763-3390

FIRST UNION NATIONAL BANK
OF FLORIDA
FT. LAUDERDALE, FL

63-643/670

014979

CHECK NO.
00014979

** ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND 00 CENTS **

	DATE	AMOUNT
	10/10/00	****1,750.00

PAY TO THE ORDER OF

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Attn: Jeffrey Smith
400 N. Congress Ave.
West Palm Beach FL 33401

David A. Burnett MP

Cliff Berry MP

MEMO:OGC Case No. 00-1192

⑈014979⑈

10/12/00 Jeff S.

INTEROFFICE MEMORANDUM

Date: 10-Oct-2000 10:34am
From: Barbara Jones WPB
JONES_B
Dept: Southeast District Office
Tel No: 561/681-6706

To: Jeff Smith WPB (SMITH_J)
To: Margarita Gomez WPB (GOMEZ_M)
CC: Barbara Jones WPB (Jones_b)

Subject: Object Code

Jeff,

Finance and Accounting have moved the $1500 for Cliff Berry Inc., OGC#00-1192 to the correct object code of 12008, Ecosystem Management and Restoration Trust Fund. I called OGC this morning and spoke to Nancy Mould about this and was told that as soon as OGC receives the money they would post it. She also stated to give her a week to handle this for us.

Barb

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

Broward County
HW-Cliff Berry, Inc.

SUBJECT: Settlement by Consent Order in Case of Florida Department of Environmental Protection vs Cliff Berry, Inc., OGC File No. 00-1192.

Dear Mr. Berry:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated May 12, 2000, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. As transporter, Cliff Berry, Inc. received loads of chemicals confiscated by the United States Drug Enforcement Agency. The loads received for shipment by Cliff Berry, Inc. had been characterized by the generator on-site and offered to Cliff Berry, Inc. You have explained that you did not intend to improperly transport or mismanage the chemicals. Additionally, there appears to be no economic gain realized as a result of Cliff Berry, Inc.'s transportation of these chemicals. However, the Department has calculated civil penalties in the amount of $3,000.00 along with $250.00 to reimburse the Department's costs, for a total of $3,250.00. The payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystem Management and Restoration Trust Fund." The payment shall be sent to the Southeast District Office, Post Office Box 15425, West Palm Beach, Florida 33416, in accordance with the terms and payment schedule set forth in Schedule A.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department, which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the Southeast District address given above within 20 days of receiving it, the Department will assume that you are not

interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantive interest are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

Melissa L. Meeker
Director of District Management
Southeast District

MLM/VK/jas

I ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

Cliff Berry, Inc.:

_____

Clifford Berry II Date
Cliff Berry, Inc.

For the Florida Department of Environmental Protection:

_____

Melissa L. Meeker
Director of District Management
State of Florida
Department of Environmental Protection

ENTERED this _____ day of _____, 2000 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

_____ _____
Clerk Date

Attachment

cc: West Palm Beach DEP, Files

SCHEDULE A

This penalty settlement payment plan is mutually agreed upon by the Respondent and the Department. The agreed monthly payment schedule referenced below shall begin June 20, 2000. The agreed payment schedule shall be two monthly payments as follows:

1) $1,750.00 on June 30, 2000
2) $1,500.00 on July 30, 2000

If the Respondent fails to meet the payment schedule for any month as specified above, allowing a 5 day grace period, the entire remaining balance of the penalty settlement shall be due and payable within seven days of the Department's written notification to the Respondent.

Failure to comply with the terms of this Schedule shall constitute a violation of this Consent Order.

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:
(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010 Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

MAY 1 2 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER #WL00-0070HW06SED
FLD000831156

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

Broward County
HW-Cliff Berry, Inc.

RE: Cliff Berry, Inc., Port Everglades, Florida

Dear Mr. Berry:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on September 27, 1999. Possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations, Parts 260 to 268 and 279, as adopted in Chapter 62-730, F.A.C. and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes or rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration and the judicial imposition of civil penalties up to $50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James Ayers of this office at 561/681-6673 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the August 12, 1997 Deparment's "Settlement Guidelines for Civil Penalties" and the RCRA Civil Penalty Policy of 1990, the proposed penalty in this case is $6,500.00 plus $250.00 for the Department's costs and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceedings. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Melissa L. Meeker 5/12/00

Melissa L. Meeker
Director of District Management
Southeast District

MLM/VK/jra

cc: West Palm Beach, DEP File
Morgan Leibrandt, DEP Tallahassee
Laurie Benton, EPA Region IV

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

MAY 1 2 2000

1. INSPECTION TYPE: ___COMPLAINT _X_ROUTINE ___FOLLOW-UP ___PERMITTING

FACILITY NAME: Cliff Berry, Inc. (CBI) DEP/EPA ID FLD000831156

STREET ADDRESS: 2601 SE 14th Ave, Ft. Lauderdale, FL 33316

COUNTY: Broward PHONE: (954)763-5455 DATE: 9/27/99 TIME: 11:42 A.M.

TYPE OF FACILITY

Generator
___Generator(>1000 kg/mo)
___SQG (100-1000 kg/mo)
_X_CESQG (<100 kg/mo)

Transporter
_X_Transporter
___Transfer Facility

___Non Handler

Storage
___Container
___Tank
___Waste Pile
___Surface Impoundment

Disposal
___Landfill
___Surface Impoundment
___Waste Pile

Treatment
___Tank
___Land Treatment
___Thermal
___Chem/Phys/Bio
___Incinerator
___Surface Impoundment
___Exempt Off-Site

_X_Used Oil

2. Applicable Regulations:

_X_40 CFR 261.5 ___40 CFR 262 _X_40 CFR 263 ___40 CFR 264 ___40 CFR 265
___40 CFR 266 ___40 CFR 268 _X_62-730 F.A.C. _X_40 CFR 279

3. Responsible Official:

Cliff Berry II, President

4. Survey Participants and Principal Inspector:

Jim Ayers, Jim Bussey - FDEP
Larry Doyle, Mark Hoover - CBI

5. Facility Latitude: 26°05'24" Longitude: 80°07'43"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit No.: HO06-308164 Date Issued: 2/12/98 Exp. Date: 2/12/03

Cliff Berry, Inc.
Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

INTRODUCTION

On September 27, 1999 a site visit was conducted at Cliff Berry, Inc. (CBI) located at 2601 SE 14th Ave, Ft. Lauderdale, FL 33316. CBI manages and processes used oil for recycling at this facility. CBI was issued a Used Oil Processing Permit on February 12, 1998 which will expire on February 12, 2003. The site visit was conducted by Mr. Jim Ayers and Mr. Jim Bussey of the Department's Southeast District Waste Management Section. Representing CBI during the inspection was the on-site manager and Vice President of CBI, Mr. Larry Doyle.

SITE INSPECTION

CBI maintains a storage tank area that allows bulking of used oil. The used oil is dewatered and thermally treated. The extracted water is transferred to CBI's Miami facility for treatment and disposal.

The storage tank area consists of 12 aboveground storage tanks, 10 of which may be used to store or process used oil and oily wastewater as described in Table #1 of the SPCC plan of the permit application. All process tanks are inside secondary containment. A leaking transfer pump was observed at the seal of a used oil tank, but was contained by the secondary containment basin. The inspectors documented this finding and explained that a violation may occur if the problem persists. CBI personnel immediately fixed the leak by re-packing (or tightening) the pump to ensure no leaks occurred in the future. The facility is surrounded by a fence and a gate for controlled access. The facility handles used oil, oily wastewater, oil filters, and petroleum contact water. Operation of the facility must be in accordance with the used oil processing permit.

The facility maintains a non-hazardous drum storage area. This drum storage area contains oily rags and absorbents, screened material, pan filtrate, and spilled used oil. The pan filtrate (CBI refers to this as "pan receiving media") is produced from the off-loading of tanker trucks and approximately one to two drums per week are generated. The wastes are profiled and bulked with solid waste and then sent to CSR Rinker Materials Corporation (Rinker).

There were "No Smoking" Signs, Fire Extinguishers, and spill control equipment at various locations throughout the facility. Security was adequate.

Used oil storage tanks were well maintained and properly labeled. The required weekly tank inspections were documented. The tank storage area's secondary containment concrete structure was in acceptable condition.

CBI utilizes radio and phones at the facility for emergencies. Emergency spill response and other equipment is maintained at the facility. A fire alarm and fire extinguishers are also present.

Cliff Berry, Inc.
Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

RECORD REVIEW

Department personnel reviewed records pertinent to CBI's hazardous waste activities. Records appeared to be in order.

DEPARTMENT FINDINGS

At the time of the inspection, it appeared that CBI was a Conditionally Exempt Small Quantity Generator (CESGQ) of hazardous waste. The Department provided the facility with an exit interview summary, which listed concerns noted by the inspectors regarding the need to keep all transfer pumps properly packed and secure before opening. This will prevent future leaks.

On December 24, 1998, the Department's Southeast District received documentation that CBI's Fort Lauderdale facility had been shipping hazardous waste generated by the Drug Enforcement Agency (DEA) using shipping tickets instead of uniform hazardous waste manifests and without proper Environmental Protection Agency (EPA) ID numbers. DEA generated these wastes as a result of dismantling illegal drug manufacturing operations. On July 28, 1999, the Department hand delivered a letter to CBI's Miami facility requesting CBI to respond with information addressing the manifests and EPA ID numbers. The letter also requested information on the facility's status as being a transfer facility, since CBI has never notified the Department as being a hazardous waste transfer facility, hazardous waste determinations, and driver logs.

Regarding the Department's concerns with the DEA wastes, CBI also stated that it was contracted by Ferguson Harbour, Inc. (FHI) and acted only as the first transporter. According to CBI, FHI had told CBI to use the shipping tickets instead of manifests and to ship the waste as a Conditionally Exempt Small Quantity Generator (CESQG) instead of using proper EPA ID numbers.

During the meeting, the Department became aware that CBI had not always performed a TCLP analysis when determining a waste's hazardous status, even when samples had potential to fail the analysis. CBI explained this by stating that Rinker's standards were used, which do not always require that a TCLP analysis be performed, even if there is potential for the waste to fail the analysis. The TCLP had not been performed because Rinker had not required it. This practice is acceptable by Department standards as long as the waste is sent to an energy recovery facility, as Rinker is. However, if the waste is sent off site for land disposal, it will be subject to a hazardous waste determination.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's capabilities, limitations, time constraints, and workload.

In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 263.20

Hazardous Waste Manifests

CBI transported hazardous waste without using a uniform hazardous waste manifests and failed to use the generator's proper EPA ID number.

CORRECTIVE ACTIONS

40 CFR 263.20

Hazardous Waste Manifests

Effective immediately, CBI should not transport hazardous waste without using a uniform hazardous waste manifest and without using the generator's proper EPA ID number.

Inspected: Tommy R. Ayers Date: 5/9/00
James Ayers
Engineer II

Approved: Jeffrey A. Smith Date: 5/10/00
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement

PENALTY COMPUTATION WORKSHEET

Facility Name: Cliff Berry Incorporated
Facility Address: 2601 S.E. 14th Avenue, Port Everglades, FL 33316

Departmental Staff Responsible for Penalty Calculation:

Jeffrey Smith James Ayers John Harris

Date: 3/22/00

Part I - Class A Penalty Determination *

Potential Violation	Potential for Harm	Extent of Dev.	Matrix Amount	Multi-day	Adjustment	Total
40 CFR 263.20 Failure to use Proper Manifest	Moderate	Moderate	$ 6,500			$ 6,500

Total Penalties for all Violations: $6,500

5-12-00
Date

Melissa L. Meeker
Director of District Management
Southeast District

* All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Regulation Section's "Guidelines for Characterizing RCRA Violations" revised as of 4/18/95 and "Guidelines for Characterizing Used Oil Violations" revised as of 8/96. Certain violations require Potential for Harm Ranking System characterization and have been utilized where applicable. See Part II for each violation for which an adjustment on multi-day penalty is determined. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement.

Penalty Computation Worksheet

Part II - Multi-day Penalties and Adjustments

Adjustments:	Dollar Amount:
Good Faith/lack of good Faith prior to Discovery: Justification:	$ 0
Good Faith/lack of good Faith after Discovery: Justification:	$ 0
History of Non-Compliance: Justification:	$ 0
Economic Benefit of Non-Compliance: Justification:	$ 0
Ability to pay: Justification:	$ 0

Multi-Day Penalties:	Dollar Amount:
N/A	$ 0

Number of days adjustment factor(s) to be applied:
Justification:

Number of days matrix amount is to be multiplied:
Justification:

Part III-Other Adjustments Made After Meeting With Responsible Party

Adjustments	Dollar Amount:
Relative Merits of the Case:	
Resource Consideration:	

Other Justification: After meeting with Respondent, District staff recommends the calculated penalty be reduced to $3,000 plus $250 for costs and expenses for the purpose of settlement and to avoid the risk of litigation.

6/17/00
Date

Melissa L. Meeker
Director of District Management
Southeast District

Cliff Berry Incorporated

Penalty Justification
Based Upon Guidelines for Characterizing RCRA Violations
April 18, 1995

1. **Regulation:** 40 CFR 263.20
Manifest

Violation: CBI transported hazardous waste without using a uniform hazardous waste manifest.

Characterization of Violation:

Potential for Harm - Moderate

In accordance with the Potential for Harm Ranking System, the nature of the waste, volume of waste (>25 drums), discharges of the waste, and potential receptors (<10 people) were taken into account in determining this portion of the matrix. The potential for harm was determined to be moderate.

Extent of Deviation - Moderate

The RCRA penalty guidelines in the DEP Enforcement Manual indicates that an transporter failing to utilize a manifest with shipping papers available the extent of deviation is moderate.

Multi-day violation: N/A
Economic Benefit: N/A
Adjustments: N/A

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

MAY 1 2 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER #WL00-0070HW06SED
FLD000831156

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

Broward County
HW-Cliff Berry, Inc.

RE: Cliff Berry, Inc., Port Everglades, Florida

Dear Mr. Berry:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on September 27, 1999. Possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations, Parts 260 to 268 and 279, as adopted in Chapter 62-730, F.A.C. and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes or rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration and the judicial imposition of civil penalties up to $50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James Ayers of this office at 561/681-6673 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the August 12, 1997 Deparment's "Settlement Guidelines for Civil Penalties" and the RCRA Civil Penalty Policy of 1990, the proposed penalty in this case is $6,500.00 plus $250.00 for the Department's costs and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceedings. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Melissa L. Meeker 5/12/00

Melissa L. Meeker
Director of District Management
Southeast District

MLM/VK/jra

cc: West Palm Beach, DEP File
Morgan Leibrandt, DEP Tallahassee
Laurie Benton, EPA Region IV

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

MAY 1 2 2000

1. INSPECTION TYPE: ___ COMPLAINT _X_ ROUTINE ___ FOLLOW-UP ___ PERMITTING

FACILITY NAME: Cliff Berry, Inc. (CBI) DEP/EPA ID FLD000831156

STREET ADDRESS: 2601 SE 14th Ave, Ft. Lauderdale, FL 33316

COUNTY: Broward PHONE: (954)763-5455 DATE: 9/27/99 TIME: 11:42 A.M.

TYPE OF FACILITY

Generator
___ Generator(>1000 kg/mo)
___ SQG (100-1000 kg/mo)
_X_ CESQG (<100 kg/mo)

Transporter
_X_ Transporter
___ Transfer Facility

___ Non Handler

Storage
___ Container
___ Tank
___ Waste Pile
___ Surface Impoundment

Disposal
___ Landfill
___ Surface Impoundment
___ Waste Pile

Treatment
___ Tank
___ Land Treatment
___ Thermal
___ Chem/Phys/Bio
___ Incinerator
___ Surface Impoundment
___ Exempt Off-Site

_X_ Used Oil

2. Applicable Regulations:

_X_ 40 CFR 261.5 ___ 40 CFR 262 _X_ 40 CFR 263 ___ 40 CFR 264 ___ 40 CFR 265
___ 40 CFR 266 ___ 40 CFR 268 _X_ 62-730 F.A.C. _X_ 40 CFR 279

3. Responsible Official:

Cliff Berry II, President

4. Survey Participants and Principal Inspector:

Jim Ayers, Jim Bussey - FDEP
Larry Doyle, Mark Hoover - CBI

5. Facility Latitude: 26°05'24" Longitude: 80°07'43"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit No.: HO06-308164 Date Issued: 2/12/98 Exp. Date: 2/12/03

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Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

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SITE INSPECTION

CBI maintains a storage tank area that allows bulking of used oil. The used oil is dewatered and thermally treated. The extracted water is transferred to CBI's Miami facility for treatment and disposal.

The storage tank area consists of 12 aboveground storage tanks, 10 of which may be used to store or process used oil and oily wastewater as described in Table #1 of the SPCC plan of the permit application. All process tanks are inside secondary containment. A leaking transfer pump was observed at the seal of a used oil tank, but was contained by the secondary containment basin. The inspectors documented this finding and explained that a violation may occur if the problem persists. CBI personnel immediately fixed the leak by re-packing (or tightening) the pump to ensure no leaks occurred in the future. The facility is surrounded by a fence and a gate for controlled access. The facility handles used oil, oily wastewater, oil filters, and petroleum contact water. Operation of the facility must be in accordance with the used oil processing permit.

The facility maintains a non-hazardous drum storage area. This drum storage area contains oily rags and absorbents, screened material, pan filtrate, and spilled used oil. The pan filtrate (CBI refers to this as "pan receiving media") is produced from the off-loading of tanker trucks and approximately one to two drums per week are generated. The wastes are profiled and bulked with solid waste and then sent to CSR Rinker Materials Corporation (Rinker).

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Cliff Berry, Inc.
Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

RECORD REVIEW

Department personnel reviewed records pertinent to CBI's hazardous waste activities. Records appeared to be in order.

DEPARTMENT FINDINGS

At the time of the inspection, it appeared that CBI was a Conditionally Exempt Small Quantity Generator (CESGQ) of hazardous waste. The Department provided the facility with an exit interview summary, which listed concerns noted by the inspectors regarding the need to keep all transfer pumps properly packed and secure before opening. This will prevent future leaks.

On December 24, 1998, the Department's Southeast District received documentation that CBI's Fort Lauderdale facility had been shipping hazardous waste generated by the Drug Enforcement Agency (DEA) using shipping tickets instead of uniform hazardous waste manifests and without proper Environmental Protection Agency (EPA) ID numbers. DEA generated these wastes as a result of dismantling illegal drug manufacturing operations. On July 28, 1999, the Department hand delivered a letter to CBI's Miami facility requesting CBI to respond with information addressing the manifests and EPA ID numbers. The letter also requested information on the facility's status as being a transfer facility, since CBI has never notified the Department as being a hazardous waste transfer facility, hazardous waste determinations, and driver logs.

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During the meeting, the Department became aware that CBI had not always performed a TCLP analysis when determining a waste's hazardous status, even when samples had potential to fail the analysis. CBI explained this by stating that Rinker's standards were used, which do not always require that a TCLP analysis be performed, even if there is potential for the waste to fail the analysis. The TCLP had not been performed because Rinker had not required it. This practice is acceptable by Department standards as long as the waste is sent to an energy recovery facility, as Rinker is. However, if the waste is sent off site for land disposal, it will be subject to a hazardous waste determination.

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In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 263.20

Hazardous Waste Manifests

CBI transported hazardous waste without using a uniform hazardous waste manifests and failed to use the generator's proper EPA ID number.

CORRECTIVE ACTIONS

40 CFR 263.20

Hazardous Waste Manifests

Effective immediately, CBI should not transport hazardous waste without using a uniform hazardous waste manifest and without using the generator's proper EPA ID number.

Inspected: Tom R. Ayers Date: 5/9/00
James Ayers
Engineer II

Approved: Jeffrey A. Smith Date: 5/10/00
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement

RANKING SYSTEM FOR POTENTIAL FOR HARM WORKSHEET

FACILITY NAME: Cliff Berry Incorporated

VIOLATIONS: 40 CFR 263.20 (Manifest)

NATURE OF WASTE: 8

CATEGORY A=8
CATEGORY B=4

WASTE VOLUME: 8

MORE THAN 25 DRUMS = 8
6 - 25 DRUMS = 5
LESS THAN 6 DRUMS = 2

RECEPTORS: 1 + 1 = 2

DISCHARGE = 4
POTENTIAL DISCHARGE = 4
NO DISCHARGE = 1

> 1000 PEOPLE = 4
100 - 1000 PEOPLE = 3
10 - 100 PEOPLE = 2
< 10 PEOPLE = 1

TOTAL SCORE: 18

MAJOR POTENTIAL FOR HARM: 19 - 24

MODERATE POTENTIAL FOR HARM: 13 - 18

MINOR POTENTIAL FOR HARM: 8 - 12

Assigned by: _____ Date: 3/22/00

_____

_____

_____

_____

_____

Florida Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: CLIFF Berry, Incorporated DATE: 9-27-99 TIME: 11:42 am

INTERVIEW PARTICIPANTS: Larry Doyle - Vice Pres / James Bussey, Tim Ayers

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

___ 1. Hazardous Waste Determination [262.11].
___ 2. Notification as a generator [262.12].
___ 3. Manifest Deficiencies [262 Subpart B].
___ 4. Recordkeeping [test results, manifest, biennial report].
___ 5. Personnel Training [265.16; 262.34(d)].
___ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
___ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
___ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
___ 9. Tank requirements [265 Subpart J].
___ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
___ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
___ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
___ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
___ 14. Notification as a TSD facility [264.11].
___ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
___ 16. Ground water monitoring [265 Subpart F].
___ 17. Security Requirements [265.14].
___ 18. Storing HW less than 50 feet from the property line [265.176].
___ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
___ 20. Closure/Post-closure [265 Subpart G].
___ 21. Financial Responsibility [264 Subpart H].
___ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
___ 23. Other _____

COMMENTS: Make sure all transfer pumps are properly packed and secure before opening. This will prevent future leaks.

RECEIPT ACKNOWLEDGED BY

INVESTIGATOR James M. Bussey

INTEROFFICE MEMORANDUM

Sensitivity: COMPANY CONFIDENTIAL

Date: 29-Jun-1999 09:54am EDT
From: Gilbert Dembeck TPA 813/744-61
Gilbert.Dembeck@dep.state.fl.u
Dept: S/C 542-6100
Tel No:
SUNCOM:

TO: Jeff Smith WPB (Jeff.Smith@dep.state.fl.us)

Subject: Cliff Berry Inc.

Received another manifest for DEA waste handled by Cliff Berry. Although the waste was conditionally exempt, Cliff Berry had it for 8 days during which they held it over the weekend at their facility with other waste. Waste was picked up on 5/21/99 and delivered to City Environmental 5/29/99. After I pointed this out to DEA, I received a call from Cliff Berry. They said that since they do milk runs, they sometimes store the trucks of waste over the weekend at their facility. They think this is OK since it is locked within their facility. The person who called was unaware that Florida had its own transfer facility rules and ask where he could find out about them.

If Cliff Berry is that ignorant and has been violating the transfer facility rules, I need to know ASAP as this will have a big effect on my negotiation of penalties with DEA. Would appreciate it if you could have someone follow up on this and let me know the outcome. My penalty authorization is still in Tallahassee but it should be coming back soon. Recognizing all the problems that their contractor has caused them, DEA has revised their contract with Ferguson Harbors and their subcontractor, Cliff Berry, saying that they must use manifests for all hazardous waste shipments and must be in compliance with all transfer facility and transporter rules. If they are again in violation this will cause their contract to be canceled.

I think that if you can arrange an inspection of Cliff Berry you will find that they have probably been violating the transfer facility rules in addition to all the other manifesting and transporting violations which are already documented in our DEA case. Cliff Berry is definitely a SNC, and should be subjected to a significant enforcement action.

Env. Mgt. not TSD

got temp ID #

waiter shipment 5/21/99

↳ kept from 5/21 → 5/28 > ✓ manifests for state to see if waste was held. (over weekends)

Driver logs!

Intrasol - broker

TSD → nationwide internet EPA database → EPA.gov

RCRIS query for RTKnet

CBI
Cliff Berry, Incorporated
Environmental Services

Dept - Are we going to settle this with CBI?

May 30, 2000

RECEIVED
JUN 0 1 2000
DEPT OF ENV PROTECTION
WEST PALM BEACH

Melissa L. Meeker
Director of District Management
Southeast District
P.O. Box 15425
West Palm Beach, FL. 33416

RE: Cliff Berry Inc. #WL00-0070HW06SED

Ms Meeker;

This is in response to the above referenced letter Cliff Berry Inc., recently received and discussed with your staff. Specifically, on Thursday May 25, 2000 both Cliff Berry II and myself met with Mr. Jeff Smith and Mr. Jim Ayers to discuss and resolve this issue.

At the crux of the issue is the transportation of various lab-packed chemicals confiscated during US DEA sting operations here in the State of Florida. Cliff Berry Inc. is the Florida subcontractor to Ferguson Harbors Inc. holder of this US DEA contract for the SE United States. During the initial operations under this contract, Ferguson Harbors representatives told us US DEA took the position that each site was a conditionally exempt small quantity generator of hazardous wastes and the paperwork was to be done on the shipping documents provided us. Since we were working for the U.S. Government (through Ferguson Harbors) our CBI manager on site did not argue the point.

After several of the initial sting operations were completed word was passed to Cliff Berry Inc. (by Florida DEP representatives) that Florida DEP did not agree with the US DEA and their assessment of small quantity generator status. From that time forward, all shipments Cliff Berry Inc. has made under this US DEA contract were made on a red border hazardous waste manifest. Further, Florida DEP indicated they were pursuing actions against US DEA through other channels with respect to the waste determinations US DEA made concerning these sting operations.

Cliff Berry Inc. has not denied the allegations in the referenced letter, the above discussion certainly attests to that. However, what we want included as a part of the record is the extenuating circumstances we feel play a major part in this issue. Clearly, there was no intent to mismanage or improperly transport the confiscated chemicals that were recovered as a part of US DEA sting operations. When our representative on site raised the manifest issue, he was told that the US DEA has done these hundreds of times before and that is how they want it done. There wasn't an economic gain or benefit to Cliff Berry Inc., we were simply following the dictates to the contractor on site and the US DEA who they were working for.

Please include this letter in our permanent file.

Thank You,

Larry A. Doyle *CET CHMM*
Executive V.P.

Florida Department of Environmental Protection

Memorandum

TO: File

THROUGH: Jeffrey Smith, Environmental Manager, Hazardous Waste Section

FROM: John Harris, Environmental Specialist II, Hazardous Waste Section

DATE: DEC 21 1999

RE: Cliff Berry, Inc. - Fort Lauderdale

Due to the fact that issues surrounding the transportation of DEA waste were discussed, minutes of the enforcement meeting held on September 28, 1999 with CBI - Miami are now included in the CBI - Fort Lauderdale file.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA

MEETING ATTENDANCE

DATE: 9/28/99 **PROGRAM:** HW

MEETING SUBJECT: CBI

MEETING ROOM:	NO. OF PARTICIPANTS:	TELEPHONE:	VOICE POINT:

NAME	REPRESENTING	TELEPHONE #
JOHN HARRIS	FDEP	561/681-6719
Cliff Derry II	CBI	954-763-3390
LAOay/C	CBI	"
Mark Hoover	CPI	(954) 763-3390
Jim Ayers	FDEP	561/681-6673
JEFF SMITH	FDEP	561/681-6670

mtattend 1/98

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ENFORCEMENT MEETING DOCUMENTATION

Attendees: See meeting attendance list

Location: SED DEP Office **Date:** September 28, 1999 **Time:** 1:00 pm

Subject: Response to 7/28/99 exit interview and 7/28/99 letter

Meeting Requested By: Clifford Berry, II

Meeting Objectives:

To review the response provided by CBI and to determine what, if any, further action needs to be taken by CBI.

Notes: Introductions were made and the meeting attendance list was passed around.

The exit interview to the 7/28/99 compliance evaluation inspection was addressed first. The Department mentioned the fact that data from the "screen material" had not been furnished. CBI agreed to provide the data.

When asked as to the origin of the drums marked "Lucy's Shell", Mr. Mark Hoover replied that it was sludge water sucked from a storm drain from the edge of the property.

CBI also stated that they have eliminated the TRPH test and therefore will no longer use xylene.

The 7/28/99 letter was addressed next and the letter's issues were responded to by the following:

Issue #1: Mr. Larry Doyle responded by stating that the wrong date was written by Mr. Hoover and, in fact, Mr. Hoover had not even been employed by CBI until 1996.

Issue #2: The data requested was provided.

Issue #3: Mr. Doyle responded that the drums could not be tracked due to a computer system crash. In response to why the samples had not been run for TCLP, Mr. Doyle and Mr. Hoover stated that CBI only runs totals as required by Rinker and

doesn't run TCLP in all cases, including some samples that are high in total metals.

Issue #4: Mr. Hoover stated that trucks transporting hazardous waste sometimes park overnight at their facility during the weekends and that CBI is not a hazardous waste transfer facility.

Issue #5: Copies of driver's logs were provided.

Issue #6: Copies of CBI's revised hazardous waste container inspection logs were provided.

Issue #7: CBI stated that they will provide the data requested pertaining to the "screen material."

Issue #8: CBI stated that they were contracted by Ferguson Harbour, Inc. (FHI) and that CBI was the first transporter only. CBI stated that FHI had told them to use the shipping ticket instead of the hazardous waste manifest and to ship the waste as waste from a conditionally exempt generator. Mr. Jeff Smith asked if CBI had anything in writing to that effect. Mr. Doyle said he would try to find something.

Issue #9: CBI stated that either process knowledge from the generator is used in determining if waste is hazardous, or the waste is sampled prior to transport. Mr. Smith informed CBI that should hazardous waste be accidentally transported, not to transport it back, but to call the DEP.

Issue #10: CBI stated that since TRPH is the only test involving hazardous waste, they are doing away with that test. A copy of the methods CBI uses was provided.

****

Follow-up actions/dates:

CBI will provide a written response to the Department by 10/15/99 addressing the FHI contract and the data for the screening material.

****

PREPARED BY: _____

John C. Harris
Case Manager

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

1. Jeff Smith
2. HW Section
3. Southeast District DEP
4. West Palm Beach
5.

PLEASE PREPARE REPLY FOR:

____ SECRETARY'S SIGNATURE

____ DIV/DIST DIR SIGNATURE

____ MY SIGNATURE

____ YOUR SIGNATURE

____ DUE DATE _____

ACTION/DISPOSITION

____ DISCUSS WITH ME

____ COMMENTS/ADVISE

____ REVIEW AND RETURN

____ SET UP MEETING

✓ FOR YOUR INFORMATION

____ HANDLE APPROPRIATELY

____ INITIAL AND FORWARD

____ SHARE WITH STAFF

____ FOR YOUR FILES

COMMENTS: Cliff Berry, Inc. needs to be inspected and enforcement taken. Has for the past year been shipping HW without a proper manifest, without EPA ID #'s. Give me a call and I will discuss the details with you. I also have information that a recent HW shipment went out even identifying the waste as hazardous.

- what to cite?
- Get cooking on EPA or DEA

RECEIVED
DEC 24 1998

FROM: Ed Debrah DATE: 12/22/98 PHONE: SC 512-1042

DEP 15-026 (12/93)

Ft. Lauderdale

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

RECEIVED
NOV 13 1998
Protection
NORTHWEST DISTRICT

Shipping Ticket

1. Generator's US EPA ID No.: F L C E S Q G
Manifest Document No.: 0 0 0 1 0
2. Page 1 of 2
Document Number: 09910

3. Generator's Name and Mailing Address
DRUG ENFORCEMENT AGENCY
4950 W KENNEDY BLVD SUITE 480
TAMPA, FL 33609

4. Generator's Phone (813 288-1050

A.
B. State Generator's ID

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F L D 0 0 0 8 3 1 1 5 6
C. State Transporter's ID
D. Transporter's Phone (800)899-7745

7. Transporter 2 Company Name: CLIFF BERRY, INC.
8. US EPA ID Number: F L D 0 0 0 8 3 1 1 5 6
E. State Transporter's ID
F. Transporter's Phone (800)899-7745

9. Designated Facility Name and Site Address
ENVIRONMENTAL MANAGEMENT, INC.
2.5 MILES EAST OF I-35 ON HWY 33
GUTHRIE, OK 73044
10. US EPA ID Number: O K D 9 8 2 2 9 3 3 3 4
G. State Facility's ID
H. Facility's Phone (405) 282-8510

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Flammable Liquid, n.o.s., 3, (MEK, Acetone) UN1993, PG II	028	DM	01540	G	D001 D035
b. Waste Corrosive liquids, basic, inorganic n.o.s., 8, UN3266 (Ammonium Hydroxide) PG I	005	DM	00220	G	D002
c. Waste Corrosive Liquids, acidic, inorganic n.o.s., 8, UN3264, PG II	004	DM	00220	G	D002
d. Waste Carbon, activated, 4.2, UN1362, PG III	002	DM	00400	P	D001

J. Additional Descriptions for Materials Listed Above
A:
B:
C:
D:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
EMERGENCY CONTACT 1(800) 899 7745
Case II
Site: 20411 NW 4th St. Pembroke Pines, FL
DRUG ENFORCEMENT AGENCY
~~721 U.S. HWY. 41 SOUTH~~
~~RUSKIN, FL 33609~~

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name	Signature	Date Month Day Year
SA Sheldon J. Burkett for DEA	Sheldon J. Burkett	11 06 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year
Roger Morgan	Roger Morgan	11 06 98

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year
JOSE RIVERA	Jose Rivera	11 07 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Date Month Day Year

Please print or type. (Form designed for use on elite (pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)

21. Generator's US EPA ID No. FLCESQ G | Manifest Document No. 00010 | 22. Page 2/2 | Information in the shaded areas is not required by Federal law.

23. Generator's Name Drug Enforcement Agency
4950 W. Kennedy Blvd Suite 400
Tampa FL. 33609

L. State Manifest Document Number

M. State Generator's ID

24. Transporter 3 Company Name: Free Hold Cariage Inc. | 25. US EPA ID Number: WJD054126164 | N. State Transporter's ID | O. Transporter's Phone 941-533-4599

26. Transporter ___ Company Name | 27. US EPA ID Number | P. State Transporter's ID | Q. Transporter's Phone

28. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	HM	29. Containers No.	29. Containers Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.						
b.						
c.						
d.						
e.						
f.						
g.						
h.						
i.						

RECEIVED
NOV 18 1998
Department of Environmental Protection
BY SOUTHWEST DISTRICT

For transporter only

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information

GENERATOR

33. Transporter 3 Acknowledgement of Receipt of Materials

Printed/Typed Name: Perry Atkins | Signature | Date: Month 11 Day 08 Year 98

34. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name | Signature | Date: Month Day Year

TRANSPORTER

35. Discrepancy Indication Space

FACILITY

Style F16 REV-6 LABELMASTER, Div. of AMERICAN LABELMARK CO., CHICAGO, IL 60646 800-621-5808

EPA Form 8700-22A (Rev. 9-88) Previous editions are obsolete.

PRINTED ON RECYCLED PAPER USING SOYBEAN INK | PRINTED WITH SOY INK

ORIGINAL-RETURN TO GENERATOR

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. F.L.C.E.S.Q.G. . . . . Manifest Document No. 0.0.0.1.0
2. Page 1 of 1
Document Number 09907

3. Generator's Name and Mailing Address
DRUG ENFORCEMENT AGENCY
4950 W KENNEDY BLVD SUITE
TAMPA, FL 33609

4. Generator's Phone (813 288-1050

A. [illegible]
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone (800)899-7745
E. State Transporter's ID
F. Transporter's Phone 941 533 4555
G. State Facility's ID
H. Facility's Phone (405) 282-8510

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F.L.D.0.0.0.8.3.1.1.5
7. Transporter 2 Company Name: Freehold Cartage Inc
8. US EPA ID Number: NJD.054.126.167
9. Designated Facility Name and Site Address
ENVIRONMENTAL MANAGEMENT, INC.
2.5 MILES EAST OF I-35 ON HWY 33
GUTHRIE, OK 73044
10. US EPA ID Number: O.K.D.9.8.2.2.9.3.3.3.4

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Carbon, activated, 4.2, UN1362, PG III	001	DF	00005	G	D001
b. Waste Aluminum powder, 4.3, uncoated, UN1396, PG II	001	DF	00005	G	D001
c. Waste Aerosols, flammable, 2.1, UN1950	001	DF	00005	G	D001
d. Waste Oxidizing solid, n.o.s., 5.1, UN1479, PG II	001	DF	00005	G	D001

J. Additional Descriptions for Materials Listed Above
A:
B:
C:
D:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
EMERGENCY CONTACT 1(800) 899 7745

Case#G6-99-0028
DRUG ENFORCEMENT AGENCY
721 U.S. HWY. 41 SOUTH
RUSKIN, FL 33609

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: SA Sheldon J. Burkett DEA
Signature: Sheldon J. Burkett
Date: Month 11 Day 05 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Morgan
Signature: Roger Morgan
Date: Month 11 Day 05 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Tom Scudell
Signature: Tom
Date: Month 11 Day 06 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name
Signature
Date: Month Day Year

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No.: F.L.C.E.S.Q.G. — Manifest Document No.: 0.0.0.1.0
2. Page 1 of 1
Document Number: 09908

3. Generator's Name and Mailing Address:
DRUG ENFORCEMENT AGENCY
4950 W KENNEDY BLVD SUITE 400
TAMPA, FL 33609

4. Generator's Phone (813) 288-1050

A.
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone (800)899-7745
E. State Transporter's ID
F. Transporter's Phone 9415334599
G. State Facility's ID
H. Facility's Phone (405) 282-8510

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F.L.D.0.0.0.8.3.1.1.5
7. Transporter 2 Company Name: Freehold Cartage Inc
8. US EPA ID Number: NJD054126164
9. Designated Facility Name and Site Address:
ENVIRONMENTAL MANAGEMENT, INC.
2.5 MILES EAST OF I-35 ON HWY 33
GUTHRIE, OK 73044
10. US EPA ID Number: O.K.D.9.8.2.2.9.3.3.3.4

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Corrosive liquid, acidic, inorganic, n.o.s. 8, UN3264	001	DF	00030	G	D002
b. Waste Flammable liquids, 3, UN1993, PG II	001	DF	00030	G	D001, D018, D022, U080
c. Hazardous Waste ~~Solid~~ Liquid, n.o.s., NA3077, PG III	001	DF	00005	G	U122
d. Waste Sulfur, 4.1, UN1350, PG III	001	DF	00005	G	D001

J. Additional Descriptions for Materials Listed Above
A:
B:
C:
D:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
EMERGENCY CONTACT 1(800) 899 7745

Case #G6-99-0028
DRUG ENFORCEMENT AGENCY
721 U.S. HWY. 41 SOUTH
RUSKIN, FL 33609

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name	Signature	Date (Month Day Year)
SA Sheldon J. Burkett for DEA	Sheldon J. Burkett	11 05 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date (Month Day Year)
Roger Morgan	Roger Morgan	11 05 98

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date (Month Day Year)
Tom Sanders	Tom Sanders	11 06 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19

Printed/Typed Name	Signature	Date (Month Day Year)

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No.: F L C E S Q G
Manifest Document No.: 0 0 0 1 0
2. Page 1 of 1
Document Number: 09909

3. Generator's Name and Mailing Address:
DRUG ENFORCEMENT AGENCY
4950 W KENNEDY BLVD SUITE 4[illegible]
TAMPA, FL 33609

4. Generator's Phone (813 288-1050

A.
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone (800)899-7745
E. State Transporter's ID
F. Transporter's Phone 9[illegible]53[illegible]4599
G. State Facility's ID
H. Facility's Phone (405) 282-8510

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F L D 0 0 0 8 3 1 1 5 6

7. Transporter 2 Company Name: Freehold Cartage Inc
8. US EPA ID Number: NJD 054126164

9. Designated Facility Name and Site Address:
ENVIRONMENTAL MANAGEMENT, INC.
2.5 MILES EAST OF I-35 ON HWY 33
GUTHRIE, OK 73044
10. US EPA ID Number: O K D 9 8 2 2 9 3 3 3 4

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Corrosive Solid, n.o.s., basic inorganic, 8, UN 3262, PG III	001	DF	00005	G	N.R.
b. Non-Regulated Material, Solid	001	DM	00055	G	N.R.
c.					
d.					

J. Additional Descriptions for Materials Listed Above
A:
B:
C:
D:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

EMERGENCY CONTACT 1(800) 899 7745

Case #G6-[illegible]0028
DRUG ENFORCEMENT AGENCY
721 U.S. HWY. 41 SOUTH
RUSKIN, FL 33609

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: SA Sheldon J. Burkett Co. DEA
Signature: [signature]
Date: Month 11 Day 05 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Morgan
Signature: Roger Morgan
Date: Month 11 Day 05 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Tom Sauder
Signature: [signature]
Date: Month 11 Day 06 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.

Printed/Typed Name
Signature
Date: Month Day Year

Shipping Ticket# 09907 E.M.I. Rep _____ Drum Size 5 Packing Medium Vermiculite Container # 1
Line Item# 11a Packed By _____ Drum Type 1H2 Profile# _____ Pickup Date _____
Customer Name D.E.A DOT Shipping Desc. Waste Carbon, activated, 4.2, UN1362
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addt'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
2		Activated Carbon	5	100	4.2	III	D001								

FAWP02DOCS\FM\LABPACK.FRM

➡ If this is an outgoing item, fill in shaded areas.

Lab Pack Inventory Form

Shipping Ticket# 09907 E.M.I. Rep _____ Drum Size 5 Packing Medium _____ Container # 2
Line Item# 115 Packed By _____ Drum Type 1HZ Profile# _____ Pickup Date _____
Customer Name DEA DOT Shipping Desc Waste Aluminum powder, uncoated 4.3, UN1
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addt'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
1	500g	Aluminum powder	S	100	4.3	II	D001								

F:\WP62DOCS\FM\LABPACK.FRM

If this is an outgoing item, fill in shaded areas.

Shipping Ticket# 09907 E.M.I. Rep _____ Drum Size 5 Packing Medium Vermiculite Container # 3
Line Item# 11c Packed By _____ Drum Type 1HZ Profile# _____ Pickup Date _____
Customer Name D.E.A. DOT Shipping Desc. Waste Aerosols, flammable, 2.1, UN1950
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addl'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
1	248	Spray Paint	S	100	2.1		D001								

F:\WP6\2DOCS\FM\LABPACK.FRM

If this is an outgoing item, fill in shaded areas.

P. 013
TEL:9547640
NOV.-16'98(MON) 09:47 CLIFF BERRY OPER.
NOV-10-98 05:13P
P.10

Shipping Ticket# 09907 E.M.I. Rep _____ Drum Size 5 Packing Medium Vermiculite Container # 4
Line Item# 11d Packed By _____ Drum Type 1H2 Profile# _____ Pickup Date _____
Customer Name D.E.A. DOT Shipping Desc. Waste Oxidizing Solids, n.o.s., 5.1, ON
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addl'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
1	500g	Sodium Nitrate	S	100	5.1	II	D001								
1	500g	Potassium Chlorate	S	100	5.1	II	D001								
1	500g	Ammonium Nitrate	S	100	5.1	II	D001								

FAW762DOCS\FM\LABPACK.FRM

If this is an outgoing item, fill in shaded areas.

Lab Pack Inventory Form

Shipping Ticket# 099908 E.M.I. Rep _____ Drum Size 30 Packing Medium Vermiculite Container # 5

Line Item# 11a Packed By _____ Drum Type 1H2 Profile# _____ Pickup Date _____

Customer Name DEA DOT Shipping Desc. Waste Corrosive Liquids, ~~Acidic~~ acidic, inorganic

Will this material be repackaged for disposal? Y/N ___ Explain _____

# of Units	Qty	Description of Materials	U/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addl Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
2	1GL	Hydrochloric Acid	L	100	8	II	D002								
	1L	Nitric Acid (70%)	L	100	8	II	D002								
	1GL	Sulfuric Acid	L	100	8	II	D002								

NOV.-16'98(MON) 09:45 CLIFF BERK OPER. TEL:9547640 P.02

NOV-10-98 05:10P

Lab Pack Inventory Form

Shipping Ticket# 09906 E.M.I. Rep _____ Drum Size 5 Packing Medium Vermiculite Container # 7
Line Item# 11C Packed By _____ Drum Type 1HZ Profile# _____ Pickup Date _____
Customer Name DEA DOT Shipping Desc. Hazardous Waste ~~Solid~~ Liquid n.o.s. NA3077 III
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addt'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Dis Site
1	1Gal	Formaldehyde	L	100	9	III	U122								
9	1g	Palladium Chloride	S	100	9	III	N.R.								

F:\WP62DOCS\FM\LABPACK.FRM

☛ If this is an outgoing item, fill in shaded areas.

Lab Pack Inventory Form

Shipping Ticket# 09908 E.M.I. Rep _____ Drum Size S Packing Medium Vermiculite Container # 8
Line Item# 11d Packed By _____ Drum Type 1HZ Profile# _____ Pickup Date _____
Customer Name DEA DOT Shipping Desc. Waste Sulfur, 4.1, UN1350, PG III
Will this material be repackaged for disposal? Y/N _____ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	P.G	RCRA Waste Code	Addt'l Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
1	500g	Sulfur	S	100	4.1 DOT	III	D001								

FAWP62DOCS\FM\LABPACK.FRM

➡ If this is an outgoing item, fill in shaded areas.

Lab Pack Inventory Form

Shipping Ticket# 02990 E.M.I. Rep _____ Drum Size 5 Packing Medium Vermiculite Container # 9 of 9 02990

Line Item# 11a Packed By _____ Drum Type 1H2 Profile# _____ Pickup Date _____

Customer Name DEA DOT Shipping Desc. Corrosive Solids, basic, inorganic, n.o.s.

Will this material be repackaged for disposal? Y/N ___ Explain _____

# of Units	Qty	Description of Materials	L/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addl Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Disp Site
2	1 LB	Sodium Hydroxide	S	100	8	III	N.R.								
1	2 LB	Baking Soda	S	100	8	III	N.R.								
	500g	Lye	S	100	8	III	N.R.								

NOV. -16' 98 (MON) 09:46 CLIFF BERM OPER. TEL:9547640

Nov-10-98 05:11p P.06

Shipping Ticket# 09909 E.M.I. Rep _____ Drum Size 30 Packing Medium Vermiculite Container # 6

Line Item# 11b Packed By _____ Drum Type 1H2 Profile# _____ Pickup Date _____

Customer Name D.E.A. DOT Shipping Desc. Waste Flammable Liquids, n.o.s., 3, UN1

Will this material be repackaged for disposal? Y/N ____ Explain _____

# of Units	Qty	Description of Materials	U/S	% Full	DOT Haz Class	PG	RCRA Waste Code	Addl Waste Codes	Customer Name	From ST #	Disp. Method	To/From E.M.I DM#	Date	Initials	Dis Site
1	1gal	Benzene	L	100	3	II	D001 D018								
2	1gal	Acetone	L	100	3	II	D001								
1	1gal	Chloroform	L	100	6.1	II	D022								
2	500 mL	Methanol	L	100	3	II	D001								
1	500 mL	Methylene Chloride	L	100	6.1	II	U080								
2	500 mL	Benzene	L	100	3	II	D001 D018								

P. 006 TEL:9547640 NOV.-16'98(MON) 09:45 CLIFF BERRY OPER. P.03 Nov-10-98 05:10P

Lab Pack Inventory Form

Shipping Ticket# 09909 E.M.I. Rep _____ Drum Size 55 Packing Medium _____ Container # 10

Line Item# 115 Packed By _____ Drum Type 1A2 Profile# _____ Pickup Date _____

Customer Name _____ DOT Shipping Desc. _____

Will this material be repackaged for disposal? Y/N ____ Explain _____

# of Units	Qty	Description of Materials	U/S	% Full	DOT Haz Class	P/G	RCRA Waste Code	Addt'l Waste Codes	Customer Name	From ST #	Disp. Method	To/Fmm E.M.I DM#	Date	Initials	Disp Site
1	55	Debris	S	100	—	—	—								

If this is an outgoing item, fill in shaded areas.

TEL:9547640 OPER. CLIFF BER NOV.-16'98(MON) 09:46
NOV-10-98 05:12P P.07

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. | Manifest Doc. No. | 2. Page 1 of 1 | Department Number 09897

3. Generator's Name and Mailing Address: DEA - TAMPA, 4950 W. Kennedy Blvd Suite 400, Tampa FL 33609

4. Generator's Phone: (813) 286-1460

5. Transporter 1 Company Name: Cliff Berry Inc. | 6. US EPA ID Number: FLD000823156 | A. State Generator's ID | B. State Transporter's ID

7. Transporter 2 Company Name: Freehold Cartage Inc. | 8. US EPA ID Number: NJD005412664 | C. State Transporter's ID | D. Transporter's Phone 918 743 3300 | E. State Transporter's ID | F. Transporter's Phone 732-536-9555

9. Designated Facility Name and Site Address: Heat + Energy Advanced Tech. 4410 Singleton Blvd Dallas, TX 75212 | 10. US EPA ID Number: TXD980674035 | G. State Facility's ID | H. Facility's Phone 214 637 6438

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
a. Magnesium Powder, 4.3, UN 1869, PGI	001	DF	00030	G	-
b. Oxidizing Solids, NOS., 5.1, UN 1479, PGII	001	DF	00005	G	D011
c. Corrosive liquids, basic, inorganic, n.o.s., 8, UN 3266, PG I	001	DF	00005	G	D002
d. *Flammable liquids, n.o.s., UN 1993, PGI	001	D	00055	G	D001, F05 D001, F003 D001, U154, U122

J. Additional Descriptions for Materials Listed Above: EPI Kit

K. Handling Codes for Wastes Listed Above: 11d - D001, F005, D001, F003, U154, U122

15. Special Handling Instructions and Additional Information: Guthrie Oklahoma 73044 405 282 6454 for Emergencies call 1800 899 7745 24 hours

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations. Date

Printed/Typed Name: X Sheldon J. Burkett | Signature: X Sheldon J. Burkett | Month Day Year: 10 | 15 | 98

17. Transporter 1 Acknowledgement of Receipt of Materials | Date

Printed/Typed Name: Roger Morgan | Signature: Roger Morgan | Month Day Year: 10 | 15 | 98

18. Transporter 2 Acknowledgement of Receipt of Materials | Date

Printed/Typed Name: Perry Atkins | Signature: [signature] | Month Day Year: 10 | 16 | 98

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19. | Date

Printed/Typed Name | Signature | Month Day Year

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. — Manifest Document No.
2. Page 1 of 2
Document Number 09898

3. Generator's Name and Mailing Address: DEA Tampa, 4950 W Kennedy Blvd
4. Generator's Phone: (813) 810-5050
5. Transporter 1 Company Name: Cliff Berry Inc. — US EPA ID Number: FLD000831156
6. Transporter 2 Company Name: Free Hold Cartage Inc — US EPA ID Number: WI0005421464
7. Designated Facility Name and Site Address: Heat Energy Advanced Tech, 4440 Singleton Blvd, Dallas TX 7521 — US EPA ID Number: TXD980628035, TXR000 24 035
8. US EPA ID Number
9. Generator's Site Address
10. Transporter's Phone: 972-333-3357
11. Facility's ID
12. Facility's Phone: 214 637 6434

13. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	14. Containers No.	Type	15. Total Quantity	16. Unit Wt./Vol.	17. Waste No.
a. Flammable liquid, toxic, n.o.s., 3, UN1992, PG I (Ethyl Ether)	001	DM	000055	G	D001, U117, F003
b. Environmentally hazardous Substance Solid, n.o.s.,	001	DF	00005	G	—
c. Corrosive liquids Acidic, inorganic, n.o.s., 8, UN3264, PG I	001	DF	00030	G	D002
d. Environmentally Hazardous Substance, n.o.s., 9, UN3077, PGIII	001	DF	0000	G	—

J. Additional Descriptions for Materials Listed Above
K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
Environmentally
For emergency call 1800 8447745

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.
Printed/Typed Name: T Tomas Jr Lee — Signature — Date: Month 10 Day 15 Year 98

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Mercado — Signature — Date: Month 10 Day 15 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Phillips — Signature — Date: Month 10 Day 16 Year 98

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name — Signature — Date: Month Day Year

Environmental Management, Inc.
P. O. Box 780
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. — Manifest Document No. 10 [illegible]
2. Page 1 of 3
Document Number 09899

3. Generator's Name and Mailing Address: DEA Tampa, 4950 W Kennedy Blvd, Suite 400, Tampa FL 33609
A.
4. Generator's Phone: 813 289 1050
B. State Generator's ID
5. Transporter 1 Company Name: Cliff Berry Inc
6. US EPA ID Number: FLD 000831156
C. State Transporter's ID
D. Transporter's Phone: [illegible]
7. Transporter 2 Company Name: Free Hold Cartage Inc
8. US EPA ID Number: WSD 054 125 164
E. State Transporter's ID
F. Transporter's Phone: [illegible]
9. Designated Facility Name and Site Address: Heat Energy Advanced Technology, 4460 Sigleton Blvd, Dallas, TX 75212
10. US EPA ID Number: TXD 980624035
G. State Facility's ID
H. Facility's Phone: 214 637 8634

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Flammable Solids, n.o.s, 4.1, UN1325, PG II	001	DF	00 095	G	D001
b. Environmentally hazardous Substances Solid, 9, UN3077 PG III (Contains Ethyl Ether)	001	DF	00030	G	U117
c. Non Regulated Solid, (PPE)	002	DF	00030	G	—
d.					

J. Additional Descriptions for Materials Listed Above: No drum #10
K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information: For Emergency call 1800 899 7745

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: Thomas J. Leo — Signature: [signature] — Date: Month 10 Day 15 Year 98

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Morgan — Signature: Roger Morgan — Date: Month 10 Day 15 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Atkins — Signature: [signature] — Date: Month 10 Day 16 Year 98

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name — Signature — Date

Environmental Management, Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. FLCESQG — Manifest Document No. 18989
2. Page 1 of 3
Document Number 09891

3. Generator's Name and Mailing Address DEA - 4950 W. Kennedy Blvd.
4. Generator's Phone 813 9177646 Tampa Fl 33609
A.
B. State Generator's ID FLCESQG

5. Transporter 1 Company Name: Cliff Berry Inc. — 6. US EPA ID Number: FLD.0.5.8.5.6.0.6.9.9
C. State Transporter's ID
D. Transporter's Phone 954 7633390

7. Transporter 2 Company Name: Free Hold Cartage Inc — 8. US EPA ID Number: WSD.0.5.4.1.2.6.1.6.4
E. State Transporter's ID
F. Transporter's Phone 541-533-4555

9. Designated Facility Name and Site Address: Heat Energy Advanced Technology Inc. 4460 Singleton Blvd Dallas Texas 75212 — 10. US EPA ID Number: TXD.9.8.0.6.2.4.0.3.5
G. State Facility's ID
H. Facility's Phone 214 637 6434

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Corrosive liquid acidic inorganic n.o.s, 8, UN3264, PG I	001	DF	00005	G	D002
b. Waste Flammable liquids, n.o.s, 3, UN1993, PG I	001	DF	00005	G	D001
c. Waste Flammable Solids, Organic n.o.s, 4.1, UN1325, PG II	001	DF	00005	G	D001
d. Waste Oxidizing corrosive Solid n.o.s., 5.1, UN3085, PG I	001	DF	00005	G	

J. Additional Descriptions for Materials Listed Above
Received at FMI / Atlanta GA / Kirkland 10/7/98

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
For 24 hour response call 1800 899 7745

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: S/A Daniel Kaplan — Signature — Date: Month 9 Day 29 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Morgan — Signature — Date: Month 9 Day 29 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Atkins — Signature — Date: Month 09 Day 29 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name — Signature — Date: Month Day Year

Environmental Management Inc.
P. O. Box 700
Guthrie, Oklahoma 73044

Shipping Ticket

1. Generator's US EPA ID No. FLCESQG — Manifest Document No. 09892
2. Page 1 of 2
Document Number 09892

3. Generator's Name and Mailing Address: DEA - Tampa, 4950 W. Kennedy Blvd. Tampa FL 33609
4. Generator's Phone (813) 917-7644
A.
B. State Generator's ID: FLCESQG

5. Transporter 1 Company Name: Chem Berry Inc
6. US EPA ID Number: FLD058560699
C. State Transporter's ID: 954 763390
D. Transporter's Phone

7. Transporter 2 Company Name: Free Hold Cartage Inc
8. US EPA ID Number: WSD054126164
E. State Transporter's ID
F. Transporter's Phone: 541-533-4599

9. Designated Facility Name and Site Address: Heat Energy Advanced Technology Inc. 4460 Singleton Blvd Dallas Texas 75212
10. US EPA ID Number: TXD980624035
G. State Facility's ID
H. Facility's Phone: 214-637 6434

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Flammable Solids, toxic, organic, n.o.s., 4.1, UN2926 PG II	001	DF	00005	G	D001
b. Waste Flammable liquids toxic, nos, 3, UN1992 PG I	001	DF	00005	G	D001
c. Waste Corrosive liquid acidic organic nos, 8, UN3265, PG I	001	DF	00005	G	D002
d. Waste Corrosive Solid basic inorganic, n.o.s., 8, UN3262 PG I	001	DF	00005	G	

J. Additional Descriptions for Materials Listed Above: Received at FHI Fairbury GA 10/7/98

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information: For 24 hour response call 1800 899 7745

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: A Daniel Kaplan — Signature — Date: Month 9 Day 29 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Roger Morgan — Signature — Date: Month 10 Day 29 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Atkins — Signature — Date: Month 10 Day 29 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name — Signature — Date: Month Day Year

Environmental Management, Inc.
P.O. Box 3940
Edmond, OK 73083-3940

Shipping Ticket

1. Generator's US EPA ID No. FLR000 — Manifest Document No. 91618
2. Page 1 of
Document Number № 08955

3. Generator's Name and Mailing Address DEA SB-95-0115
320 International Parkway, Ste. 424
Heathrow, FL 32746
4. Generator's Phone ( )

A.
B. State Generator's ID

5. Transporter 1 Company Name: Cliff Berry, Inc.
6. US EPA ID Number: FLD000831156
C. State Transporter's ID
D. Transporter's Phone (954) 763-3390

7. Transporter 2 Company Name: Free Hold Cartage Inc.
8. US EPA ID Number: WSD054126164
E. State Transporter's ID
F. Transporter's Phone 941-533-1559

9. Designated Facility Name and Site Address: Heat Energy Advanced Tech Inc
4460 Singleton Blvd.
Dallas, TX 75212
10. US EPA ID Number: TXD980624435
G. State Facility's ID
H. Facility's Phone (214) 637-6424

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Flammable Liquids, n.o.s. 3, UN1993	001	DM	00055	G	D001 D035
b. Waste corrosive liquids, acidic, inorganic, 8, UN3264, PG II (Phosphoric Acid, Acetic Acid)	001	DF	00055	G	D002
c. Waste corrosive liquids, acidic, organic, n.o.s. 8, UN3265, PG II (Hydrochloric acid, Fluoric acid)	001	DF	00055	G	D002
d. Waste corrosive liquids, basic, inorganic, n.o.s. 8, UN3266, PG II (Calcium Hydroxide)	001	DF	00055	G	D002

J. Additional Descriptions for Materials Listed Above
Site Location
DE 45 Unikool
New Smyrna Beach FL

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: Shelia J Pickett for DEA
Signature:
Date: Month 9 Day 10 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Jimmy L McClendon
Signature:
Date: Month 9 Day 10 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Atkins
Signature:
Date: Month 09 Day 10 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name
Signature
Date: Month Day Year

Please print or type. (Form designed for use on elite (pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)	21. Generator's US EPA ID No.	Manifest Document No.	22. Page	Information in the shaded areas is not required by Federal law.
	FLCE 565	09095	2 of	

23. Generator's Name DEA-SB-95-0118
300 Intl. Pkwy. Ste 424
Heathrow, FL 32741

L. State Manifest Document Number

M. State Generator's ID

24. Transporter ___ Company Name

25. US EPA ID Number

N. State Transporter's ID

O. Transporter's Phone

26. Transporter 2 Company Name Free Hold Cartage Inc

27. US EPA ID Number WJD054 12C164

P. State Transporter's ID

Q. Transporter's Phone 941-533-4599

	HM	28. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.	X	Waste Flammable liquids, toxic, n.o.s, 3, UN1992, PS II	001	DF	00030	G	D001
b.	X	Waste Toxic liquids, n.o.s, 6.1, UN2810, PS II	001	DF	00030	G	D011
c.	X	Waste Flammable Solid, n.o.s, 4.1, UN3178, PS II (Red Phosphorous	001	DF	00005	G	D001
d.	X	Waste Oxidizing Solid, n.o.s, 5.1, UN1479, PS II	001	DF	00005	G	D001
e.	X	Waste aerosols, flammable 2.1, UN1950	001	DF	00020	G	D001
f.	X	Environmentally Hazardous Substances Solid, n.o.s, NA 3077, PS III	007	DF CW DM	03000	P	N.R.
g.	X	Corrosive Solid n.o.s, 8, UN1759, PS III	002	DF	00030	G	N.R.
h.							
i.							

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information

33. ~~Transporter~~ Acknowledgement of Receipt of Materials

Printed/Typed Name John K Bower

Signature [signature]

Date Month 09 Day 14 Year 98

34. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name Perry Atkins

Signature [signature]

Date Month 09 Day 10 Year 98

35. Discrepancy Indication Space

GENERATOR

TRANSPORTER

FACILITY

Environmental Management, Inc.
P.O. Box 3940
Edmond, OK 73083-3940

Shipping Ticket

1. Generator's US EPA ID No.: FLCESQG
Manifest Document No.: K9099
2. Page 1 of 2
Document Number: № 08950

3. Generator's Name and Mailing Address: DEA-GB-98-D118
300 International Parkway, Ste 424
Heathrow, FL 32746

4. Generator's Phone: (407) 333-7000

A.
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone: (954) 763-3390
E. State Transporter's ID
F. Transporter's Phone: 941-533-4555
G. State Facility's ID
H. Facility's Phone: (214) 637-6434

5. Transporter 1 Company Name: Cliff Berry, Inc.
6. US EPA ID Number: FLD000831156

7. Transporter 2 Company Name: Free Hold Cartage Inc.
8. US EPA ID Number: NJD054126164

9. Designated Facility Name and Site Address: Heat Energy Advanced Tech. Inc.
4460 Singleton Blvd
Dallas, TX 75212
10. US EPA ID Number: TXD9SC624035

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Corrosive Liquids, acidic, inorganic, n.o.s., 8, UN3264, PSII	001	DF	00005	G	D002
b. Waste Petroleum Gas, liquified, 2.1, UN1075	001	DF	00005	G	D001
c. Waste Flammable Solid, n.o.s., 4.1, UN3175, PSII	001	DF	00005	G	D001
d. Waste Flammable Liquids, n.o.s., 3, UN1993, PSII	001	DF	00005	G	D001

J. Additional Descriptions for Materials Listed Above
Site Location
720 Magnolia St
New Smyrna Beach, FL

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: Robert G. DAVIS
Signature: Robert G. Davis
Date: Month 9 Day 9 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Jimmy L McClendon
Signature: Jimmy L McClendon
Date: Month 9 Day 9 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Perry Atkins
Signature: Perry Atkins
Date: Month 09 Day 10 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name:
Signature:
Date: Month Day Year

Please print or type. (Form designed for use on elit[illegible]pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)	21. Generator's US EPA ID No. FL[illegible]	Manifest Document No. 07079	22. Page 2 of 2	Information in the shaded areas is not required by Federal law.

23. Generator's Name: DEA-[illegible]B-98-C118, 300 Intl Pkwy Ste 424, Heathrow, FL 32746

L. State Manifest Document Number

M. State Generator's ID

24. Transporter ___ Company Name

25. US EPA ID Number

N. State Transporter's ID

O. Transporter's Phone

26. Transporter 2 Company Name: Free Hold Cartage Inc

27. US EPA ID Number: NJD 054 126164

P. State Transporter's ID

Q. Transporter's Phone 941-533-4599

	28. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM		29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.	X	Environmentally Hazardous Substances, n.c.s., 9, NA3077 PG III	002	DM	00700	P	N.R.
b.	X	Corrosive Solid, n.c.s., 8, UN1759, PG III 77236	001	DF	00005	G	N.R.
c.							
d.							
e.		25 pc					
f.							
g.							
h.							
i.							

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information

33. ~~Transporter~~ ___ Acknowledgement of Receipt of Materials

Printed/Typed Name: John K Bowen

Signature: John K Bowen

Date: Month 09 Day 14 Year 98

34. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name: Perry Atkins

Signature: [signature]

Date: Month 09 Day 10 Year 98

35. Discrepancy Indication Space

GENERATOR

TRANSPORTER

FACILITY

Environmental Management, Inc.
P.O. Box 3940
Edmond, OK 73083-3940

Shipping Ticket

1. Generator's US EPA ID No. FID Legal — Manifest Document No. 08953
2. Page 1 of 2 — Document Number № 08953

3. Generator's Name and Mailing Address: DEA - SE Laboratory, 5202 NW 84th Ave, Miami, Fl 33166
4. Generator's Phone ( ): 305 590 4830

A.
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone 954 763 3390
E. State Transporter's ID
F. Transporter's Phone 954 763 3590
G. State Facility's ID
H. Facility's Phone 214 637 6434

5. Transporter 1 Company Name: Cliff Berry Inc.
6. US EPA ID Number: FLD000831156
7. Transporter 2 Company Name: Cliff Berry Inc
8. US EPA ID Number: FLD000831156
9. Designated Facility Name and Site Address: Heat Energy Advanced Technology Inc., 4460 Singleton Blvd, Dallas, Texas 75212
10. US EPA ID Number: TXV980624035

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Flammable liquids n.o.s., 3, UN1993, PG II, Contains methylene chloride, chloroform	004	DM	00200	G	D001, D022, F002
b. Hazardous Waste Solid, n.o.s., 9, NA 3077, PG II	001	DF	00005	G	D011
c.					
d.					

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
For Emergency call - 1800 899 7745

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: X CHRISTOPHER DURNIE — Signature: [signature] — Date: Month 09 Day 01 Year 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: LORENSO GONZALEZ — Signature: [signature] — Date: Month 09 Day 01 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Jimmy L McClendon — Signature: Jimmy L McClendon — Date: Month 9 Day 1 Year 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in Item 19.
Printed/Typed Name — Signature — Date: Month Day Year

Please print or type. (Form designed for use on elite (pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST *(Continuation Sheet)*

21. Generator's US EPA ID No.: FLDCESGL

Manifest Document No.: 08953

22. Page 2 of 2

Information in the shaded areas is not required by Federal law.

23. Generator's Name: DEA - S.E Laboratory, 5202 N W 84th Ave, Miami FL (305) 590 4830

L. State Manifest Document Number: 08953

M. State Generator's ID:

24. Transporter 3 Company Name: Freehold Cartage Inc

25. US EPA ID Number: NJD054126164

N. State Transporter's ID: 941 5334599

O. Transporter's Phone:

26. Transporter ___ Company Name:

27. US EPA ID Number:

P. State Transporter's ID:

Q. Transporter's Phone:

28. US DOT Description *(Including Proper Shipping Name, Hazard Class, and ID Number)*	HM	29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.						
b.						
c.						
d.						
e.						
f.						
g.						
h.						
i.						

For Transportation Only

S. Additional Descriptions for Materials Listed Above:

T. Handling Codes for Wastes Listed Above:

32. Special Handling Instructions and Additional Information:

33. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name: Tom Sewlen

Signature: Tom [signature]

Date: Month 09 Day 02 Year 98

34. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name: John Bower

Signature: John [signature]

Date: Month 09 Day 14 Year 98

35. Discrepancy Indication Space:

GENERATOR

TRANSPORTER

FACILITY

Style F16 REV-6 LABELMASTER, Div. of AMERICAN LABELMARK CO., CHICAGO, IL 60646 800-621-5808

EPA Form 8700-22A (Rev. 9-88) Previous editions are obsolete.

PRINTED ON RECYCLED PAPER USING SOYBEAN INK PRINTED WITH SOY INK

TRANSPORTER #2

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.	Manifest Document No.	2. Page 1 of 3	Information in the shaded areas is not required by Federal law.
CONDITIONALLY EXEMPT.	12.8.98		

GENERATOR

3. Generator's Name and Mailing Address
DEA/4950 W. KENNEDY BLVD STE. 400 TAMPA, FL. 33609
SITE DEA 1923 ROOSEVELT ST., HOLLYWOOD FLORIDA

4. Generator's Phone (813) 288-1268

A. State Manifest Document Number: N/A

B. State Generator's ID: N/A

5. Transporter 1 Company Name: CLIFF BERRY INC.

6. US EPA ID Number: FLD.0.0.0.8.3.1.1.5.6

C. State Transporter's ID: N/A

D. Transporter's Phone: 954/763-3390

7. Transporter 2 Company Name: Freehold Cartage Inc

8. US EPA ID Number: NJD.0.5.4.1.2.6.1.6.4.

E. State Transporter's ID: N/A

F. Transporter's Phone: ~~N/A~~ 908 536 4599

9. Designated Facility Name and Site Address
HEAT ENERGY ADVANCE TECHNOLOGY, INC.
4460 SINGLETON BLVD.
DALLAS TX 75212

10. US EPA ID Number: TXD.9.8.0.6.2.4.0.3.5

G. State Facility's ID: N/A

H. Facility's Phone: 214/637-6434

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	HM	12. Containers No.	12. Containers Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. OXIDIZING SUBSTANCES (SOLID), CORROSIVE, N.O.S. (RED PHOSPHORUS), CLASS 5.1 UN 3085 PG III	X	001	DF	000001	P	D002
b. HAZARDOUS WASTE, SOLID, N.O.S., (CONTAMINATED DEBRIS), CLASS 9, NA 3077, PG III	X	001	DM	000100	P	
c.						
d.						

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
CASE # G-6980059

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name	Signature	Month	Day	Year
S/A ON BEHALF OF DEA S/A KEN HARRIS	S/A Ken Harris	10	28	98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
DAVID SILLS	D Sills	10	28	98

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
Jon Scott		10	30	98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month	Day	Year

ORIGINAL — RETURN TO GENERATOR

[redacted] [redacted]

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.: CONDITIONALLY EXEMPT
Manifest Document No.: 1.2.8.9.8
2. Page 1 of 2
Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address: DEA/4950 W. KENNEDY BLVD STE. 400 TAMPA, FL. 33609
SITE: 1923 ROOSEVELT ST. HOLLYWOOD FLORIDA
4. Generator's Phone (813) 288-1268

A. State Manifest Document Number: N/A
B. State Generator's ID: N/A

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F.L.D.000.8.3.1.156
C. State Transporter's ID: N/A
D. Transporter's Phone: 954 1763-3390

7. Transporter 2 Company Name: Freehold Cartage Inc
8. US EPA ID Number: NJD054126164
E. State Transporter's ID: N/A
F. Transporter's Phone: 941 N/A 334 4599

9. Designated Facility Name and Site Address: HEAT ENERGY ADVANCED TECHNOLOGY, INC. 4460 SINGLETON BLVD. DALLAS, TX 75212
10. US EPA ID Number: TXD.9.8.0.6.2.4.0.3.5
G. State Facility's ID: N/A
H. Facility's Phone: 214/637-6434

	11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	HM	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a.	WASTE CORROSIVE LIQUIDS, N.O.S. (UNKNOWN ACID), CLASS 8, UN 1760, PG III	X	002	DF	00010	P	D002
b.	WASTE FLAMMABLE LIQUID N.O.S. (SUSPECT ACETONE/DENATURED ALCOHOL), CLASS 3 UN 1993 PG III	X	002	DF	00015	P	D001
c.	WASTE POISONOUS SOLID, N.O.S., (IODINE), CLASS 6.1, UN 2811, PG III	X	001	DF	00001	P	
d.	WASTE CORROSIVE SOLID, N.O.S. (POTASSIUM HYDROXIDE), CLASS 8, UN 1719 PG III	X	001	DF	00001	P	D002

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information: CASE # G6980059

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

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Printed/Typed Name: ON BEHALF OF DEA S/A KEN HARRIS
Signature: S/A Ken Harris
Month Day Year: 01 28 98

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: DAVID SILLS
Signature: David Sills
Month Day Year: 01 28 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Tom Scuderi
Signature: [signature]
Month Day Year: 01 31 98

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name
Signature
Month Day Year

GENERATOR

TRANSPORTER

FACILITY

[redacted] [redacted]

ORIGINAL — RETURN TO GENERATOR

Emergency Contact Telephone Number

C4350

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.: F·L·C·E·S·Q·G
Manifest Document No.: ~~01618~~
2. Page 1 of 3
Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address: D.E.A. 4950 W. KENNEDY BLVD., SUITE 400 TAMPA, FL 33609
4. Generator's Phone (813) 288-1268

A. State Manifest Document Number: 04350
B. State Generator's ID:

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F·L·D·0·0·0·8·3·1·1·5·6
C. State Transporter's ID: (954) 763-3390
D. Transporter's Phone:

7. Transporter 2 Company Name: Free Hold Cartage Inc,
8. US EPA ID Number: N.J.D054126164
E. State Transporter's ID:
F. Transporter's Phone: 941-533-4599

9. Designated Facility Name and Site Address: HEAT ENERGY ADVANCED TECHNOLOGY, INC. 4460 SINGLETON BLVD. DALLAS, TX 75212
10. US EPA ID Number: T·X·D·9·8·0·6·2·4·0·3·5
G. State Facility's ID:
H. Facility's Phone: (214) 637-6434

	11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a.	X Waste Oxidizing solid, n.o.s, 5.1, UN 1479 (ERS-140) (D001) (U-1)	001	DF	00005	G	D001
b.	X Waste Corrosive liquid, basic, inorganic, n.o.s., 8, UN3266, PG II (D002) (ERS-154) (U-2)	001	DF	00005	G	D002
c.	X Waste Corrosive liquid, acidic, inorganic, n.o.s., 8, UN3264, PG II (D002) (ERS-154) (U-3)	001	DF	00005	G	D002
d.	X Waste Flammable Solid, n.o.s, 4.1 UN1325, PG II (D001) (ERS-133) (U-4)	001	DF	00005	G	D001

J. Additional Descriptions for Materials Listed Above
A:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
A:
SITE: 404 Zephyr Rd. VENICE, FL
Case # 66-95-0079

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name: Sheldon J. Burkett for DEA
Signature: [signature]
Month 03 Day 1 Year 99

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Michael L Gregory
Signature: [signature]
Month 03 Day 1 Year 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: [illegible]
Signature: [illegible]
Month 03 Day 2 Year 98

19. Discrepancy Indication Space
Perry Akins

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name:
Signature:
Month Day Year

GENERATOR

TRANSPORTER

FACILITY

TRANSPORTER #2

Emergency Contact Telephone Number

04350

Form Approved OMB No. 2050-0039 Expires 9-30-96

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. F.L.O.E.S.O.G.

Manifest Document No. 01017

2. Page 2 of 3

Information in the shaded areas is not required by Federal law.

Generator's Name and Mailing Address: D.E.A. 4350 W. KENNEDY BLVD. SUITE 400 TAMPA, FL 33609

Generator's Phone (813) 238-1238

A. State Manifest Document Number: 04350

B. State Generator's ID

Transporter 1 Company Name: JEFF SERRY INC.

6. US EPA ID Number

C. State Transporter's ID

D. Transporter's Phone

Transporter 2 Company Name

8. US EPA ID Number

E. State Transporter's ID

F. Transporter's Phone

Designated Facility Name and Site Address: EAT ENERGY ADVANCED TECHNOLOGY, INC. 450 SINGLETON BLVD. ALLAS, TX 75212

10. US EPA ID Number

G. State Facility's ID

H. Facility's Phone (214) 637-6434

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) HM	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
X Waste Flammable Liquid n.o.s. 3; UN1993, PG II (ERG-128) (U-5)	001	DF	00005	G	D001
X Waste Flammable Liquid toxic n.o.s., 3, UN1992, PG II (ERG-131) (U-7)	001	DM	00055	G	D001 F003 F005
X Waste Hydrogen, compressed, 2.2, UN1049 (ERG-115) (packed in 30 DF) (U-8)	001	DF ~~DT~~	00020	P	D001
x Toxic Solid, n.o.s, 6.1, UN2811, PG II (ERG-154) (U-6)	001	DF	00005	G	N.R.

Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information

SITE: 404 Zephyr Rd

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name | Signature | Month Day Year

17. Transporter 3 Acknowledgement of Receipt of Materials

Printed/Typed Name | Signature | Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name | Signature | Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name | Signature | Month Day Year

ORIGINAL-RETURN TO GENERATOR

Environmental Management, Inc.
P.O. Box 3940
Edmond, OK 73083-3940

Shipping Ticket

1. Generator's US EPA ID No. FLGES06 Manifest Document No. 6899356
2. Page 1 of 2 Document Number No. 06856

3. Generator's Name and Mailing Address D.E.A-64-98-0104
4950 W. Kennedy Blvd., Ste 400
Tampa, FL 33609
4. Generator's Phone (813) 286-1268

A.
B. State Generator's ID
C. State Transporter's ID
D. Transporter's Phone (954) 763-3780
E. State Transporter's ID
F. Transporter's Phone 941 533499
G. State Facility's ID
H. Facility's Phone (214) 637-6434

5. Transporter 1 Company Name: Cliff Berry, Inc.
6. US EPA ID Number: FLD000831156
7. Transporter 2 Company Name: Freehold Cartage Inc
8. US EPA ID Number: NJD054126164
9. Designated Facility Name and Site Address: HEAT ENERGY ADVANCED TECH. INC
4460 Singleton Blvd.
Dallas, TX 75212
10. US EPA ID Number: TXD980624035

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. Waste Flammable Liquids, poisonous, n.o.s., 3, UN 1992, PG II	001	DF	00030	G	D001
b. Environmentally Hazardous Substances, solid, n.o.s., 9, NA3077, PG III	002	DM	00095	G	N.R.
c.					
d.					

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
Site Location
Rt. 4, Box 765
Hilliard, FL

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations.

Printed/Typed Name: THOMAS J. LEO — Signature — Date: Month Day Year 9 2 98

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: Jose Rivera — Signature — Date: Month Day Year 9 2 98

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Tom Seidel — Signature — Date: Month Day Year 09 02 98

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of materials covered by this manifest except as noted in item 19.

Printed/Typed Name — Signature — Date: Month Day Year

Please print or type. (Form designed for use on eli[illegible]pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)	21. Generator's US EPA ID No. FID Ces96	Manifest Document No. 0F956	22. Page 2 2	Information in the shaded areas is not required by Federal law

23. Generator's Name D.E.A - G4-98-0104
4950 W Kennedy Blvd Ste 406
TAMPA FL 3369

L. State Manifest Document Number

M. State Generator's ID

24. Transporter 3 Company Name FRoeHoLl Cartage INC.

25. US EPA ID Number NJD054126164

N. State Transporter's ID

O. Transporter's Phone 941-533-4599

26. Transporter ___ Company Name

27. US EPA ID Number

P. State Transporter's ID

Q. Transporter's Phone

28. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	HM		29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.		For 75473 Transportation					
b.							
c.							
d.							
e.							
f.			only				
g.							
h.							
i.							

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information

GENERATOR

TRANSPORTER

33. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year

34. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year
Johnk Bower	[signature]	09 14 98

FACILITY

35. Discrepancy Indication Space

Style F16 REV-6 LABELMASTER, Div. of AMERICAN LABELMARK CO., CHICAGO, IL 60646 800-621-5808

EPA Form 8700-22A (Rev. 9-88) Previous editions are obsolete.

PRINTED ON RECYCLED PAPER USING SOYBEAN INK

TRANSPORTER #2

Emergency Contact Telephone Number

Form Approved, OMB No. 2050-0039, Expires 9-30-88

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.	Manifest Document No.	2. Page 3 of 3	Information in the shaded areas is not required by Federal law.
[illegible]	01616		

3. Generator's Name and Mailing Address
D.E.A.
4950 W. KENNEDY BLVD., SUITE 400
TAMPA, FL 33609

4. Generator's Phone (813) 288-1383

A. State Manifest Document Number: 04350

B. State Generator's ID:

5. Transporter 1 Company Name: [illegible] BERRY, INC.

6. US EPA ID Number:

C. State Transporter's ID: (334) 781-[illegible]

D. Transporter's Phone:

7. Transporter 2 Company Name:

8. US EPA ID Number:

E. State Transporter's ID:

F. Transporter's Phone:

9. Designated Facility Name and Site Address
SAT ENERGY ADVANCED TECHNOLOGY, INC.
4850 SINGLETON BLVD.
DALLAS, TX 75212

10. US EPA ID Number:

G. State Facility's ID:

H. Facility's Phone: (214) 637-6434

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. HM Hazardous Waste Solid, n.o.s., 9, NA3077, PG III (ERG-171) (U-9)	001	DF	00030	G	N.R.
b.					
c.					
d.					

J. Additional Descriptions for Materials Listed Above
A:

K. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
DEST:
404 Zephyr Rd

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

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Printed/Typed Name	Signature	Month	Day	Year

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month	Day	Year

ORIGINAL-RETURN TO GENERATOR

Emergency Contact Telephone Number

1-800-899-7745

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.: F·L·C·E·S·Q·G·

Manifest Document No.: 01611

2. Page 1 of 3

Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address: D.E.A. 4950 W. KENNEDY BLVD. 400 TAMPA, FL 33609

A. State Manifest Document Number: 04227

B. State Generator's ID:

4. Generator's Phone: (813) 283-1268

C. State Transporter's ID: (954) 763-3390

5. Transporter 1 Company Name: CLIFF BERRY, INC.

6. US EPA ID Number: F·L·D·0·0·0·8·3·1·1·5·6

D. Transporter's Phone:

7. Transporter 2 Company Name: Free Hold Cartage Inc

8. US EPA ID Number: N.S.D. 0.54.126 164.

E. State Transporter's ID:

F. Transporter's Phone: 941-533-4599

9. Designated Facility Name and Site Address: HEAT ENERGY ADVANCED TECHNOLOGY, INC. 4460 SINGLETON BLVD. DALLAS, TX 75212

10. US EPA ID Number: T·X·0·9·8·0·6·2·4·0·3·5

G. State Facility's ID:

H. Facility's Phone: (214) 637-6434

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. X WASTE Flammable liquids, n.o.s., 3, UN1993, PG II	[illegible]	[illegible]	[illegible]	[illegible]	D001 [illegible]
b. X [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
c. X [illegible] II	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
d. X [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

J. Additional Descriptions for Materials Listed Above: A:

K. Handling Codes for Wastes Listed Above:

15. Special Handling Instructions and Additional Information: A:

SITE:
2925 INDIAN CREEK DRIVE #404
MIAMI BEACH, FL

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

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Printed/Typed Name: [illegible] DEA | Signature: [signature] | Month 03 Day [illegible] Year [illegible]

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name: | Signature: [signature] | Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name: David Sills Michael Fasquerelle | Signature: [signature] | Month 03 Day 13 Year 19

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name: | Signature: | Month Day

GENERATOR

TRANSPORTER

FACILITY

TRANSPORTER #2

Please print or type. (Form designed for use on elite (pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST *(Continuation Sheet)*

21. Generator's US EPA ID No.	Manifest Document No.	22. Page	Information in the shaded areas is not required by Federal law.
FLCES04	01611	2 of 3	

23. Generator's Name: D.E.A. 4950 W. Kennedy Blvd Suite 400 Tampa, FL 33609

L. State Manifest Document Number

M. State Generator's ID

24. Transporter 1 Company Name	25. US EPA ID Number	N. State Transporter's ID
Clean Tech Inc	FLD 0082 3150	O. Transporter's Phone 754-223-3370
26. Transporter 2 Company Name	27. US EPA ID Number	P. State Transporter's ID
Freehold Cartage Inc	NJD054136164	Q. Transporter's Phone 908-253-4577

	28. US DOT Description *(Including Proper Shipping Name, Hazard Class, and ID Number)*	HM	29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.	Hazardous Waste Solid, NOS 9 NA 3077 PG III (FH-3, FH-11)	X	002	DM	00110	G	M.K
b.	Corrosive Solid, Basic, Inorganic, NOS 8 UN 1759 PG II (CH-2)	X	001	DF	00030	G	N2
c.	Waste Mercuric Chloride, Sol UN 1624 PG I (FH-8)	X	001	DF	00005	G	D009
d.	Waste Oxidizing Solid NOS (D001) Sol UN 1479 PG II (FH-9)	X	001	DF	00005	G	D001
e.	Waste Zinc powder, 4.3 UN 1436 PG II	X	001	DF	00030	G	D003
f.	Waste Toxic Liquids Organic NOS (D022) UN 2810 PG II (FH-12)	X	001	DM	00055	G	U122
g.							
h.							
i.							

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information

925 Jacksonville Road #414
Ivyland PA

TRANSPORTER

33. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month	Day	Year
		10	3	

34. Transporter 3 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month	Day	Year

FACILITY

35. Discrepancy Indication Space

PRINTED ON RECYCLED PAPER USING SOYBEAN INK PRINTED WITH SOY INK

Please print or type. (Form designed for use on e[illegible]-pitch) typewriter.)

Form Approved. OMB No. 2050-0039, Expires 9-30-92

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)	21. Generator's US EPA ID No.	Manifest Document No.	22. Page	Information in the shaded areas is not required by Federal law.
	FLCESQG.	01611	3 of 3	

23. Generator's Name
DEA.
4950 W. Kennedy Blvd. Suite 200
Tampa FL. 33609

[redacted]

24. Transporter 3 Company Name
Ferguson Harbour Inc.

25. US EPA ID Number
TND000825570

N. State Transporter's ID

26. Transporter ___ Company Name

27. US EPA ID Number

P. State Transporter's ID

Q. Transporter's Phone

28. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		29. Containers No.	Type	30. Total Quantity	31. Unit Wt/Vol	R. Waste No.
a.						
b.						
c.						
d.						
e.						
f.						
g.						
h.						
i.						

S. Additional Descriptions for Materials Listed Above

T. Handling Codes for Wastes Listed Above

32. Special Handling Instructions and Additional Information
Transportaion Only

33. Transporter 3 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year
Jeff A Gutbrecht	[signature]	03 16 98

34. Transporter ___ Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Date Month Day Year

35. Discrepancy Indication Space

GENERATOR

TRANSPORTER

FACILITY

CBI
Cliff Berry, Incorporated
Environmental Services

October 13, 1999

RECEIVED
OCT 18 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

Mr. Jeffrey A. Smith
Environmental Manager
Department of Environmental Protection
Southeast District
P.O. Box 15425
West Palm Beach, FL 33416

Dear Mr. Smith:

This letter is in response to Cliff Berry, Inc.'s visit to your office on September 30, 1999. The first attachment is in response to your request for waste determination on the screening material at Cliff Berry, Inc.'s facilities. Attached are copies of current waste determinations and disposal manifests. This material is called "receiving pan media" and consists of the screened material and the pan filtrate directly under the screens. Additionally you requested appropriate waste determination with TCLP results for Metro-Dade Transit Authority (MDTA). Waste determination is attached.

It is the understanding of Cliff Berry, Inc. the attached information brings to a close all questions raised by Florida D.E.P. with respect to Cliff Berry, Inc.'s operations and facilities. Please contact Larry Doyle, Executive Vice President, or myself if you have any further questions pertaining to your July 1999 or August 1998 inspections.

Thank you,

Mark T. Hoover, CHMM
Hazardous Materials Coordinator

Attachments

CC: Larry Doyle
Executive Vice President

RECEIVED
OCT 19 1998
DEPT OF ENV PROTECTION
WEST PALM BEACH

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Cliff Berry, Jr.

Date: 08/12/98
Log #: L30841-1

Sample Description:

Label: Bus Trenches
Date Sampled: 08/04/98
Time Sampled: 12:00
Date Received: 08/07/98
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analys
Florida Petroleum Range Organics							
TPH(C8-C40)	14000	mg/kg (dw)	FLPRO	10	08/11	08/12	DM
Dilution Factor	1.0		FLPRO		08/11	08/12	DM
Surrogate Recoveries:							
o-Terphenyl	n/a	%	FLPRO	33-144	08/11	08/12	DM
Pentacosane	n/a	%	FLPRO	50-150	08/11	08/12	DM
Volatile Aromatics/Halocarbons							
Bromodichloromethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Bromoform	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Bromomethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Carbon Tetrachloride	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Chloroethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
2-Chloroethylvinyl Ether	BDL	mg/kg (dw)	5030/8260	5.0	08/11	08/11	SV
Chloroform	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Chloromethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Dibromochloromethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,2-Dichlorobenzene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,3-Dichlorobenzene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,4-Dichlorobenzene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Dichlorodifluoromethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Chlorobenzene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Vinyl Chloride	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,1-Dichloroethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,2-Dichloroethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,1-Dichloroethene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Cis-1,2-Dichloroethene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Trans-1,2-Dichloroethene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,2-Dichloropropane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Cis-1,3-Dichloropropene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Trans-1,3-Dichloropropen	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Cliff Berry, Jr.

Date: 08/12/98
Log #: L30841-1

Sample Description:

Label: Bus Trenches
Date Sampled: 08/04/98
Time Sampled: 12:00
Date Received: 08/07/98
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analys

General Chemistry (continued)

BDL = Below Detection Limits
* Compounds are Screened Only, with an estimated detection limit.
All analyses were performed using EPA, ASTM, USGS, or Standard Methods.
All analyses were performed within EPA holding times unless otherwise noted.
Analyses are reported in dry weight unless otherwise indicated by units.

QAP# 900376G	HRS# E86240,86356	NC CERT# 444	Respectfully submitted,
SUB HRS# 86122,86109,E86048	ADEM ID# 40850	ND CERT# R-148	
SC CERT# 96031	TN CERT# 02985	CT CERT# PH-0122	
ELPAT# 13801	CA CERT# I-1068	USACE CERT	Mike Kimmel
VA CERT# 00395	RI CERT# 191	MA CERT# M-FL449	Senior Project Manager

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Cliff Berry, Jr.

Date: 08/12/98
Log #: L30841-1

Sample Description:

Label: Bus Trenches
Date Sampled: 08/04/98
Time Sampled: 12:00
Date Received: 08/07/98
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analyst
Volatile Aromatics/Halocarbons	(continued)						
Methylene Chloride	BDL	mg/kg (dw)	5030/8260	1.0	08/11	08/11	SV
1,1,2,2-Tetrachloroethan	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Tetrachloroethene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,1,1-Trichloroethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
1,1,2-Trichloroethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Trichloroethene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Trichlorofluoromethane	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Benzene	BDL	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Toluene	4.0	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
MTBE	BDL	mg/kg (dw)	5030/8260	5.0	08/11	08/11	SV
Ethylbenzene	3.8	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Total Xylenes	40	mg/kg (dw)	5030/8260	0.50	08/11	08/11	SV
Dilution Factor	100		5030/8260		08/11	08/11	SV
Surrogate Recoveries:							
Dibromofluoromethane	79.0	%	5030/8260	58-141	08/11	08/11	SV
Toluene-D8	125	%	5030/8260	54-136	08/11	08/11	SV
4-Bromofluorobenzene	136	%	5030/8260	56-143	08/11	08/11	SV
Metals							
Arsenic	4.6	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Barium	1500	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Cadmium	3.3	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Chromium	44	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Lead	150	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Selenium	BDL	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Silver	BDL	mg/kg (dw)	3050/6010	1.0	08/11	08/11	DM
Mercury	BDL	mg/kg (dw)	7471	0.10	08/11	08/11	WM
Percent Solids							
Percent Solid	52	%	SM2540B	0.10	08/08	08/08	KB
General Chemistry							
Total Organic Halogens	BDL	mg/kg (dw)	9023	40	08/11	08/11	RH

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Cliff Berry, Jr.

Page: Page 1 of 1
Date: 09/16/98
Log #: L31479-1

Sample Description:

Label: MDTA
Date Sampled: 09/10/98
Time Sampled: 09:00
Date Received: 09/15/98
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analyst
RCRA Metals							
Barium	5.3	mg/l	1311/6010	0.010	09/15	09/16	PVP
Chromium	BDL	mg/l	1311/6010	0.010	09/15	09/16	PVP
Lead	BDL	mg/l	1311/6010	0.050	09/15	09/16	PVP

BDL = Below Reporting Limits
* Compounds are Screened Only, with an estimated detection limit.
All analyses were performed using EPA, ASTM, USGS, or Standard Methods.
All analyses were performed within EPA holding times unless otherwise noted.
Analyses are reported in dry weight unless otherwise indicated by units.

QAP# 900376
SUB HRS# 86122,86109,E86048
SC CERT# 96031001
ELPAT# 13801
VA CERT# 00395
HRS# E86240,86356
ADEM ID# 40850
TN CERT# 02985
GA CERT# 917
USDA Soil Permit# S-35240
NC CERT# 444
RI CERT# 191
CT CERT# PH-0122
MA CERT# M-FL449

Respectfully submitted,

Mike Kimmel
Senior Project Manager

CLIFF BERRY, INC.
FORT LAUDERDALE, FL

RECEIVED
OCT 18 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

RECEIVING PAN MEDIA

Cliff Berry, Inc.
Environmental Services
P.O. Box13079
Port Everglades Station
Ft. Lauderdale, FL 33316

Profile#: RECEIVING
Replaces#:
EPA I.D. NO.: FLD000831156

SECTION A - GENERATORS WASTE MATERIAL PROFILE SHEET

General Information

Generator Name: CLIFF BERRY, INC
Facility Address: 2601 SE 14TH AVENUE PORT EVERGLADES, FL 33316
Mailing Address: 2601 SE 14TH AVE FT LAUDERDALE, FL 33316
Technical Contact: Phone (000) 000-0000
Name of Waste: RECEIVING PAN MEDIA
Process Generating Waste: A08
Nature of Business:

Billing Information

Name: CLIFF BERRY, INC
Address: P.O. BOX 13079
FT. LAUDERDALE FL 33316
Phone: (954) 763-3390

EPA Form Code: B206
SIC Code: 9511

SECTION B - GENERATION CHARACTERISTICS

Spill Cleanup: ☐ Yes ☐ No CERCLA Waste ☐ Yes ☐ No
Is this a: ☐ WW ☒ NWW ☐ Debris ☐ Soil
Virgin Product or Chemical: ☐ Yes ☒ No - If Yes, Attach MSDS
Generated from Plating Operation: ☐ Yes ☒ No
Anticipated Volume: 15
Per: Month

IS THIS A HAZARDOUS WASTE AS DEFINED IN 40CFR 261: Yes ☐ No ☒
IF NO, GENERATOR SIGNATURE REQUIRED FOR CERTIFICATION:

SECTION C - DOT AND RCRA CHARACTERISTICS

EMERGENCY RESPONSE # & CONTACT
(800) 899-7745 Contact JEFF SMITH

DOT Proper Shipping Name: Non-Regulated Material, Liquid
Hazard Class: Packing Group: UN or NA: RQ:
US EPA Waste Codes: State Waste Codes:

Note: If D001 (Except high TOC>10%), D002, or D012-D043 requires treatment of the characteristic then the underlying hazardous constiuent(s) present in the waste at the point of generation must be identified on reverse side.

SECTION D - PHYSICAL CHARACTERISTICS

mical Composition (Totals must add up to 100%)

COMPONENT	(RANGE)%
Inert Ingreients	15-25 %
Petroleum	50-70 %
SAND	5-15 %
Water	5-15 %

Physical State: pumpable semi-solid
Viscosity: medium (oil)
Layering: Multilayered
Odor: Mild PETROLEUM
Color: BLACK
Free Liquids: 5-20
Specific Gravity: 0 BTU/LB >5000
Flash Point: Chlorides %
pH: 0 Water %

HAZARDOUS CHARACTERISTICS AS DEFINED IN 40CFR261

Reactivity: ☒ None ☐ Pyrophoric ☐ Shock Sensitive ☐ Explosive ☐ Water Reactive ☐ Other
Corrosivity ☒ No ☐ Yes Ignitability ☒ No ☐ Yes Listed ☒ No ☐ Yes
Other Hazardous Characteristics: ☒ None ☐ Radioactive ☐ Etiological ☐ Pesticide/Herbicides Waste ☐ Other (Specify)

SECTION E - TCLP

(Indicate if the waste contains any of the following: NONE

Waste #	Constituent	Regulatory Level	PPM
D004	Arsenic	5.0	
D005	Barium	100.0	
D006	Cadmium	1.0	
D007	Chromium	5.0	
D008	Lead	5.0	
D009	Mercury	0.2	
D010	Selenium	1.0	
D011	Silver	5.0	
D012	Endrin	0.02	
D013	Lindane	0.4	
D014	Methoxychlor	10.0	
D015	Toxaphene	0.5	
D016	2,4,D	10.0	
D017	2,4,5-TP (Silvex)	1.0	
D018	Benzene	0.5	
D019	Carbon Tetrachloride	0.5	

Waste #	Constituent	Regulatory Level	PPM
D020	Chlordane	0.03	
D021	Chlorobenzene	100.0	
D022	Chloroform	6.0	
D023	O-Cresol	200.0	
D024	M-Cresol	200.0	
D025	P-Cresol	200.0	
D026	Cresol	200.0	
D027	1,4 Dichlorobenzene	7.5	
D028	1,2 Dichlorobenzene	0.5	
D029	1,1 Dichloroethylene	0.7	
D030	2,4 Dinitrotoluene	0.13	
D031	Heptachlor	0.008	
D032	Hexachlorobenzene	0.13	
D033	Hexachlorobutadiene	0.5	
D034	Hexachloroethane	3.0	
D035	Methyl Ethyl Ketone	200.0	

Waste #	Constituent	Regulatory Level	PPM
D036	Nitrobenzene	2.0	
D037	Pentachlorophenol	100.0	
D038	Pyridine	5.0	
D039	Tetrachloroethylene	0.7	
D040	Trichloroethylene	0.5	
D041	2,4,5 Trichlorophenol	400.0	
D042	2,4,6 Trichlorophenol	2.0	
D043	Vinyl chloride	0.2	

	PPM		PPM
PCB's		Beryllium	
Cyanide Total		Aluminum	
Cyanide Amenable		Manganese	
Sulfides		Zinc	
		Copper	
Thallium		Nickel	

SECTION F

ove information is true and accurate and is based on an analysis of a representative
e of this waste in accordance with EPA guidelines, documents SW-846-1980 and EPA-600/2-80-018
, or on my through knowledge of the waste.

By:
Title: Date:

INTERNAL USE ONLY
Recert Date:
Source Code: DM Code:
Parameters:

USBIOSYSTEMS

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Jim Dotchin

Page: Page 1 of 4
Date: 08/30/99
Log #: L37960-1

Sample Description: Ft. Lauderdale Receiving Pan Media

CBI Camel

Label: CBI Camel
Date Sampled: 08/26/99
Time Sampled: 08:00
Date Received: 08/26/99
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analyst
Florida Petroleum Range Organics							
TPH(C8-C40)	28000	mg/kg (ww)	FLPRO	2000	08/27	08/27	GG
Dilution Factor	200		FLPRO		08/27	08/27	GG
Surrogate Recoveries:							
o-Terphenyl	DL	%	FLPRO	33-144	08/27	08/27	GG
1-Chloro-octadecane	DL	%	FLPRO	50-150	08/27	08/27	GG
Volatile Aromatics/Halocarbons							
Bromodichloromethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Bromoform	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Bromomethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Carbon Tetrachloride	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Chloroethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
2-Chloroethylvinyl Ether	BDL	mg/kg (ww)	5030/8260	1.0	08/26	08/26	TA
Chloroform	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Chloromethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Dibromochloromethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,2-Dichlorobenzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,3-Dichlorobenzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,4-Dichlorobenzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Dichlorodifluoromethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Chlorobenzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Vinyl Chloride	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,1-Dichloroethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,2-Dichloroethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,1-Dichloroethene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Cis-1,2-Dichloroethene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Trans-1,2-Dichloroethene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,2-Dichloropropane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Cis-1,3-Dichloropropene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Trans-1,3-Dichloropropen	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA

Client #: FTL-90-120[illegible]3
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Jim Dotchin

Date: 08/30/99
Log #: L37960-1

Sample Description:

CBI Camel

Label: CBI Camel
Date Sampled: 08/26/99
Time Sampled: 08:00
Date Received: 08/26/99
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analys
Volatile Aromatics/Halocarbons	(continued)						
Methylene Chloride	BDL	mg/kg (ww)	5030/8260	1.0	08/26	08/26	TA
1,1,2,2-Tetrachloroethan	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Tetrachloroethene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,1,1-Trichloroethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
1,1,2-Trichloroethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Trichloroethene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Trichlorofluoromethane	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Benzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Toluene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
MTBE	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Ethylbenzene	BDL	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Total Xylenes	0.50	mg/kg (ww)	5030/8260	0.50	08/26	08/26	TA
Dilution Factor	100		5030/8260		08/26	08/26	TA
Surrogate Recoveries:							
Dibromofluoromethane	93.0	%	5030/8260	58-141	08/26	08/26	TA
Toluene-D8	84.0	%	5030/8260	54-136	08/26	08/26	TA
-Bromofluorobenzene	92.0	%	5030/8260	56-143	08/26	08/26	TA
Metals							
Arsenic	4.0	mg/kg (ww)	3050/6010	0.80	08/27	08/27	PVP
Barium	11	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Cadmium	BDL	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Chromium	4.2	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Lead	17	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Selenium	BDL	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Silver	BDL	mg/kg (ww)	3050/6010	1.0	08/27	08/27	PVP
Mercury	BDL	mg/kg (ww)	7471	0.10	08/27	08/27	WM
TCLP Metals							
Arsenic	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Barium	3.3	mg/l	3010/6010	0.10	08/27	08/27	PVP
Cadmium	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Chromium	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Lead	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Selenium	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Silver	BDL	mg/l	3010/6010	0.10	08/27	08/27	PVP
Mercury	BDL	mg/l	7470	0.010	08/27	08/27	WM
TCLP Extraction Date							
TCLP Extraction	08/26	date	1311 EXTR				SH

Client #: FTL-90-120103
Address: Cliff Berry Incorporated
P.O. Box 13079
Port Everglades Station, FL 33316
Attn: Jim Dotchin

Date: 08/30/99
Log #: L37960-1

Sample Description:

CBI Camel

Label: CBI Camel
Date Sampled: 08/26/99
Time Sampled: 08:00
Date Received: 08/26/99
Collected By: Client

Parameter	Results	Units	Method	Reportable Limit	Extr. Date	Analysis Date	Analyst
TCLP Extraction Date (continued)							
TCLP ZHE Extraction	08/26	date	1311 ZHE				LM
General Chemistry							
Total Organic Halogens	BDL	mg/kg (ww)	9023	40	08/27	08/27	RH
TCLP Volatile Aromatics/Halocarbons							
Bromodichloromethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Bromoform	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Bromomethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Carbon Tetrachloride	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Chloroethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
2-Chloroethylvinyl Ether	BDL	mg/l	5030/8260	5.0	08/27	08/27	LM
Chloroform	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Chloromethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Dibromochloromethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,2-Dichlorobenzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
,3-Dichlorobenzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
,4-Dichlorobenzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Dichlorodifluoromethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Chlorobenzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Vinyl Chloride	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,1-Dichloroethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,2-Dichloroethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,1-Dichloroethene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Cis-1,2-Dichloroethene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Trans-1,2-Dichloroethene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,2-Dichloropropane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Cis-1,3-Dichloropropene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Trans-1,3-Dichloropropen	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Methylene Chloride	BDL	mg/l	5030/8260	5.0	08/27	08/27	LM
1,1,2,2-Tetrachloroethan	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Tetrachloroethene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,1,1-Trichloroethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
1,1,2-Trichloroethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Trichloroethene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Trichlorofluoromethane	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Benzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Toluene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
MTBE	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM
Ethylbenzene	BDL	mg/l	5030/8260	0.10	08/27	08/27	LM

1609796

CSR Rinker

AGGREGATE DIVISION

P.L.C. 1200 NW 137 AVE 223-6934
137 AVE 223-6934

GENERAL TERMS AND CONDITIONS OF SALE

1. CSR Rinker Materials, Aggregate Division (Seller) agrees to load as quickly as conditions permit, but shall not be liable for any loss, damage, or delay, occasioned by strikes, labor difficulties, fires, accidents, breakdowns, storm, war, delays of carrier, or by any other cause beyond Seller's control.
2. The Seller does not guarantee Rail or Truck rate.
3. The Seller shall not be responsible for any damages incurred after the aggregate has been loaded at the quarry.
4. Any exception or claim by the Purchaser shall be deemed waived unless made in writing within seventy-two (72) hours from the time of loading. The Seller shall be given full opportunity to investigate any exception or claim, but in no event shall the Seller's liability exceed the purchase price of the material against which the claim is made. The weights of the Seller will be the absolute billing quantities unless otherwise agreed in writing between Seller and Customer.
5. Any taxes that are, or may be, levied by any political body on the materials quoted herein, or on the purchase or sale thereof, or on incidental transportation charges when the same are paid or are required to be paid or collected by the Seller, shall be added to the prices quoted herein.
6. If the purchaser fails to comply with the terms of payment stated on the face hereof, the Seller reserves the right to cancel any unfilled portion of any contracts or order and the Purchaser shall remain liable for all unpaid accounts.
7. If invoice is not paid when due, interest will accrue at the rate of 12% per annum. If after due dates the account is placed in the hands of any attorney or collection agency for collection of all or part of amount of invoice or invoices, the customer shall be liable for all costs of collection including a reasonable attorney's fee (for trial and/or appeal) or collection charge in an amount not less than 12% of the balance due.
8. The Trucker has the responsibility of inspecting the load before leaving CSR's Site.

CAUTION!

Aggregate products are naturally occurring materials (limestone/dolomite, granite (basalt), sand, or gravel). May contain more than 0.1% crystalline silica.

SEE REVERSE SIDE FOR PRODUCT LABEL INFORMATION

I.D. NO. 07019 5970 CBJ
CUSTOMER P.L.C.
DELIVER TO RESOURCE RECOVERY
1200 NW 137 AVE
MIAMI FL 33182

Shipper's No. 7017 43700
CUSTOMER PURCHASE ORDER NO. 8275

PLEASE REMIT TO:
P.O. BOX 24636
WEST PALM BEACH, FLORIDA 33416-4636

CREDIT TERMS

ALL APPROVED CREDIT SALES ACCOUNTS ARE DUE AND PAYABLE ON OR BEFORE THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE.

TG

DATE 08-31-1999 TIME IN: TIME OUT: 10:05:24

GROSS 53560
TARE 35600
NET 17960

TONS	DESCRIPTION	UNIT PRICE	AMOUNT
9.18	622A SLUDGE		

CARRIER NAME: CLIFF BERRY INC.
TRUCK & TRAILER NO.: 1111
FREIGHT: 0

CUSTOMER ASSUMES RESPONSIBILITY AFTER TRUCK REACHES DELIVERY SITE OR, IF INDEPENDENT TRUCKER, AFTER TRUCK LEAVES PICKUP POINT. SELLER'S LIABILITY IS LIMITED TO REPLACEMENT IN KIND AT PLANT WHEN AVAILABLE

STATE SALES TAX

RECEIVED BY

DATE 8/31/99

TOTAL

CARRIER'S COPY

1202 11/96

Site

GENERATOR CERTIFICATION

CSR Rinker

Dear _____:

Thank you for contacting CSR Rinker Environmental Services regarding proper disposition of petroleum contaminated materials generated at the above referenced site. Federal laws and regulations require that you, as the generator of a waste material, make a determination of whether the waste material is a hazardous waste. CSR Rinker Environmental Services is not authorized to accept shipments of hazardous waste.

Laboratory analysis received by CSR Rinker Environmental for the petroleum contaminated materials generated at the above referenced site indicates the presence of the following constituents in the concentration indicated:

Constituent	Analytical Result

Please provide the following clarification regarding the petroleum contaminated material:

1. Describe the process/activity which generated the petroleum contaminated material.

2. Identify by brand or product name any solvent or cleaning agents used in the process or activity generating the petroleum contaminated materials.

3. Identify any other wastes or materials that have been mixed with or added to the petroleum contaminated material.

4. Please execute the following Generator's Waste Declaration:

To the best of my knowledge, the referenced petroleum contaminated materials presented to CSR Rinker Environmental Services for recycling contains no toxic or hazardous constituents that could cause the waste material to be classified as a characteristic or listed hazardous waste. Based upon my knowledge of the source of the materials and the processes or activities involved in generating the materials, I hereby certify that the materials are not a hazardous waste.

Signature _____ Date 8/31/99

James Dorchin _____ Field Chemist

Print Name _____ Title

CSR Rinker Materials, 1200 N.W. 137th Avenue, Miami, FL 33182, PO Box 650679, Miami, FL 33265-0679
Telephone (305) 225-1423 Fax (305) 220-9875

NON-HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. F L D 0 0 0 8 3 1 1 5 6	Manifest Document No. 1 2 5 4 0	2. Page 1 of 1	FORD CAMEL

GENERATOR

3. Generator's Name and Mailing Address: CLIFF BERRY, INC
P.O. BOX 13079
FT. LAUDERDALE, FL 33316

12540

4. Generator's Phone (954 763-3390

5. Transporter 1 Company Name	6. US EPA ID Number	A. Transporter's Phone
CLIFF BERRY, INC.	F L D 0 0 0 8 3 1 1 5 6	(800)899-7745
7. Transporter 2 Company Name	8. US EPA ID Number	B. Transporter's Phone

9. Designated Facility Name and Site Address	10. US EPA ID Number	C. Facility's Phone
CLIFF BERRY, INC. 3033 NW N RIVER DRIVE MIAMI, FL 33142	F L D 0 5 8 5 6 0 6 9 9	(305) 638-2030

11. Waste Shipping Name and Description	12. Containers No.	12. Containers Type	13. Total Quantity	14. Unit Wt/Vol
a. Non-Regulated Material, Liquid	001	TT	2000	G
b.				
c.				
d.				

D. Additional Descriptions for Materials Listed Above
A: (non hazardous sludge)
B:
C:
D:

E. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
24 HOUR EMERGENCY CONTACT: CBI @ 1-800-899-7745

PICK UP LOCATION:
CLIFF BERRY, INC
2601 SE 14TH AVENUE
PORT EVERGLADES, FL 33316

16. **GENERATOR'S CERTIFICATION:** I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Printed/Typed Name	Signature	Month	Day	Year
David Sills				

TRANSPORTER

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
D. CLIFFLAND		08	25	89

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
Gustavo Sanchez		08	30	89

FACILITY

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of waste materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month	Day	Year
Mario Aguilar		08	31	89

GENERATOR'S COPY

CLIFF BERRY, INC.
MIAMI, FL

RECEIVED
OCT 1 8 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

RECEIVING PAN MEDIA

Cliff Berry, Inc.
Environmental Services
P.O. Box13079
Port Everglades Station
Ft. Lauderdale, FL 33316

Profile#: PAN SLUDGE
Replaces#:
EPA I.D. NO.: FLD058560699

CTION A - GENERATORS WASTE MATERIAL PROFILE SHEET

General Information

Generator Name: CLIFF BERRY, INC. MIAMI
Facility Address: 3033 NW NORTH RIVER DR. MIAMI, FL 33142
Mailing Address: 3033 NW NORTH RIVER DR. MIAMI, FL 33142
Technical Contact: MARK HOOVER Phone: (954) 763-3390
Name of Waste: RECEIVING PAN MEDIA
Process Generating Waste: A08
Nature of Business:
EPA Form Code: B206
SIC Code: 9511

Billing Information

Name: CLIFF BERRY, INC.
Address: P.O. BOX 13079
FT. LAUDERDALE FL 33316
Phone: (954) 763-3390

SECTION B - GENERATION CHARACTERISTICS

Spill Cleanup: ☐ Yes ☐ No CERCLA Waste ☐ Yes ☐ No
Is this a: ☐ WW ☒ NWW ☐ Debris ☐ Soil
Virgin Product or Chemical: ☐ Yes ☒ No - If Yes, Attach MSDS
Generated from Plating Operation: ☐ Yes ☒ No
Anticipated Volume: 15
Per: Month

IS THIS A HAZARDOUS WASTE AS DEFINED IN 40CFR 261: Yes ☐ No ☒
IF NO, GENERATOR SIGNATURE REQUIRED FOR CERTIFICATION:

SECTION C - DOT AND RCRA CHARACTERISTICS

EMERGENCY RESPONSE # & CONTACT
(800) 899-7745 Contact JEFF SMITH

DOT Proper Shipping Name: Non-Regulated Material, Liquid
Hazard Class: Packing Group: UN or NA: RQ:
US EPA Waste Codes: State Waste Codes:

Note: If D001 (Except high TOC>10%), D002, or D012-D043 requires treatment of the characteristic then the underlying hazardous constiuent(s) present in the waste at the point of generation must be identified on reverse side.

SECTION D - PHYSICAL CHARACTERISTICS

Chemical Composition (Totals must add up to 100%)

COMPONENT	(RANGE)%
Inert Ingreients	15-25 %
Petroleum	50-70 %
SAND	5-15 %
Water	5-15 %

Physical State: sludge
Viscosity: high
Layering: single
Odor: mild
Color: BLACK
Free Liquids: 5-20
Specific Gravity: 0 BTU/LB >5000
Flash Point: >200 Chlorides %
pH: 0 Water %

HAZARDOUS CHARACTERISTICS AS DEFINED IN 40CFR261

Reactivity: ☒ None ☐ Pyrophoric ☐ Shock Sensitive ☐ Explosive ☐ Water Reactive ☐ Other
Corrosivity ☒ No ☐ Yes Ignitability ☒ No ☐ Yes Listed ☒ No ☐ Yes
Other Hazardous Characteristics: ☒ None ☐ Radioactive ☐ Etiological ☐ Pesticide/Herbicides Waste ☐ Other (Specify)

SECTION E - TCLP

(Indicate if the waste contains any of the following: NONE)

Waste #	Constituent	Regulatory Level	PPM
D004	Arsenic	5.0	
D005	Barium	100.0	
D006	Cadmium	1.0	
D007	Chromium	5.0	
D008	Lead	5.0	
D009	Mercury	0.2	
D010	Selenium	1.0	
D011	Silver	5.0	
D012	Endrin	0.02	
D013	Lindane	0.4	
D014	Methoxychlor	10.0	
D015	Toxaphene	0.5	
D016	2,4,D	10.0	
D017	2,4,5-TP (Silvex)	1.0	
D018	Benzene	0.5	
D019	Carbon Tetrachloride	0.5	

Waste #	Constituent	Regulatory Level	PPM
D020	Chlordane	0.03	
D021	Chlorobenzene	100.0	
D022	Chloroform	6.0	
D023	O-Cresol	200.0	
D024	M-Cresol	200.0	
D025	P-Cresol	200.0	
D026	Cresol	200.0	
D027	1,4 Dichlorobenzene	7.5	
D028	1,2 Dichlorobenzene	0.5	
D029	1,1 Dichloroethylene	0.7	
D030	2,4 Dinitrotoluene	0.13	
D031	Heptachlor	0.008	
D032	Hexachlorobenzene	0.13	
D033	Hexachlorobutadiene	0.5	
D034	Hexachloroethane	3.0	
D035	Methyl Ethyl Ketone	200.0	

Waste #	Constituent	Regulatory Level	PPM
D036	Nitrobenzene	2.0	
D037	Pentachlorophenol	100.0	
D038	Pyridine	5.0	
D039	Tetrachloroethylene	0.7	
D040	Trichloroethylene	0.5	
D041	2,4,5 Trichlorophenol	400.0	
D042	2,4,6 Trichlorophenol	2.0	
D043	Vinyl chloride	0.2	

	PPM		PPM
PCB's		Beryllium	
Cyanide Total		Aluminum	
Cyanide Amenable		Manganese	
Sulfides		Zinc	
		Copper	
Thallium		Nickel	

SECTION F

ove information is true and accurate and is based on an analysis of a representative
e of this waste in accordance with EPA guidelines, documents SW-846-1980 and EPA-600/2-80-018
, or on my through knowledge of the waste.

By:
Title: Date:

INTERNAL USE ONLY

Recert Date:
Source Code: DM Code:
Parameters:

PRECISION ENVIRONMENTAL LABORATORY, INC.

...rst in quality • first in service

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040143
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: North
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total Organic	BDL	mg/Kg	5050/9253A	10.0	05/06/1999	05/06/1999	SMF
6010B RCRA 7 Metals in SOIL/WASTES-ICP {No Hg}			MEDF	1			
Arsenic, Total	BDL	mg/Kg	3050/6010B	0.750	05/06/1999	05/06/1999	CDP
Barium, Total	420	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Cadmium, Total	6.00	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
...romium, Total	34.0	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Lead, Total	129	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Selenium, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Silver, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Mercury (Cold Vapor AA)	0.25	mg/Kg	7471A	0.100	05/06/1999	05/06/1999	SKL
8021.B VOA {8020} Compounds in Soil & Waste GC			MEDF	10			
Methyl-tert-butyl-ether	15.5	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Benzene	31.5	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Toluene	289	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Ethylbenzene	117	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
m & p Xylene	348	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
o- Xylene	128	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040143
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: North
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
8021.B VOH (8010) Compounds in Soil & Waste GC			MEDF	10			
Dichlorodifluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Vinyl Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichlorofluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Methylene Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2,2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040143
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: North
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Carbon Tetrachloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromodichloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chloroethylvinyl Ether	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Tetrachloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromoethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040143
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: North
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromoform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromo-3-Chloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,4-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Hexachlorobutadiene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
FL-PRO (Petroleum Residual Organic)-{SOILS}			MEDF	10			

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May 9, 1999
Submission # 9905000204
Order # 90040143
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: North
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Petroleum Range Organics (C8-C40)	97700	mg/Kg	FL-PRO (DEP UST	10.000	05/06/1999	05/07/1999	FEB

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effected Dilution Factor***
Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field
Qualifier following result conforms to FAC 62-160 Table 7***Unless otherwise noted, mg/Kg denotes wet weight***
***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.
Certs:Al.=#41180, Ct.=#PH0217, Ks.=#E270 + E1245, Ky.=#90087, La.=#9601, Md.=#271, Ma.=#M-FL535
NC.=#539, ND.=#R163, OK.=#9523, SC.=#96023, Tn.=#TN02826

Michael A. Spitzer, Laboratory Director

CLIFFB000463
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May 9, 1999
Submission # 9905000204
Order # 90040145
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: South
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total Organic	BDL	mg/Kg	5050/9253A	10.0	05/06/1999	05/06/1999	SMF
6010B RCRA 7 Metals in SOIL/WASTES-ICP {No Hg}			MEDF	1			
Arsenic, Total	1.85	mg/Kg	3050/6010B	0.750	05/06/1999	05/06/1999	CDP
Barium, Total	628	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Cadmium, Total	5.60	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Chromium, Total	39.0	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Lead, Total	128	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Selenium, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Silver, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Mercury (Cold Vapor AA)	0.18	mg/Kg	7471A	0.100	05/06/1999	05/06/1999	SKL
8021.B VOA {8020} Compounds in Soil & Waste GC			MEDF	10			
Methyl-tert-butyl-ether	16.6	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Benzene	39.3	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Toluene	351	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Ethylbenzene	107	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
m & p Xylene	464	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
o- Xylene	181	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
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May 9, 1999
Submission # 9905000204
Order # 90040145
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: South
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
8021.B VOH {8010) Compounds in Soil & Waste GC			MEDF	10			
Dichlorodifluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Vinyl Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichlorofluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Methylene Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2,2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
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May 9, 1999
Submission # 9905000204
Order # 90040145
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: South
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Carbon Tetrachloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
,2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromodichloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chloroethylvinyl Ether	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Tetrachloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromoethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040145
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: South
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromoform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromo-3-Chloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,4-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Hexachlorobutadiene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
FL-PRO (Petroleum Residual Organic)-{SOILS}			MEDF	10			

CLIFFB000463
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Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040145
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: South
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Petroleum Range Organics (C8-C40)	140000	mg/Kg	FL-PRO (DEP UST	10.000	05/06/1999	05/07/1999	FEB

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effected Dilution Factor***
Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field
Qualifier following result conforms to FAC 62-160 Table 7***Unless otherwise noted, mg/Kg denotes wet weight***
***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.
Certs:Al.=#41180, Ct.=#PH0217, Ks.=#E270 + E1245, Ky.=#90087, La.=#9601, Md.=#271, Ma.=#M-FL535
NC.=#539, ND.=#R163, OK.=#9523, SC.=#96023, Tn.=#TN02826

Michael A. Spitzer, Laboratory Director

CLIFFB000463
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May 9, 1999
Submission # 9905000204
Order # 90040148
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: Middle
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total Organic	BDL	mg/Kg	5050/9253A	10.0	05/06/1999	05/06/1999	SMF
6010B RCRA 7 Metals in SOIL/WASTES-ICP {No Hg}			MEDF	1			
Arsenic, Total	1.50	mg/Kg	3050/6010B	0.750	05/06/1999	05/06/1999	CDP
Barium, Total	500	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Cadmium, Total	3.50	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Chromium, Total	28.0	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Lead, Total	98.0	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Selenium, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Silver, Total	BDL	mg/Kg	3050/6010B	1.000	05/06/1999	05/06/1999	CDP
Mercury (Cold Vapor AA)	0.361	mg/Kg	7471A	0.100	05/06/1999	05/07/1999	RAP
8021.B VOA {8020} Compounds in Soil & Waste GC			MEDF	10			
Methyl-tert-butyl-ether	15.7	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Benzene	34.2	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Toluene	324	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Ethylbenzene	95.9	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
m & p Xylene	425	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
o- Xylene	176	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
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May 9, 1999
Submission # 9905000204
Order # 90040148
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: Middle
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
8021.B VOH (8010) Compounds in Soil & Waste GC			MEDF	10			
Dichlorodifluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Vinyl Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichlorofluoromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Methylene Chloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2,2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,2-Dichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chloroform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
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May 9, 1999
Submission # 9905000204
Order # 90040148
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: Middle
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Carbon Tetrachloride	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trichloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromodichloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chloroethylvinyl Ether	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromomethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Cis-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Trans-1,3-Dichloropropene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2-Trichloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Tetrachloroethene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Dibromochloromethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromoethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Chlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040148
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: Middle
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
1,1,1,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Bromoform	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,1,2,2-Tetrachloroethane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
2-Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
4-Chlorotoluene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,3-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,4-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2-Dibromo-3-Chloropropane	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,4-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
Hexachlorobutadiene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
1,2,3-Trichlorobenzene	BDL	mg/Kg	5030/8021B	1.000	05/07/1999	05/07/1999	MD
FL-PRO (Petroleum Residual Organic)-{SOILS}			MEDF	10			

CLIFFB000463
Jim Dotchin
Cliff Berry,Inc. (Ft Laud)
P.O. Box 13079, Pt. Everglades Station
Fort Lauderdale, FL 33316

May 9, 1999
Submission # 9905000204
Order # 90040148
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Site Location/Project
CBI Tank Farm, Miami
Analysis

Sample I.D.: Middle
Collected: 05/05/99 00:00
Received: 05/05/99 10:10
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Petroleum Range Organics (C8-C40)	113000	mg/Kg	FL-PRO (DEP UST	10.000	05/06/1999	05/07/1999	FEB

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effected Dilution Factor***
Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field
Qualifier following result conforms to FAC 62-160 Table 7***Unless otherwise noted, mg/Kg denotes wet weight***
***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.
Certs:Al.=#41180, Ct.=#PH0217, Ks.=#E270 + E1245, Ky.=#90087, La.=#9601, Md.=#271, Ma.=#M-FL535
NC.=#539, ND.=#R163, OK.=#9523, SC.=#96023, Tn.=#TN02826

Michael A. Spitzer, Laboratory Director

Submission Code: 99/05-204

Orders: 40140 - 40148

PRECISION ENVIRONMENTAL LABORATORY
CHAIN OF CUSTODY RECORD

10200 USA TODAY WAY, MIRAMAR, FLORIDA 33025
(305) 431-4550 • NATL WATS (800) LAB-8550 • FAX (305) 431-1959

Original - Return w/Report | Yellow - Lab Copy | Pink - Sampler Copy

Entered to Lims: (Verification Initials)

Client's Name: CliffBerry Inc PO Box 13079		Client's Address: Same	
Bill To: Fort Lauderdale Fl 33316		Billing Address:	
Project Number/Name:			Site Location: CBI Tank Farm Miami Fl
Project Contact: Jim Dotchin	Phone:	FAX:	
Alternate Contact:	Phone:	FAX:	
Sampled By (print):		Sampler's Signature:	

ITEM	SAMPLE ID	DATE COLLECTED	TIME COLLECTED	pH — FLD	TEMP °C — FLD	COND — FLD	MATRIX DW SW GW SED S EFF HW BIO SA	SAMPLE LOCATION/ JOB DESCRIPTION (optional if needed when samples are from different site locations)	# CONTAINERS	ANALYSIS REQUIRED — PLACE NAME OR METHOD NUMBER OF TESTS NEEDED IN LARGE BOXES BELOW. (✓) CHECK OFF WHICH SAMPLE ITEMS NEED EACH TEST PERFORMED: Rinker Pre Burn						Sample Condition as Received: Chilled Yes No; Sealed Yes No — Lot Number of Sampling Containers Used
1	North	5/5/99	—				HW	40143	1	X						
2	South	5/5/99	—				HW	40145	1	X						
3	Middle	5/5/99	—				HW	40148	1	X						
4																
5																
6																
7																
8																
9																
10																

Special Comments: P.O# 8340

Total # of Containers:

(1) Relinquished by Signature: [signature]	Date: 5/5/99	(2) Relinquished by Signature:	Date:	DUE DATE REQUESTED: Confirmation #
Company: CBI	Time: 10:00 am	Company:	Time:	Costing Code: Q / L / D
(1) Received by Signature: [signature]	Date: 5-5-99	(2) Received by Signature:	Date:	Misc. Charges:
Company:	Time: 1010	Company:	Time:	SHADED AREAS ARE FOR LAB ONLY

Rinker Environmental Services

1200 N.W. 137th Avenue
Maimi, FL 33812

P.O. Box 650679
Miami, FL 33265-0679

Telephone (305) 225-1423
Facsimile (305) 220-9875

Invoice: 92872200
Date: 07/28/1999
Page: 1 of 1

Billed To: BERRY CLIFF INC
PO Box 13079
FORT LAUDERDALE,FL 33316-0100

RECEIVED AUG 0 2 1999

Account #: 3002894
Project #:

Payer #: 3002894
CBI-3033 NW N RIVER DR-CENTER PIT-MIAMI

Terms: Net 30th

Cust PO #: VERBAL-JD

All invoices are due and payable within terms. Purchaser agrees to pay a finance charge of 1% per month on all invoices unpaid 30 days after date of invoice. Collection and/or reasonable attorney's fees will be due in the event any collection process becomes necessary.

Date Rec'd	Delivery Ticket	Product Code	Product Description	Quantity	Price	Price Unit	Material Amount
				Tax	Freight		Total
07/08/1999	85497591	1031453	PETRO SLUDGE EXTERNAL BULK	10.630	[redacted]	TON	[redacted]
					Invoice Total		[redacted]

510907 = 1594.50

ENTERED 8-10-99

Detach here and return with payment

Payer #: 3002894
Invoice #: 92872200
Billed To: BERRY CLIFF INC

Account #: 3002894

Amount Due [redacted]

Amount Paid _____

IF THE AMOUNT PAID IS NOT THE SAME AS THE INVOICE AMOUNT PLEASE INDICATE THE REASON BELOW:

(Enter address change below)

Remit To: CSR America, Inc.
P.O. Box 905875
Charlotte, NC 28290-5875

57930

NON-HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. F L D 0 0 0 8 3 1 1 5 6 | Manifest Document No. 7 | 2. Page 1 of 1 | ROLLOFF

3. Generator's Name and Mailing Address
~~CLIFF BERRY, INC~~
P.O. BOX 13079
FT. LAUDERDALE, FL 33316

08737
C&9

4. Generator's Phone (954) 763-3390

5. Transporter 1 Company Name: CLIFF BERRY, INC.
6. US EPA ID Number: F L D 0 0 0 8 3 1 1 5 6
A. Transporter's Phone: (800)899-7745

7. Transporter 2 Company Name
8. US EPA ID Number
B. Transporter's Phone

9. Designated Facility Name and Site Address
RINKER MATERIALS CORP.
1200 N.W. 137TH AVENUE
MIAMI, FL 33182
10. US EPA ID Number
C. Facility's Phone: (305) 225-1423

11. Waste Shipping Name and Description	12. Containers No.	12. Containers Type	13. Total Quantity	14. Unit Wt/Vol
a. Non-Regulated Material, Liquid	001	CM	0.0.0.0.8	T
b.				
c.				
d.				

D. Additional Descriptions for Materials Listed Above
A: (non hazardous sludge)
B:
C:
D:
~~1058797~~

E. Handling Codes for Wastes Listed Above

15. Special Handling Instructions and Additional Information
24 HOUR EMERGENCY CONTACT: CBI @ 1-800-899-7745

PICK UP LOCATION:
CLIFF BERRY, INC
2601 SE 14TH AVENUE
PORT EVERGLADES, FL 33316

TA# 223302 per J.D.

16. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Printed/Typed Name	Signature	Month	Day	Year
Nicole Roe	for MT	10.	7	9.7

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year
MARK D Pugh		10.	21	99

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month	Day	Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of waste materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month	Day	Year
Mario Ramirez		7	7	99

GENERATOR — TRANSPORTER — FACILITY

ORIGINAL - RETURN TO GENERATOR

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ENFORCEMENT MEETING DOCUMENTATION

Attendees: See meeting attendance list

Location: SED DEP Office **Date:** September 28, 1999 **Time:** 1:00 pm

Subject: Response to 7/28/99 exit interview and 7/28/99 letter

Meeting Requested By: Clifford Berry, II

Meeting Objectives:

To review the response provided by CBI and to determine what, if any, further action needs to be taken by CBI.

Notes: Introductions were made and the meeting attendance list was passed around.

The exit interview to the 7/28/99 compliance evaluation inspection was addressed first. The Department mentioned the fact that data from the "screen material" had not been furnished. CBI agreed to provide the data.

When asked as to the origin of the drums marked "Lucy's Shell", Mr. Mark Hoover replied that it was sludge water sucked from a storm drain from the edge of the property.

CBI also stated that they have eliminated the TRPH test and therefore will no longer use xylene.

The 7/28/99 letter was addressed next and the letter's issues were responded to by the following:

Issue #1: Mr. Larry Doyle responded by stating that the wrong date was written by Mr. Hoover and, in fact, Mr. Hoover had not even been employed by CBI until 1996.

Issue #2: The data requested was provided.

Issue #3: Mr. Doyle responded that the drums could not be tracked due to a computer system crash. In response to why the samples had not been run for TCLP, Mr. Doyle and Mr. Hoover stated that CBI only runs totals as required by Rinker and

doesn't run TCLP in all cases, including some samples that are high in total metals.

Issue #4: Mr. Hoover stated that trucks transporting hazardous waste sometimes park overnight at their facility during the weekends and that CBI is not a hazardous waste transfer facility.

Issue #5: Copies of driver's logs were provided.

Issue #6: Copies of CBI's revised hazardous waste container inspection logs were provided.

Issue #7: CBI stated that they will provide the data requested pertaining to the "screen material."

[redacted]: CBI stated that they were contracted by Ferguson Harbour, Inc. (FHI) and that CBI was the first transporter only. CBI stated that FHI had told them to use the shipping ticket instead of the hazardous waste manifest and to ship the waste as waste from a conditionally exempt generator. Mr. Jeff Smith asked if CBI had anything in writing to that effect. Mr. Doyle said he would try to find something.

Issue #9: CBI stated that either process knowledge from the generator is used in determining if waste is hazardous, or the waste is sampled prior to transport. Mr. Smith informed CBI that should hazardous waste be accidentally transported, not to transport it back, but to call the DEP.

Issue #10: CBI stated that since TRPH is the only test involving hazardous waste, they are doing away with that test. A copy of the methods CBI uses was provided.

****

Follow-up actions/dates:

CBI will provide a written response to the Department by 10/15/99 addressing the FHI contract and the data for the screening material.

****

PREPARED BY: _____

John C. Harris
Case Manager

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA

MEETING ATTENDANCE

DATE: 9/28/99 PROGRAM: HW

MEETING SUBJECT: CBI

MEETING ROOM:	NO. OF PARTICIPANTS:	TELEPHONE:	VOICE POINT:

NAME	REPRESENTING	TELEPHONE #
JOHN HARRIS	FDEP	561/681-6719
Cliff Derry II	CBI	954-763-3390
LAOay/E	CBI	"
Mark Hoover	CBI	(954) 763-3390
Jim Ayers	FDEP	561/681-6673
JEFF SMITH	FDEP	561/681-6670

mtattend 1/98

CBI
Cliff Berry, Incorporated
Environmental Services

Mr. Jeffrey A. Smith
Environmental Manager
South East District
P.O. Box 15425
West Palm Beach, FL 33416

Hand Delivered 9/27/1999

RE: CBI Compliance Inspection on 7/28/99

Dear Mr. Smith;

This letter is in response to your recent visit to Cliff Berry Inc.'s Miami Facility along with your letter dated July 28, 1999 that you hand carried and presented to Bill Parkes, our representative on site that day. I will address your questions in the order that you presented them and attach any supporting materials to this letter in the form of numbered attachments.

In your first series of questions posed on your Hazardous Waste Inspection Exit Interview form, you requested profiles on pan sludge. Several copies of our pan sludge profiles are attached as attachment #1. (Note: this same information answers your question #7 in your letter dated July 26, 1999.) You requested a profile of the 5 drums labeled "car wash sludge - Lucy's Shell". It is attached as attachment #2. You asked for the profile of our "roll-off sludge". It is attached as attachment #3. You asked for the profile on the MDTA sludge. It is attached as attachment #4. Finally, you asked for the profile for the Home Depot #209 drum. It is attached as attachment #5.

With respect to your direction to store any listed wastes we accumulate from the lab area. Based upon your comments during the site survey, we have changed our anayltical process so that we do not generate any listed wastes as a result of the lab testing we do. Specifically, our lab technician now performs the following tests:

Jar Test	no waste
TSS	no waste
PH	use electrode
Lead	use electrode
Cadmium	use electrode
Barium	Spectrophotometer
Chromium	Spectrophotometer
Silver	Spectrophotometer
Zinc	Spectrophotometer

We no longer will do TRPH in house. When it is done, we will send a sample to Precision, VOC or Rinker (all State Certified Labs) to do the test.

I believe the above addresses the questions your team raised during the out-briefing subsequent to your site visit on 7/28/99. Although you did not request it, I have attached as attachment #6 a copy of the testing protocols used by our lab technician when doing the above referenced tests. Please note, all the above tests are detailed except for lead cadmium and pH, which are analyzed utilizing an electrode meter.

I am also in receipt of your hand delivered letter addressed to me dated 7/28/99. I will address the questions you raised in that letter in the order you asked them.

#1 You asked that the date discrepancy on manifest document number 01133 be explained. I spoke with Mark Hoover, our Hazardous Waste Coordinator, and asked him to explain the discrepancy. He stated he signed the document on February 18, 1998 not on February 18, 1995.

P.O. Box 13079 Port Everglades Station Fort Lauderdale, Florida 33316 (954) 763 3390 fax (954) 763 8375

It was a clerical error on his part. In actuality, he didn't begin employment with CBI until September 1996.

#2 You asked for the determinations, manifests and other receipts for disposal for all the hazardous wastes generated for the past three years as a result of the FDEP Abandoned Drum Contract. I have attached the requested manifests as attachment #7.

#3 In question number three (3), you requested several specific pieces of information. The first two requests are going to be hard to come up with. Specifically, at the time of the initial site visit, we tracked drums (referred to in your question) using our computer tracking system (Wixel). This was explained to Mr. Peluso at the time of the initial site visit in 1998. Subsequent to that site visit, our DOS-based Wixel computer system we utilized to track wastes by drum number failed. Since the software developer no longer supports Wixel in DOS, we were forced to reinitialized our system using the same software, but in Windows format. In doing so, we lost our ability to track old drums recorded in the old DOS program numbering system using our new Windows based system. The numbers simply don't crossover.

As indicated on site and in my letter to Mr. Peluso, these were non-hazardous drums having conflicting labeling from the generator. We did not hear from DEP with respect to these drums for nearly a year. In the interim, they were processed and properly disposed of as non-hazardous last year. Unfortunately, for us to go back and get the information you requested, we could only do so if we had the name of the customer and date of service. Using this info, we would then do a file by file paper search until we came across the specific drums we were looking for. Based upon the foregoing, I'm requesting relief from your request to provide the specific documentation for the two drums of non-hazardous oily water/sludge in question.

The third portion of your request was for a TLCP analysis for Barium and Lead for two 55-gallon drums of sludge that came from Metro Dade. We do not have this info. The reason we don't is our waste determination was based on disposal of the material as petroleum contaminated sludge at Rinker Materials. TCLP testing is not required if the material meets Rinker's acceptance criteria. Rinker requires total metals for Barium and Lead to be under 4940ppm and 108ppm respectively, therefore the additional TCLP determination is not necessary. Attached is a complete copy of Rinker's acceptance criteria labeled attachment #8.

#4 I must take exception to the reference in question number four that we discussed that CBI was a hazardous waste transfer facility. I was at that site survey and can attest that CBI being a hazardous waste transfer facility was not addressed. I do recall Mr. Peluso asking about several drums positioned inside our DEP holding area. At the time I indicated to Mr. Peluso that CBI co-generated the wastes under the Florida State Abandoned Drum Contract, (representative copy attached as attachment #9). As such, we acknowledge that we are a large quantity generator due to the volumes we may handle under this contract. As you are well aware having been at our facility, we have an excellent space that could easily accommodate a 10-day permit. But to date, we have not applied for this status. Had any of the drums mentioned in your letter in question #4 been addressed during the site visit, I would have responded in like fashion in my letter dated August 26, 1998. As per my discussion in the previous section, going back and finding the documentation (by drum) for non-hazardous drums using our computer is really complicated due to the change in Wixel operating systems.

With respect to our participation in the Florida Abandoned Drum Contract. In our region, this contract is administered by Mr. Terry Edwards (or his staff) who are FL DEP emergency response personnel located here in Ft Lauderdale. Since we assume co-generation status for the waste under the contract, Mr. Edwards or his staff, review all our paperwork and authorize any determinations before any waste is disposed of under the Florida Abandoned Drum Contract.

I am concerned that based upon your comments in your letter, you or other District personnel may feel Cliff Berry Inc. has not met its responsibilities while participating under the Florida Abandoned Drum Contract. I can assure you that we have made every effort to comply with the contract's parameters and have maintained an open dialog with the local FL DEP emergency responders to assure this remains the case. However, if you have any concerns, I want to get them resolved to your satisfaction. I'd be glad to set up a meeting up with your office, Mr. Edwards office and CBI to resolve and concerns you may have with respect to how CBI performs under the Florida Abandon Drum Contract and our practice of co-generating wastes recovered under this contract with Florida DEP.

#5 Copies of drivers logs we have on file are attached as attachment #10

#6 Based upon the discussions at the on site visit, our weekly log was updated to include the number of containers we have on site. A copy of the new log is provided as attachment #11.

#7 You requested determinations and disposal documentation for the sludge we accumulate as a result of our pre-treatment of industrial waste water at our plant. Attached as attachment #1 are the analyticals and receipts for disposal (incineration) at Rinker's facility.

The issue you raise in question number eight of your letter was addressed by Cliff Berry Inc. last summer. This came to light when Florida DEP questioned US DEA with respect to the transportation and/or disposal of chemicals recovered in drug busts within Florida State boundaries. Cliff Berry Inc. was involved as a subcontractor to Ferguson Harbour, Inc. of Hendersonville, TN. Under the contract, Cliff Berry, Inc. responded to emergency response requests from the U.S. Drug Enforcement Administration. At issue was the instructions CBI received from Ferguson Harbour Inc., our employer, to manifest all materials as conditionally exempt (CESQG) on an EMI, shipping ticket. Please note; it was our understanding that this was written in Ferguson Harbour's contract with the federal government. When the issue was raised, CBI contacted Ferguson Harbour and indicated we would no longer accommodate their shipping requests unless we manifested the chemicals asrequested by FL DEP (on a HazWaste Manifest) and sent them to City Environmental in Tampa for disposal. Subsequently, all of CBI's responses under this contract were handled this way. I have attached copies of paperwork from recent responses under this contract for your review as attachment #12.

With respect to your specific request in question number eight, our office contacted Ferguson Harbour Inc. and requested additional information in support of how the chemicals picked up and disposed of at the beginning of the contract were handled. Ferguson Harbour, Inc.'s response and supporting documentation is attached as attachment #13. If additional information, other than attached, is desired I would be pleased to set up a conference call between, Cliff Berry, Inc., U.S. D.E.A., Ferguson Harbour, Inc., and FL DEP in order to resolve this issue to your satisfaction.

#9 Cliff Berry, Inc. only accepts non-hazardous materials for disposal into the Miami facility. All material is determined to be non-hazardous prior to being stored at CBI-Miami. This is done by chemical analysis or by profile stating generator knowledge of the waste stream. As an added precaution for Cliff Berry, Inc. and our clients an additional analysis is run on all material that has been bulked/composited from it's original container. In the unlikely event a material is received at CBI-Miami, is tested and determined to be a hazardous waste it is immediately returned to the generator. At this time appropriate waste material profiles for facility approvals are generated and Cliff Berry, Inc. brokers the waste to a hazardous waste, part B permitted, TSD.

#10 I believe the information you requested in this question was already addressed in the response to a question asked on the exit interview and presented as attachment #6.

If there is any additional information we can provide to satisfy your concerns, please do not hesitate to ask.

Thank You,

Larry A. Doyle *CET CHMM*
Executive Vice President

Attachments

Cc: Mark Hoover *CHMM*
Hazardous Materials Coordinator

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

FEB 0 3 1999

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION TYPE: ___ COMPLAINT _X_ ROUTINE ___ FOLLOW-UP ___ PERMITTING

FACILITY NAME: Cliff Berry, Inc. (CBI) DEP/EPA ID FLD000831156

STREET ADDRESS: 2601 SE 14th Ave, Ft. Lauderdale, FL 33316

COUNTY: Broward PHONE: (954)763-5455 DATE: 9/9-10/98 TIME: 9:00 A.M.

TYPE OF FACILITY

Generator	Storage	Treatment
___Generator(>1000 kg/mo)	___Container	___Tank
___SQG (100-1000 kg/mo)	___Tank	___Land Treatment
_X_ CESQG (<100 kg/mo)	___Waste Pile	___Thermal
	___Surface Impoundment	___Chem/Phys/Bio
Transporter		___Incinerator
_X_ Transporter	Disposal	___Surface Impoundment
___Transfer Facility	___Landfill	___Exempt Off-Site
	___Surface Impoundment	
___Non Handler	___Waste Pile	_X_ Used Oil

2. Applicable Regulations:

_X_ 40 CFR 261.5 ___ 40 CFR 262 ___ 40 CFR 263 ___ 40 CFR 264 ___ 40 CFR 265
___ 40 CFR 266 _X_ 40 CFR 268 _X_ 62-730 F.A.C. _X_ 40 CFR 279

3. Responsible Official:

Cliff Berry II, President

4. Survey Participants and Principal Inspector:

Mark McLean, Terry Davis, and Vincent Peluso - FDEP
Cliff Berry II, Mark Hoover - CBI

5. Facility Latitude: 26°05'24" Longitude: 80°07'43"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit No.: HO06-308164 Date Issued: 2/12/98 Exp. Date: 2/12/03

8. Process Description:

INTRODUCTION:

On 9/9-10/98 site visits were conducted at the Cliff Berry, Inc.'s Facility (CBI) located at 2601 SE 14th Ave, Ft. Lauderdale, FL 33316. At this Facility, CBI manages and processes used oil for recycling. CBI was issued a Used Oil Processing Permit on February 12, 1998 which will expire on February 12, 2003. The site visit was conducted by Mr. Mark McLean, Mr. Vincent Peluso, and Mr. Terry Davis of the Department's Southeast District Waste Management Section.

SITE INSPECTION:

After a brief discussion with the on-site manager and President of CBI, Mr. Cliff Berry II, about the purpose of the site visit, Department personnel observed the following operations at the Facility.

The Facility has in service 12 above-ground storage tanks, 10 of which may be used to store or process used oil and oily wastewater as described in Table #1 of the SPCC plan of the permit application. All process tanks are inside secondary containment. The Facility also maintains a non-hazardous drum storage area and oil/water separation system. The Facility is surrounded by a fence and a gate for controlled access. The Facility handles used oil, oily wastewater, oil filters, and petroleum contact water. Operation of the Facility must be in accordance with the Used Oil Processing Permit.

At the time of the inspection, ongoing used oil loading, unloading, filtration, storage, and separation (processing) activities were observed. Management of drums of sludges and other solid and hazardous wastes were observed. Wastes generated at the Facility included sludges, oily contaminated absorbents and spilled used oil. Other wastes, classified as "non-hazardous" were also being managed.

Samples were taken and sent for analyses at the Department's Laboratory in Tallahassee to determine the regulatory status of the wastes handled by CBI. The samples were identified as follows:

51-CB-1 "Used Oil - Tank #9"
51-CB-2 "Drum"

The used oil sample was representative of the "on-spec" used oil which is sent from CBI for use as fuel. The "Drum" sample was a typical drum of oily sludge sent off from CBI as non-hazardous waste. The data indicated no apparent violations of Department rules. A copy of this Chemical Analysis Report is attached.

There were "No Smoking" Signs, Fire Extinguishers, and spill control equipment at various locations throughout the facility. Security was adequate.

Used oil storage tanks were well maintained and properly labeled. The required weekly tank inspections were documented, but not on the approved form. The tank storage area's secondary containment concrete structure was in acceptable condition.

CBI utilizes radio and phones at the Facility for emergencies. Emergency spill response and other equipment is maintained at the Facility. A fire alarm and fire extinguishers are also present.

RECORD REVIEW:

Department personnel requested to review all pertinent records to CBI's hazardous waste activities. The contingency plan required by the Used Oil Processing Permit, needed minor updates. The training records and training program appeared in order. Disposal records and hazardous waste manifests were in order.

DEPARTMENT FINDINGS:

At the time of the inspection it appeared that CBI was a Conditionally Exempt Small Quantity Generator of hazardous waste. DEP provided the facility with an Exit Interview Summary which listed concerns noted by DEP regarding the need to update the Contingency Plan and maintain tank inspection on the appropriate form.

CBI appears to demonstrate proper management of used oil and hazardous waste.

Inspected: Vincent Peluso
Vincent Peluso
Engineer III

Approved: John Jones Date: 2/2/99
John M. Jones, P.E.
Hazardous Waste Section Supervisor

RECEIVED
NOV 9 1998
DEPT. OF ENV. PROTECTION

Chemical Analysis Report

Event Name (ID): SE-DIST-1998-09-11-01

RECEIVED
NOV 03 1998
Dept. of Environ. Protection
Port St. Lucie

Florida Department of Environmental Protection
Central Laboratory
2600 Blair Stone Road
Tallahassee, FL 32399-2400
CompQAP# 870688G

Event Description: **Cliff Berry Facility**
Request ID: **RQ-1998-09-07-36**
Customer: **SE-DIST**
Project ID: **OTHER-WSM**

Job: TLH-1998-09-11-31	Group: Nutrients
Job: TLH-1998-09-11-32	Group: Priority Organic Pollutants
Job: TLH-1998-09-11-33	Group: Metals
Job: TLH-1998-09-11-34	Group: Priority Organic Pollutants

Send Reports to
FL Dept. of Environmental Protection
FL Dept. of Environmental Protection
1801 SE Hillmoor Dr.
Port St. Lucie, FL 34952
Attn: Terry Davis

For additional information please contact
Timothy W. Fitzpatrick
Yuh-Hsu Pan, Ph.D.
Julio Arrecis, Ph.D.
Liang-Tsair Lin, Ph.D.
Suncom 277-2571 Phone (850) 487-2571

Certified By: TWF

Date: 10/30/98

Report Printed Date: Oct 28, 1998

Abbreviations and data remark codes

A - Value reported is the mean of two or more determinations
B - Results based on colony counts outside the acceptable range.
I - Value reported is less than the minimum quantitation limit, and greater than or equal to the minimum detection limit.
J - Estimated value
K - Actual value is known to be less than value given
L - Actual value is known to be greater than value given
N - Presumptive evidence of presence of material.
O - Sampled, but analysis lost or not performed.
Q - Sample held beyond normal holding time.
T - Value reported is less than the criterion of detection.
U - Material was analyzed for but not detected; The value reported is the minimum detection limit.
V - Analyte was detected in both sample and method blank.
Y - The laboratory analysis was from an unpreserved or improperly preserved sample. The data may not be accurate
Z - Colonies were too numerous to count (TNTC).

Sample Location: USED OIL- TANK #9

Field ID: 51-CB-1

Collection Date/Time: 9/9/1998 10:53 AM

Matrix: WAS-CHEM

Lab ID	Storet Code	Component	Result	Code	Units	
344514						
Test: Flashpoint in waste and aqueoues matrices. (EPA 1010)						
		Flashpoint	46	A	degC	100°F minimum
Test: % water in waste and aqueous matrices (Karl Fisher Titration)						
Comments: Precision data unavailable. Sample contains less than 10% water.						
		Percent_Water	10	K	mg/L	
344528						
Test: Metals, total recoverable, in waste samples using trace-ICP emission spectroscopy. (EPA 6010 mod.)						
		Arsenic	0.7	U	mg/kg	5 ppm max
		Cadmium	0.1	U	mg/kg	2 ppm max
		Chromium	0.20	U	mg/kg	10 ppm max
		Lead	0.9	I	mg/kg	100 ppm max.
344534						
Test: Volatile organic pollutants in waste matrices by GC/MS. (EPA 8260)						
Comments: Tentative identification: total other purgeable organic compounds = est. 6.4E+08 ug/Kg. The MDLs are elevated due to required dilution of the sample matrix.						
		Benzene	6.4E+04	I	ug/kg	1000 ppm Halogs max
		Bromodichloromethane	2.5E+04	U	ug/kg	
		Bromoform	6.2E+04	U	ug/kg	
		Bromomethane	6.2E+04	U	ug/kg	
		Carbon tetrachloride	2.5E+04	U	ug/kg	
		Chlorobenzene	2.5E+04	U	ug/kg	
		Chloroethane	6.2E+04	U	ug/kg	
		2-Chloroethylvinyl ether	6.2E+04	U	ug/kg	
		Chloroform	2.5E+04	U	ug/kg	
		Chloromethane	6.2E+04	U	ug/kg	
		Dibromochloromethane	2.5E+04	U	ug/kg	
		1,2-Dichlorobenzene	2.5E+04	U	ug/kg	
		1,3-Dichlorobenzene	2.5E+04	U	ug/kg	
		1,4-Dichlorobenzene	2.5E+04	U	ug/kg	
		1,1-Dichloroethane	2.5E+04	U	ug/kg	
		1,2-Dichloroethane	2.5E+04	U	ug/kg	
		1,1-Dichloroethene	2.5E+04	U	ug/kg	
		trans-1,2-Dichloroethene	2.5E+04	U	ug/kg	
		1,2-Dichloropropane	2.5E+04	U	ug/kg	
		cis-1,3-Dichloropropene	2.5E+04	U	ug/kg	
		trans-1,3-Dichloropropene	2.5E+04	U	ug/kg	
		Ethylbenzene	9.7E+05		ug/kg	
		Methylene chloride	6.2E+04	U	ug/kg	
		1,1,2,2-Tetrachloroethane	2.5E+04	U	ug/kg	
		Tetrachloroethene	2.5E+04	U	ug/kg	
		Toluene	8.8E+05		ug/kg	

1,1,1-Trichloroethane	2.5E+04	U	ug/kg
1,1,2-Trichloroethane	2.5E+04	U	ug/kg
Trichloroethene	2.5E+04	U	ug/kg
Trichlorofluoromethane	2.5E+04	U	ug/kg
Vinyl chloride	6.2E+04	U	ug/kg
Xylenes (total)	7.0E+06		ug/kg

Sample Location: DRUM

Field ID: 51-CB-2

Collection Date/Time: 9/9/1998 11:10 AM

Matrix: WAS-CHEM

Lab ID	Storet Code	Component	Result	Code	Units
344516					

Test: TCLP for Semi-volatile organic pollutants by GC/MS. (EPA 625/ 8270 mod.)

Comments:
The recovery of surrogate compound Nitrobenzene-d5 is outside routine statistical range due to matrix interference. The total other organic compounds, est. 1E3 ug/L. The accuracy data of Hexachloroethane from LFB's is outside routine statistical range. The result of Pyridine is 90 ug/L.

39340	gamma-BHC	2.0	U	ug/L
77151	m,p-Cresols	2.6	U	ug/L
77152	o-Cresol	2.6	U	ug/L
34571	1,4-Dichlorobenzene	1.3	U	ug/L
34611	2,4-Dinitrotoluene	1.3	U	ug/L
39390	Endrin	2.0	U	ug/L
39700	Hexachlorobenzene	1.3	U	ug/L
34391	Hexachlorobutadiene	3.9	U	ug/L
34396	Hexachloroethane	3.9	U	ug/L
34447	Nitrobenzene	2.6	U	ug/L
39032	Pentachlorophenol	3.9	U	ug/L
77687	2,4,5-Trichlorophenol	1.3	U	ug/L
34621	2,4,6-Trichlorophenol	1.3	U	ug/L

344524

Test: Metals, total recoverable, in TCLP samples using ICP emission spectroscopy. (EPA 6010 mod.)

Comments:
The Cr MDL was adjusted due to sample preparation background. One Ag recovery and one Pb recovery were outside the control limits.

Arsenic	0.20	U	mg/L
Barium	0.250	I	mg/L
Cadmium	0.06	U	mg/L
Chromium	0.2	U	mg/L
Lead	0.30	U	mg/L
Selenium	0.4	U	mg/L
Silver	0.040	U	mg/L

344530

Test: Volatile organic pollutants in TCLP samples by GC/MS. (EPA 8260)

Comments:
Accuracy of methylene chloride, trichloroethene, and 1,1,2,2-tetrachloroethane in the matrix spikes is outside routine statistical limits due to matrix interference. In the QC report, the compounds toluene, xylenes, ethylbenzene, and tetrachloroethene could not be evaluated due to presence of these compounds in the matrix spike sample at elevated levels. The MDLs are elevated due to required dilution of the sample matrix.

Benzene	1.0	U	ug/L
Bromoform	1.0	U	ug/L
Carbon tetrachloride	0.40	U	ug/L
Chlorobenzene	0.40	U	ug/L
Chloroform	0.40	U	ug/L
Dibromochloromethane	0.40	U	ug/L
1,2-Dichlorobenzene	0.40	U	ug/L
1,3-Dichlorobenzene	0.40	U	ug/L
1,4-Dichlorobenzene	0.40	U	ug/L
1,1-Dichloroethane	0.40	U	ug/L
1,2-Dichloroethane	0.40	U	ug/L
1,1-Dichloroethene	0.40	U	ug/L
1,2-Dichloropropane	0.40	U	ug/L
Ethylbenzene	1.0	U	ug/L
Methylene chloride	1.0	U	ug/L
1,1,2,2-Tetrachloroethane	0.40	U	ug/L
Tetrachloroethene	0.40	U	ug/L
Toluene	1.0	U	ug/L
1,1,1-Trichloroethane	0.40	U	ug/L
1,1,2-Trichloroethane	0.40	U	ug/L
Trichloroethene	0.40	U	ug/L
Vinyl chloride	1.0	U	ug/L
Xylenes (total)	1.0	U	ug/L

Sample Location: PETROTECH

Field ID: 51-PS-1

Collection Date/Time: 9/9/1998 1:15 PM

Matrix: WAS-SOLID

Lab ID	Storet Code	Component	Result	Code	Units
344517					

Test: TCLP for Semi-volatile organic pollutants by GC/MS. (EPA 625/ 8270 mod.)

Comments:
The MDL's are elevated due to rquired dilution of sample matrix. Tentative identification: total organic acids, est. 1E4 ug/L. The accuracy data of Hexachloroethane from LFB's is outside routine statistical range.

	39340	gamma-BHC	8.2	U	ug/L
	77151	m,p-Cresols 200 mg/L Limit	110		ug/L
	77152	o-Cresol	11	U	ug/L
	34571	1,4-Dichlorobenzene	5.5	U	ug/L
	34611	2,4-Dinitrotoluene	5.5	U	ug/L
	39390	Endrin	8.2	U	ug/L
	39700	Hexachlorobenzene	5.5	U	ug/L
	34391	Hexachlorobutadiene	16	U	ug/L
	34396	Hexachloroethane	16	U	ug/L
	34447	Nitrobenzene	11	U	ug/L
	39032	Pentachlorophenol	16	U	ug/L
	77687	2,4,5-Trichlorophenol	5.5	U	ug/L
	34621	2,4,6-Trichlorophenol	5.5	U	ug/L
344525					

Test: Metals, total recoverable, in TCLP samples using ICP emission spectroscopy. (EPA 6010 mod.)

Comments:

Job ID: *TLH-1998-09-11-31* **Job Status:** *V*

Sample	St	Field ID	Sampling Location
344514	V	51-CB-1	USED OIL- TANK #9
FLASHPOINT			
344515	V	51-PS-2	PETROTECH- USED OIL & WATER
FLASHPOINT			

Job ID: *TLH-1998-09-11-32* **Job Status:** *V*

Sample	St	Field ID	Sampling Location
344516	V	51-CB-2	DRUM
TCLP-BNA			
344517	V	51-PS-1	PETROTECH
TCLP-BNA			
344518	V	51-PS-3	PROTECH- SE
TCLP-BNA			
344519	V	51-PS-4	PROTECH- SE MIRAMAR SERV. CENTER
TCLP-BNA			

Job ID: *TLH-1998-09-11-33* **Job Status:** *V*

Sample	St	Field ID	Sampling Location
344524	V	51-CB-2	DRUM
TCLP-ICP			
344525	V	51-PS-1	PETROTECH
TCLP-ICP			
344526	V	51-PS-3	PROTECH- SE
TCLP-ICP			
344527	V	51-PS-4	PROTECH- SE MIRAMAR SERV. CENTER
TCLP-ICP			
344528	V	51-CB-1	USED OIL- TANK #9
WASTE-TR			
344529	V	51-PS-2	PETROTECH- USED OIL & WATER
WASTE-TR			

Job ID: *TLH-1998-09-11-34* **Job Status:** *V*

Sample	St	Field ID	Sampling Location
344530	V	51-CB-2	DRUM
TCLP-VOC			
344531	V	51-PS-1	PETROTECH
TCLP-VOC			
344532	V	51-PS-3	PROTECH- SE
TCLP-VOC			
344533	V	51-PS-4	PROTECH- SE MIRAMAR SERV. CENTER
TCLP-VOC			
344534	V	51-CB-1	USED OIL- TANK #9
WAS-VOC-MS			
344535	V	51-PS-2	PETROTECH- USED OIL & WATER
WAS-VOC-MS			

Florida Department of Environmental Protection
Central Laboratory Sample Submittal Form

Request Number: RQ-1998-09-07-36

Cliff Berry Facility

Customer: SE-DIST
Project ID: OTHER-WSM
PMAS: 3068

Event ID *

Requester: Yuh-Hsu Pan
Collected By: T. Davis
Field Parameters Measured By:

Field Report Prepared By: T. Davis
Send Final Report To: T. Davis

Lab ID *	Location	Field ID	Matrix	Temp (C)	pH	Sample Depth	Comp / Grab	Collection (begin) Date	Time	Collection (end) Date	Time	Tot Res Chlorine (mg/L)	Diss Oxygen (mg/L)	Storet Station Number	Salinity (PPTh) / Sp Conductance (umho/cm)	NPDES Number	Bottle Group(s) **
	Used Oil - Tank #9	51-CB-1	Oil				☐ Comp ☒ Grab	9 Sept 98	1053								B
	Drum	51-CB-2	Sludge				☐ Comp ☒ Grab	9 Sept 98	1110								A
	Petrotech -	51-PS-1	Solid				☐ Comp ☒ Grab	9 Sept 98	1315								A
	Petrotech - Used oil + water	51-PS-2	~~Solid~~ Liquid				☐ Comp ☒ Grab	9 Sept 98	1405								B

Comments: - Let sample sit and then take from oil portion if possible

Relinquished By:	Date/Time	Received By:	Date/Time	Relinquished By:	Date/Time	Received By:	Date/Time
T. Davis	10 Sept 98/1400	M Gaspar	11:00 9/11/98				

...s for Lab use only.
... side for Bottle Group information.

last revised March 10,1998

Page ____ of ____

Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Lawton Chiles
Governor

Virginia B. Wetherell
Secretary

Cliff Berry - Ft. Lauderdale
9/9/98

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Lawton Chiles
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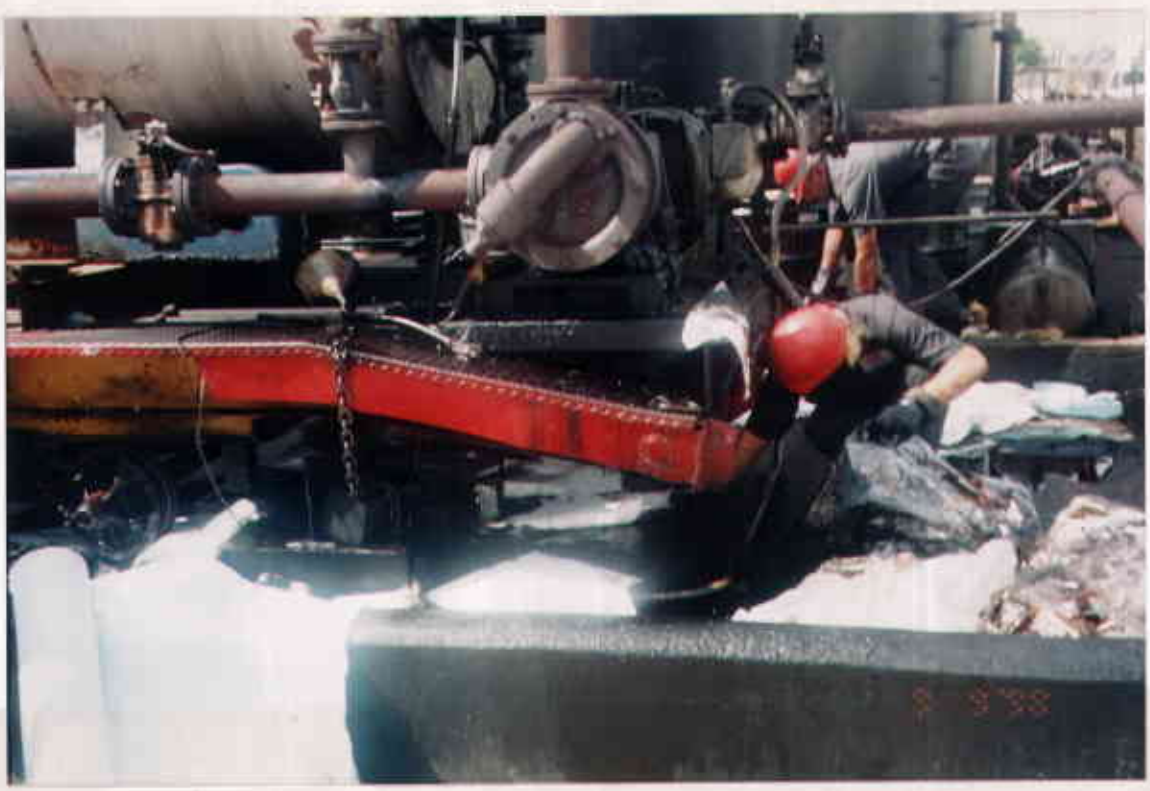
P.O
West Palm E

Cliff Berry -

Ft. Lauderdale
9/9/98



Department of
Environmental Protection

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West Palm Beach, Florida 33416

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Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: CLIFF BERRY, INCORPORATED DATE: 9/10/98 TIME: 15:30

INTERVIEW PARTICIPANTS: CLIFF BERRY II, MARK HOOVER, MARK MCLEAN, VINCE P.

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

___ 1. Hazardous Waste Determination [262.11].
___ 2. Notification as a generator [262.12].
___ 3. Manifest Deficiencies [262 Subpart B].
___ 4. Recordkeeping [test results, manifest, biennial report].
___ 5. Personnel Training [265.16; 262.34(d)].
✓ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
___ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
___ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
___ 9. Tank requirements [265 Subpart J].
___ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
___ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
___ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
___ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
___ 14. Notification as a TSD facility [264.11].
___ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
___ 16. Ground water monitoring [265 Subpart F].
___ 17. Security Requirements [265.14].
___ 18. Storing HW less than 50 feet from the property line [265.176].
___ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
___ 20. Closure/Post-closure [265 Subpart G].
___ 21. Financial Responsibility [264 Subpart H].
___ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
___ 23. Other _____

COMMENTS: BRING CONTINGENCY PLAN UP TO DATE. TANK INSPECTIONS NEED TO BE MORE CONSISTANT, FORM RECOMMENDED.

RECEIPT ACKNOWLEDGED BY

Mark L. McLean
INVESTIGATOR

Printed on recycled paper.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA

FILE REVIEW REPORT FORM

Date of File Review:	Time of File Review:	Reviewer's Name:
12/9/97	1330	Carl Lawrence
Company Name:	**Address:**	**Phone:**
IT Corporation	2200 Cottontail Lane Somerset, NJ 08873	908-469-5599

FILES REQUESTED: Magnum Environmental

Cliff Berry Inc.

PURPOSE OF REVIEW: Commercial waste facility audit on behalf of Mobil Oil

ATTACH BUSINESS CARD
HERE IF AVAILABLE

OFFICE USE ONLY

DEPARTMENT:	FILE GUARDIAN:	INITIALS/DATE:

FILE REVIEW

DATE: 4/3/96

TIME: 1040 AM

NAME: K. Benson

COMPANY: MSRC

PHONE: 305 347 2205

FILE NAME: Cliff Berry Inc

PURPOSE OF FILE REVIEW:

Disposal Site Selection

ATTACH BUSINESS CARD(S) IF AVAILABLE.

INC. CLIFF BERRY, INC.

RECEIVED
DEC 12 1995
DEPT OF ENV PROTECTION

Description of Organization:

Cliff Berry, Inc. provides a wide range of environmental services on the land and waterways throughout Florida and the Caribbean. Based in Port Everglades since the 1950's, we are a safety conscious, environmentally aware, community oriented company that has grown with the area.

Cliff Berry, Inc., owns and operates a fleet of small boats, trucks and tanker trailers that can respond to spills throughout Florida. Our highly trained, certified staff use vacuum trucks, barges, containment booms and special absorbents to contain and clean oil spills.

We currently hold contracts or response agreements with various government agencies, major oil shipping and trucking companies to respond to either oil or hazardous material spills on both land and sea.

Our three locations, are strategically located close to the major airports, seaports and interstate highway systems. This, plus the wide range of services provided, are key factors to our continued expansion.

With an expertly trained staff and state of the art equipment we will continue to grow along with South Florida.

CB NC. CLIFF BERRY, INC.

CAPABILITIES

24 HOUR EMERGENCY RESPONSE

OFFICE 1-800-899-7745

Type of Services:

- Spill Management Services(Complete unified command organization)
- Hazardous Material Spill Control and Cleanup
- Vessel Lightering
- Site Remediation
- Ship and Barge Tank Cleaning
- Hazardous Material Transportation
- Vacuum Truck Services
- Storage Tank Management and Closure Services
- Facility Decontamination
- Ground Water Treatment System Installations
- Drum Over-Packing Services
- Lab Packing Services, Sampling
- Training 8,24 and 40 Hour OSHA Certifications
- Consulting Services
- Waste Management / Disposal
- Hazardous and Nonhazardous; oil, water, soils, absorbents

REGISTRATIONS and CERTIFICATIONS

REGISTRATIONS

Hazardous Transporter Registration Number FLD 000 831 156
Metro Dade County "DERM"
Broward County "DNRP"
Metro Dade County "Port Authority" Port of Miami
Port Everglades Authority
Florida Department of Environmental Protection
(First Responder Clean Up Contractor)
Florida Department of Natural Resources Terminal Registration
EPA
U.S. Coast Guard Certification number 048 "EE" rating

CERTIFICATIONS

OSHA Site Supervisors (8 hour course)
OSHA 29 CFR 1910.120 (40 hour course)

DOT Hazardous Transportation 181

Hazardous Waste Supervisor

Confined Entry

Incident Commander

State of Florida Department of Natural Resources (24 hr. course) Prevention, Response Control, and Cleanup of oil spills

FDER Accepted Training Program for company drivers transporting waste oil and waste fuels.

24 HOUR EMERGENCY RESPONSE NUMBER

1-800-899-SPIL or 305-763-3390

CLIFF BERRY, INC.

EQUIPMENT LIST

DESCRIPTION	QUANTITY
BOATS & BARGES	
ALUM. UTILITY BOAT W/MOTOR 14'	2
ALUM. WORK BOATS W/MOTOR 30,40 & 15HP	4
FIBERGLASS WORK BOAT W/MOTOR 20'	1
LANDING CRAFT - 36'	1
PONTOON BOAT W/MOTOR 85 HP	1
HEAVY EQUIPMENT	
BACKHOE/FRONTEND LOADER (COMBO)	1
BOBCAT LOADER	1
BULLDOZER	1
DRUM GRABBER	1
FRONTEND LOADER	2
TRACKHOE	1
LIGHT EQUIPMENT	
AIR COMPRESSOR	2
AIR COMPRESSOR W/TRAILER	1
BLOWERS , PORTABLE GAS POWERED	2
BOOM ANCHORS	20
BUOYS, LIGHTED	25
CHAIN SAW	4
COMBUSTIBLE OXYGEN, TOXILOGOLY METER	1
CONTAINMENT BOOM (24", 18" & 12")	10,000'
CUTTING SAW, GAS POWERED	1
DBL DIAPHRAM PUMP 1"	2
DBL DIAPHRAM PUMP 2"	1

DESCRIPTION	QUANTITY

LIGHT EQUIPMENT

DBL DIAPHRAM TRANSFER PUMP 3"	3
FASTANK - 250 GAL	1
FRAC TANK - 20,000 GAL	2
GENERATOR 15KW	1
GENERATOR 3,000 WATT	1
GENERATOR 4,000 WATT	2
GENERATOR 400 WATT	1
GENERATOR 5,000 WATT	1
HOSE 2"	200'
HOSE 3"	200'
HOT WATER PRESSURE CLEANER	3
HYDRAULIC POWER PACKS	2
JACK HAMMER & BIT	1
LIGHT TOWER UNIT	8
OIL MOP SKIMMER	1
OVA METER	1
PORTABLE CUTTING TORCH	1
PORTABLE WELDER	1
PRESSURE CLEANER	2
PUMPS, SUBMERSIBLE 6"	2
RADIO, PORTABLE TWO WAY VHF	10
RED DEVIL BLOWER & HOSE	1
ROLLOFF CONTAINER (20 YDS)	4
ROLLOFF CONTAINER (40 YD)	1
ROPE	1,000'
SCOTT AIR PACK	3
SCOTT AIRLINE CASCADE SYS W/SKA PAK	8
SHOVELS , ROUND POINT	20
SHOVELS , SQUARE POINT	20
SHOVELS, POLY	5
SKID TANK	5
SKIMMER (MADUSO) 2,000 GAL	1

DESCRIPTION	QUANTITY

LIGHT EQUIPMENT

SKIMMER (WEIR) 1,000 GAL	1
SLOAN PUMP 4"	1
STAGING TENT (20'X20')	1
TOOL SET, NON SPARKING	1
WELDER 4 CYCLE (MILLER)	2
WHEELBARROWS	10
YARD RAKES	10

VEHICLES

BOX TRUCKS	2
BUCKET TRUCK (50')	1
CRANE TRUCKS (2 TON)	2
DUMP TRUCK	1
EMERGENCY RESPONSE TRAILER (18'-20')	2
EMERGENCY RESPONSE TRAILER (40' MOBILE)	3
EMERGENCY RESPONSE VAN	2
FLATBED TRAILERS	3
INDUSTRIAL VACUUM UNIT W/ CYCLONE DRUM LOADER	1
MOBILE COMMAND UNIT	2
PUMP TRUCKS	2
ROLLOFF TRUCK	1
SMALL VEHICLES (CARS, 2W DR TRUCKS ETC.)	6
TANK TRAILERS	3
TRACTORS FOR TRAILERS	5
VACUUM TRUCKS (2,500 - 3,600 GAL)	5

MATERIALS

SPC OIL SORBENT

SPC 100 Pads	17"x19"x3/8"	100 pads/bale
SPC 200 Pads	17"x19"x3/16"	200 pads/bale
SPC 50 Pads	34"x38"x3/8"	50 pads/bale
SPC 810 Boom	10'x8"	4 boom/bale
SPC 510 Boom	10'x5"	4 boom/bale
SPC 5510 Boom	10'x5" (dbl. boom)	4 boom/bale
SPC 10 Pillow	14"x25"	10 pillows/bale
SPC 1900 Sweep	17"x100'	1 sweep/bale
SPC 150 Blanket	38"x144'x3/8"	1 blanket/bale
SPC 152 Blanket	19"x144'x3/8"	2 blanket/bale
SPC 27 Particulate		1 bag/bale

SORBENT INDUSTRIAL RUG & SUPER SIR

SIR 36 Rug	36"x300'	1 rug/bale
SIR 18 Rug	18"x300'	2 rugs/bale
SIR 001 Pads	18"x18"	100 pads/bale

COBRA COIL

CC 400 Coils	3"x48"	12 coils/box

SPC UNIVERSAL PLUS

UN 915 Pillows	9'X15"	16 pillows/bag	1 bag/case
Oil snare			
Plastic sheeting	20'x100'		
Plastic bags			
Steel overpack drums			
Poly overpack drums			
55 gal. open head drums	(DOT approved)		
Coveralls - Tyvec			
Coveralls - Saranyx			
Respirator cartridges	(heavy duty)		
Rubber gloves	(heavy duty)		
Water soluble industrial cleaning fluid			
Industrial solvent			
Industrial scrub brushes			
Industrial squeegees			
Dip nets	(spill equipment)		
Tyvec hoods			
Clear PVC booties			

THE COMMANDANT OF THE UNITED STATES COAST GUARD
WASHINGTON, D.C. 20593-0001

SEP 20 1995

Dear Mr. Berry,

Cliff Berry, Incorporated, honorable mention winner of the 1995 William M. Benkert Award in the small facility category, is recognized for leadership in marine environmental protection.

Your company has demonstrated a total commitment to the pursuit of environmental excellence through implementation of programs which far exceed minimum regulatory requirements. As a steward of the marine environment, you have set a high standard for other industry leaders to follow.

Please accept this letter and bronze medallion as tokens of our appreciation for your outstanding marine environmental protection program.

Sincerely,

R. E. KRAMEK
Admiral, U.S. Coast Guard

Mr. Cliff Berry II
President
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Ft. Lauderdale, FL 33316

BROWARD COUNTY
FLORIDA

Department of Natural Resource Protection
218 S.W. 1st Avenue
Fort Lauderdale, Fl 33301
(305) 519-1260

License To Haul Discarded Hazardous Materials

HAULER ID# 126 DNRP ID# 60026-95

AGENT/MAIL ADDRESS:
Cliff Berry II, Vice President
Cliff Berry, Inc.
P.O. Box 13079 Port Everglades Station
Ft Lauderdale, Florida 33316

Phone: (305) 763-3390

This license is issued under the provisions of Chapter 27 Broward County Code of Ordinances. The above-named applicant, hereinafter called licensee, is hereby authorized to perform the work or operate the vehicle(s) shown on the approved plans, documents, and specifications submitted by applicant and made a part hereof and described specifically below. If no objection to this license is received within 14 days you will be deemed to have accepted it and all the attached terms and conditions.

This hauler is licensed in Broward County to transport only the following type(s) of Discarded Hazardous Materials:

1. Waste Oil
2. Petroleum Contaminated Water
3. Petroleum Contaminated Soil
4. RCRA Hazardous Waste
5. Tank Bottom Sludges

This license is subject to General Conditions 1 thru 11 and Specific Conditions 1 thru 3 and 5 attached.

2/15/95
DEPARTMENT OF NATURAL RESOURCE PROTECTION

Effective Date:02/08/95
Expiration Date:02/08/97
Annual Fee Due Date:02/08/96
Renewal Due Date:12/10/96
Broward County Department of Natural Resource Protection
Prepared by Didier Dupuy
200IW6

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BROWARD COUNTY
FLORIDA

Department of Natural Resource Protection
Pollution Prevention and Remediation Programs Division
218 S.W. 1st Avenue
Ft. Lauderdale, FL 33301
(305) 519-1260 • FAX (305) 765-4804

TRANSFER STATION FACILITY LICENSE

APPLICANT:
Cliff Berry, President
Cliff Berry, Inc.
P.O. Box 13079, Port Everglades Station
Ft. Lauderdale, FL. 33316

LICENSE NO. HTS-007-95
DNRP ID #60026

This license is issued under the provisions of Chapter 27 of the Broward County Code of Ordinances, hereinafter called the Code. The above named applicant, hereinafter called licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawings, plans, documents and specifications, as submitted by licensee, and made a part hereof. If no objection to this license is received within 14 days, the licensee will be deemed to have accepted it and all the attached terms and conditions.

TO OPERATE: An Industrial Transfer Station for the receipt, storage, and shipment of waste petroleum products, associated contaminated water, contaminated soil and contaminated fuel. The transfer, or storage of RCRA hazardous waste as offered in 40 CFR Part 260-265 is not permitted under this license.

LOCATED AT: 2601 S.E. 14th Avenue, Ft. Lauderdale, FL. 33316

SUBJECT TO: General Conditions 1-11, Specific Conditions 1-3.

Application Received: **12/12/94**
Expiration Date: **02/01/96**
Renewal Application Due: **12/01/95**
Prepared By: **Didier Dupuy**

3/30/95
Dept. of Natural Resource Protection

SU/DD/lr
C:\wp51\trans.lic\HTS00795.lic

METROPOLITAN DADE COUNTY, FLORIDA

METRODADE

DERM

LIQUID WASTE
ANNUAL OPERATING PERMIT

ENVIRONMENTAL RESOURCES MANAGEMENT
POLLUTION PREVENTION DIVISION
SUITE 800
33 S.W. 2nd AVENUE
MIAMI, FLORIDA 33130-1540
(305) 372-6817

PERMITTEE:
Ms. Ilena Smothers
CLIFF BERRY, INC.
P.O. BOX 13079
PORT EVERGLADES, FL 33316

PERMIT No.: LW-00104-95 (WO) WO 00
SOURCE NAME: CLIFF BERRY, INC.
LOCATION: 2601 SE 14 AVE
PORT EVERGLADES, FL 33316

DESCRIPTION OF FACILITY/EQUIPMENT:

This document, issued under the provisions of Chapter 24, Metropolitan Dade County Code (Dade County Environmental Protection Ordinance), shall be valid from April 01, 1995 through March 31, 1996. The above named permittee, is hereby authorized to operate as a Liquid Waste Transportation business from the above location, and with the equipment bearing the following identifying stickers:
WO95-104-001 through WO95-104-029

Subject to conditions (1) through (15) listed below and in the following pages (if any) of this document.

SPECIFIC CONDITIONS:

01 Correctly completed monthly reporting forms and corresponding fees are required to be submitted to DERM on/or before the 10th of the following month.

02 No hazardous waste shall be transported under this permit.

03 All waste transportation equipment shall be maintained in good working order at all times. Valves, hoses, tanks, etc., shall be properly maintained and shall not leak.

04 All waste oil and waste water must be sold or disposed of in accordance with all local, state and federal regulations.

05 Only waste oil, oily waste water and non-hazardous industrial waste shall be transported under this permit. Radiator fluid shall not be transported under this permit.

GENERAL CONDITIONS:

06 The applicant, by acceptance of this document, agrees to operate and maintain the subject operation so as to comply with the requirements and standards of Chapter 24 of the Code of Metropolitan Dade County.

07 If for any reason, the applicant does not comply with or will be unable to comply with any condition or limitation specified on this document the applicant shall immediately notify and provide the department with the following information: (a) a description of and cause of non-compliance; and (b) the period of non-compliance including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps taken to reduce, eliminate, and prevent recurrence of the non-compliance. The applicant 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 document.

08 As provided in Section 24-30 of the Code of Metropolitan Dade County, the prior written approval of the Department of Environmental Resources Management shall be obtained for any alteration to this facility.

09 The issuance of this document does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. Nor does it relieve the applicant from liability for harm or injury to human health or welfare or property.

File Number: 000011464

Metropolitan Dade County Department of
Environmental Resources Management

for

John W. Renfrow, P.E., Director

METROPOLITAN DADE COUNTY, FLORIDA

METRODADE

DERM

LIQUID WASTE
ANNUAL OPERATING PERMIT

ENVIRONMENTAL RESOURCES MANAGEMENT
POLLUTION PREVENTION DIVISION
SUITE 800
33 S.W. 2nd AVENUE
MIAMI, FLORIDA 33130-1540
(305) 372-6817

PERMITTEE:
Mr. Cliff Berry II
CLIFF BERRY, INC.
P.O. BOX 13079
PORT EVERGLADES, FL 33316

PERMIT No.: LW-00391-95 HW 00
SOURCE NAME: CLIFF BERRY, INC.
LOCATION: 2601 SE 14 AVE
FT. LAUDERDALE, FL

DESCRIPTION OF FACILITY/EQUIPMENT:

This document, issued under the provisions of Chapter 24, Metropolitan Dade County Code (Dade County Environmental Protection Ordinance), shall be valid from April 01, 1995 through March 31, 1996. The above named permittee, is hereby authorized to operate as a Liquid Waste Transportation business from the above location, and with the equipment bearing the following identifying stickers:
HW95-00391-001 through HW95-00391-008

Subject to conditions (1) through (16) listed below and in the following pages (if any) of this document.

SPECIFIC CONDITIONS:

01 Correctly completed monthly reporting forms and corresponding fees are required to be submitted to DERM on/or before the 10th of the following month.

02 All hazardous waste shall be transported only to an approved transfer station or to an approved hazardous waste disposal site. No storage or disposal of hazardous waste is permitted in Dade County.

03 All hazardous waste shall be transported in D.O.T. approved containers and vehicles.

04 Correctly completed monthly reporting forms and corresponding fees are required to be submitted to DERM on/or before the 10th of the following month.

05 A properly executed manifest shall be required as per federal regulations for each shipment of hazardous waste (copies of said manifests shall be submitted to DERM on a monthly basis before the 10th of the following month). In the event a manifest is not required by federal regulations, an official bill of lading or invoice shall be submitted showing date of pickup, type and amount of waste, source name and disposal location, along with a monthly reporting form and the corresponding fees.

06 All spills must be promptly reported to this department by the transporter at 372-6789. Any vehicle containing hazardous waste which is stored in Dade County overnight must be reported to this department by the transporter at the above numbers.

GENERAL CONDITIONS:

07 The applicant, by acceptance of this document, agrees to operate and maintain the subject operation so as to comply with the requirements and standards of Chapter 24 of the Code of Metropolitan Dade County.

08 If for any reason, the applicant does not comply with or will be unable to comply with any condition or limitation specified on this document the applicant shall immediately notify and provide the department with the following information: (a) a description of and cause of non-compliance; and (b) the period of non-compliance including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps taken to reduce, eliminate, and prevent recurrence of the non-compliance. The applicant 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 document.

File Number: 000012714

Metropolitan Dade County Department of
Environmental Resources Management

John W. Renfrow, P.E., Director

METROPOLITAN DADE COUNTY, FLORIDA

METRO-DADE

DERM

LIQUID WASTE
ANNUAL OPERATING PERMIT

ENVIRONMENTAL RESOURCES MANAGEMENT
POLLUTION PREVENTION DIVISION
SUITE 800
33 S.W. 2nd AVENUE
MIAMI, FLORIDA 33130-1540
(305) 372-6817

PERMITTEE:
Mr. Cliff Berry II
CLIFF BERRY, INC.
P.O. BOX 13079
PORT EVERGLADES, FL 33316

PERMIT No.: LW-00392-95 RF 00
SOURCE NAME: CLIFF BERRY, INC.
LOCATION: 2601 SE 14 AVE
FT. LAUDERDALE, FL

DESCRIPTION OF FACILITY/EQUIPMENT:

This document, issued under the provisions of Chapter 24, Metropolitan Dade County Code (Dade County Environmental Protection Ordinance), shall be valid from April 01, 1995 through March 31, 1996. The above named permittee, is hereby authorized to operate as a Liquid Waste Transportation business from the above location, and with the equipment bearing the following identifying stickers:
RF95-00392-001 through RF95-00392-0008

Subject to conditions (1) through (19) listed below and in the following pages (if any) of this document.

SPECIFIC CONDITIONS:

01 Correctly completed monthly reporting forms and corresponding fees are required to be submitted to DERM on/or before the 10th of the following month.

02 Accidental spills must be promptly reported to this department by the transporter at 372-6789.

03 No material other than radiator fluid shall be transported under this permit. No hazardous waste or untreated wastewaters from radiator boil out or test tanks shall be transported under this permit.

04 All waste transportation equipment shall be maintained in good working order at all times. Valves, hoses, tanks, etc., shall be properly maintained and shall not leak.

05 All sludges resulting from the transport, handling or treatment of the radiator fluid shall be disposed of as hazardous waste. This hazardous waste shall be transported by a DERM - permitted hazardous waste transporter, and copies of a properly executed Uniform Hazardous Waste Manifest shall be submitted.

06 Only facilities with a valid Dade County Pollution Control Facility Annual Operating permit shall be serviced.

07 Samples and/or analysis of materials transported will be supplied at the request of DERM.

08 Do not discharge used coolant, flush out or test tank waters into septic tanks, storm drains, soakage pits, or onto ground surface.

09 All radiator fluid shall be treated as an industrial wastewater and shall not be discharged to any sewage treatment plant without prior approval from DERM.

GENERAL CONDITIONS:

10 The applicant, by acceptance of this document, agrees to operate and maintain the subject operation so as to comply with the requirements and standards of Chapter 24 of the Code of Metropolitan Dade County.

File Number: 000012714

Metropolitan Dade County Department of
Environmental Resources Management

for

John W. Renfrow, P.E., Director

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Mr. Cliff Berry
Cliff Berry, Inc.
P O Box 13079, Port
Ft. Lauderdale FL 33316

June 13, 1995

BE IT KNOWN THAT

Cliff Berry, Inc.

IS HEREBY REGISTERED AS A USED OIL

Transporter, Transfer Facility, Processor, Marketer,

Filter Transporter, Filter Transfer Facility, and Filter Processor

in compliance with Chapter 62-710, Florida Administrative Code (F.A.C.)

The Department of Environmental Protection hereby issues

Registration Number FLD000831156 on June 13, 1995

This registration will expire June 30, 1996.

This certificate documents receipt of your annual registration, annual report, training, and demonstration of adequate financial responsibility/insurance coverage as required by Rules 62-710.500, 62-710.520 and 62-710.600, F.A.C. All certified transporters shall comply with the provisions of 62-710.600(4) and (5), F.A.C. This certificate and your cancelled check are your receipts. It shall be displayed in a prominent place at your facility.

Joan M. Flint

Joan M. Flint
Administrative Assistant
Hazardous Waste Management Section

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK REGULATION PROGRAM

Account Owner ID 4244

Facility ID: 9100645
CLIFF BERRY INC
2601 SE 14TH AVE BLDG 65
FORT LAUDERDALE, FL 33315-2318
BROWARD County

Facility Type: Fuel user/non-retail

1995-96 Storage Tank Registration Placard enclosed

CLIFF BERRY INC
PO BOX 13079
FORT LAUDERDALE, FL 33316-0100

Placard No: 28806
Placard Issued: August 2, 1995
Registration Paid: $225

Active tanks on site: 9

STORAGE TANK FACILITY ACCOUNT OWNER: PLEASE RETAIN THE TOP STUB FOR YOUR RECORDS

This is to certify that the facility named herein has one or more regulated storage tanks and/or compression vessels registered with the Forida Department of Environmental Protection.

Tanks required to register with the Department include those that contain vehicular fuel for land, sea or air use; other petroleum or petroleum-based products; pollutants such as pesticide(s), ammonia, or chlorine; a hazardous substance such as listed on the federal CERCLA list; or a mineral acid such as hydrobromic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, or sulfuric acid.

PLEASE NOTE: UST systems installed between 1976 and 1980 must be replaced with a new secondary containment system by 12/31/1995.

The FLORIDA DEP is now "online" with rules, information on the Petroleum Cleanup Program, and Storage Tank Registration data. INTERNET USERS: find DEP on the Wide World Web at http://www.dep.state.fl.us/. For more program information, such as:

PETROLEUM CLEANUP NEWS; go to: People, Places, Organizations : Organizational Structure : Division of Waste Management : Local, State, Federal Programs. (Also call the Division of Waste Management, 904-487-3299, for Cleanup Sites/Program information.)

More Internet: TANK REGISTRATION DATA; go to: Information Directory : Standard Reports : Storage Tank Inventory.
See also the free DEP Bulletin Board Service, ECOSYSTEM MANAGEMENT AND ENVIRONMENTAL EDUCATION BBS, accessed at 904-922-7108.

The Storage Tank Registration placard below must be posted at the facility.
It must be placed out of the weather and in plain view of inspectors entering the facility.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK REGISTRATION PLACARD

1995-96

Facility ID: 9100645

Placard No: 28806

Facility: CLIFF BERRY INC
2601 SE 14TH AVE BLDG 65
FORT LAUDERDALE, FL 33315-2318
BROWARD County

Placard Issued: August 2, 1995
Placard Expires: June 30, 1996

Active Tanks: 9

Facility Type: C Fuel user/non-retail

Account Owner: 4244 CLIFF BERRY INC

Virginia B. Wetherell

Virginia B. Wetherell, Secretary
Department of Environmental Protection

Department of
Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

****

HAZARDOUS WASTE TRANSPORTER

CERTIFICATE OF APPROVAL

****

This is to certify that the carrier specified below has been approved as a hazardous waste transporter in Florida. The terms and conditions of this certificate require that the holder comply with all applicable portions of Chapter 17-730, Florida Administrative Code. This certificate shall be rendered null and void if any information contained within becomes obsolete. The certificate shall remain valid through the expiration date specified below.

TRANSPORTER: Cliff Berry, Inc.

EPA ID NUMBER: FLD 000 831 156

FACILITY ADDRESS: 2601 Southeast 14th Avenue
Fort Launderdale, Florida 33316

INSURANCE CARRIER: Commerce and Industry Insurance Company

INSURANCE POLICY #: CA 2772894 RA

EFFECTIVE DATE: December 31, 1994

EXPIRATION DATE: December 31, 1995

APPROVED TRANSFER FACILITY: No

APPROVAL ISSUED BY: Joan M. Flint DATE: February 6, 1995
Joan M. Flint
Hazardous Waste Management Section
904/488-0300

rev. 0 (Oct 91)

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

DIVISION OF WASTE MANAGEMENT

REGISTRATION TO OPERATE A TERMINAL FACILITY

The Department of Environmental Protection confirms that the terminal facility named below has received a successful compliance inspection, and has submitted the appropriate annual terminal facility registration fee. The Department hereby extends to the facility this confirmation letter of registration to operate the terminal facility for the period of January 1, 1995 to December 31, 1995. This registration authorizes the holder to store, pump, handle, or transfer pollutants according to the provisions of Chapter 376, Florida Statutes, at the terminal facility named below.

DATE OF ISSUE: DECEMBER 23, 1994

COUNTY: BROWARD
TERMINAL NAME: CLIFF BERRY,INC.
LOCATION: 2601 SE 14TH AVE.
CITY: PORT EVERGLADES

FACILITY ID: 1095
STORAGE CAPACITY: 15231.00 bbls

MAILING ADDRESS: CLIFF BERRY, INC.
P.O. BOX 13079
PORT EVERGLADES, FL 33316

A terminal facility failing to possess a current registration or that fails to comply with the terms of such, shall be subject to a civil penalty of up to $50,000 per violation per day pursuant to chapter 376, Florida Statutes, or to suspension or revocation of their license as provided in Chapter 120, Florida Statutes. Each day during any portion of which the violation occurs constitutes a separate offense.

Provide notification of change of facility name, ownership information, mail address, person-in-charge designee, or facility storage capacity to the Department on a "Renewal Application for Terminal Facility Registration" within 30 days of the change. When the facility ownership changes, the facility will be scheduled for a re-inspection and the new registrant must successfully demonstrate the provision of all required equipment to prevent, contain, and remove discharges of pollutants before a new letter of certification will be issued.

A terminal facility is also required to have a spill contingency plan which is site specific for reporting discharges and detailing the methods and equipment to be used, in the event of a discharge, in the removal of pollutants that enter or threaten to enter the waters of the state. The spill contingency plan must be revised within 30 days of any significant change affecting the discharge response preparedness or capabilities of the facility. The plan shall be made available for inspection by a representative of the Department upon request.

95-003
Certificate Number

Marshall T. Mott-Smith
DEP/Terminal Facility Registration Program Representative

THIS REGISTRATION EXPIRES DECEMBER 31, 1995

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Cliff Berry
Cliff Berry, Inc. - Miami
P O Box 13079, Pt. Everglades
Ft Lauderdale FL 33316

June 22, 1995

BE IT KNOWN THAT

Cliff Berry, Inc. - Miami Terminal

IS HEREBY REGISTERED AS A USED OIL

Transporter, Transfer Facility, Processor, Marketer,

Filter Transporter, Filter Transfer Facility, and Filter Processor

in compliance with Chapter 62-710, Florida Administrative Code (F.A.C.)

The Department of Environmental Protection hereby issues

Registration Number FLD058560699 on June 22, 1995

This registration will expire June 30, 1996.

This certificate documents receipt of your annual registration, annual report, training, and demonstration of adequate financial responsibility/insurance coverage as required by Rules 62-710.500, 62-710.520 and 62-710.600, F.A.C. All certified transporters shall comply with the provisions of 62-710.600(4) and (5), F.A.C. This certificate and your cancelled check are your receipts. It shall be displayed in a prominent place at your facility.

Joan M. Flint

Joan M. Flint
Administrative Assistant
Hazardous Waste Management Section

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAW ENFORCEMENT
Bureau of Emergency Response

APPROVED DISCHARGE CLEANUP ORGANIZATION

Cliff Berry, Inc.
851 Eller Drive
Port Everglades
Fort Lauderdale, Florida 33316

This is to certify that the organization named above has met the minimum requirements for approval as a Discharge Cleanup Organization at the level of:

First Responder / Complete Cleanup

This certificate expires on June 20, 1996

Debra J. Preble, Chief
Bureau of Emergency Response

DEP 20-134 FMP (03/94)

I.D. #: 0006

U.S. Department of Transportation
United States Coast Guard

Commander (fcp-3)
Maintenance & Logistics Command, Atlantic

MAILING ADDRESS:
Bldg 333, 2nd Floor
Governors Island
NY, NY 10004-5082
Tel: (212)668-7110

4283
February 6, 1991

Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Ft. Lauderdale, FL 33310

Dear Mr. Berry:

Subj: BASIC ORDER AGREEMENT (BOA) NO. DTCG84-91-A-70012

1. Enclosed is the executed copy of subject BOA entered into between your firm and the U.S. Coast Guard, Maintenance and Logistics Command Atlantic (MLCA) for removal and disposing of OIL and/or HAZARDOUS substance spills within the 7th Coast Guard District.

2. The effective date of this agreement is 29 January 1991 and shall remain in effect in accordance with clause F.1. PERIOD OF THE AGREEMENT, Section F, page 40 of 90 of subject BOA.

3. Ordering shall be in accordance with clause No. H.1. ORDERING, Section H, page 46 of 90 of subject BOA. Subsequent to an individual order issued by the On-Scene Coordinator (OSC), a Delivery Order will be executed by the Contracting Officer formalizing the contractual agreement.

4. Should you need further assistance during the life of this BOA, please direct your telephone inquiries to Nick Sellitri at the following numbers; Commercial (212)668-7402/7111.

Sincerely,

R. Michael Ward

R. MICHAEL WARD
Contracting Officer

Encl: BOA No. DTCG84-91-A-70012

CF: Commander (mep)
Seventh Coast Guard District
Brickell Plaza Bldg.
909 S.E. First Avenue
Miami, FL 33131-3050

U.S. Department of Transportation
United States Coast Guard

Commanding Officer
U. S. Coast Guard
Marine Safety Office

155 S. Miami Ave.
Miami, FL 33130-1609
Tel: 305 536-5691

16600
Jun 13 1991

Cliff Berry Jr.
Cliff Berry Inc.
P.O. Box 13079
Port Everglades Station
Ft Lauderdale, FL 33316

LETTER OF ADEQUACY

Gentlemen:

The Marine Oil Transfer Facility Operations Manual for your facility, has been reviewed by my staff. The manual meets the requirements of the regulations contained in Title 33 Code of Federal Regulations, Parts 154-156. This letter shall be kept with the Facility Operations Manual.

This Letter of Adequacy is void if the facility operator amends the Operations Manual without following the procedures contained in Title 33 CFR 154.320, or fails to amend the Operations Manual when required by the Captain of the Port.

If you have any questions please contact LTJG Huebler of my Port Operations Department, at (305) 536-5693.

Sincerely,

G. M. WILLIAMS
Commander, U.S. Coast Guard
Captain of the Port

U.S. Department of Transportation
United States Coast Guard

Commanding Officer
U. S. Coast Guard
Marine Safety Office

155 S. Miami Ave.
Miami, FL 33130-1609
Tel: 305 536-5691

16600
Jun 14 1991

Cliff Berry Jr.
Cliff Berry Inc.
P.O. Box 13079
Port Everglades Station
Ft Lauderdale, FL 33316

LETTER OF ADEQUACY

Gentlemen;

The Marine Oil Transfer Facility Operations Manual for your mobile facility, has been reviewed by my staff. The manual meets the requirements of the regulations contained in Title 33 Code of Federal Regulations, Parts 154-156. This letter shall be kept with the Facility Operations Manual.

This Letter of Adequacy is void if the facility operator amends the Operations Manual without following the procedures contained in Title 33 CFR 154.320, or fails to amend the Operations Manual when required by the Captain of the Port.

If you have any questions please contact LTJG Kuebler of my Port Operations Department, at (305) 536-5693.

Sincerely,

G. M. WILLIAMS
Commander, U.S. Coast Guard
Captain of the Port

U.S. Department of Transportation

United States Coast Guard

Commanding Officer
National Strike Force
Coordination Center

1461 US Hwy 17 North
Elizabeth City, NC 27909
Staff Symbol: (ops)
Phone: (919) 331-6029

16471/1
93-048/2

Mr. Cliff Berry
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, FL 33316

Dear Mr. Berry:

I have completed a review of your organization's resources and records for the purpose of determining your classification level as an Oil Spill Removal Organization. This review included a visit to your response resource sites and was conducted as outlined in Coast Guard Navigation and Vessel Inspection Circular 12-92 (NVIC 12-92) and NSFCC Instruction 16480.1 dated June 1993. The review has resulted in the following determination:

FINAL CLASSIFICATION for the following environments:

CLASS E - River & Canal Environments
CLASS E - Inland & Nearshore Environments

You have been assigned OSRO Classification Number 048. Enclosure (1) to this letter provides a summary of the response resources available at each of your sites. You must provide this letter and list to any client wishing to name you as their OSRO for the purposes of vessel and facility response plans. This list will help them determine if you can provide sufficient resources to the required location(s) within the response times necessary for their response plans. This list will also be provided to all Coast Guard response plan reviewers, who will check it against the response plans that have been submitted to them for approval.

If you have questions regarding your final classification or information in the attached sheets, please contact CDR Dave Giraitis of my staff at (919) 331-6005.

Sincerely,

D. S. Jensen

D. S. JENSEN
Captain, U.S. Coast Guard
Commanding Officer

Encl: (1) Final Classification Resource Summary Printout

Copy: COMDT(G-MEP)
Gulf Strike Team

PORT EVERGLADES
Hollywood/Ft. Lauderdale/Dania

CLIFF BERRY, INC.

Is Hereby Granted a Vessel Oily Waste Removal Service Franchise

For use within the Port Everglades Jurisdictional Area for a Period of 5 Years

Commencing 1/1/94 and ending 1/1/99

By accepting this non-exclusive franchise, CLIFF BERRY, INC. agrees that it is issued subject to strict compliance by the franchisee with all the rules and regulations now or hereafter prescribed by the Authority with respect to the conduct of the business operated pursuant to this franchise; and subject likewise to the terms and provisions of all applicable laws, including the Port Everglades Authority Charter, its Tariff, and Resolutions and to such rules and regulations as might now exist or hereafter be promulgated by Port Everglades Authority; provided however, the imposition and enforcement of such rules, or regulations shall operate uniformly with respect to all persons, firms or corporations holding similar franchises within the Port Jurisdictional Area.

Approved as to form:

Port Attorney

Port Everglades Authority:

By: Mary Anne Gray
Mary Anne Gray, Chair

By: James J. O'Brien
James J. O'Brien, Port Director

Agreed to and accepted
CLIFF BERRY, INC.

By: Cliff Berry

METROPOLITAN DADE COUNTY – SEAPORT DEPARTMENT

PERMIT TO CONDUCT BUSINESS ON PORT OF MIAMI PROPERTY

Date Issued January 11, 1995 Permit No. 95-132

For Year Ending December 31, 1995 Permit Fee $ 250.00

Name of Person or Company CLIFF BERRY INC

Mailing Address P.O. Box 13079, Port Everg Stat, Ft Lauderdale, Fl 33316

Is hereby permitted to engage in the business, profession or occupation of:

Type of Operation Waste Oil Hauler ,

on the Port of Miami property for period shown above.

Any change in the Permit Holder's operation must be approved by the Port Director so that a new Permit can be issued.

This Permit does not imply permission to violate any existing regulatory laws of the State, County or Cities, nor does it exempt the Holder from any other licenses or permits that may be required by law.

Permits may be revoked for cause by the Port Director at any time in which case a pro-rata refund will be made.

THIS PERMIT IS NOT TRANSFERABLE

404.01-38

Port Director

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK REGULATION PROGRAM

Account Owner ID 4244

Facility ID: 8630152
CLIFF BERRY INC-MIAMI TERMINAL
3033 NW NORTH RIVER DR
MIAMI, FL 33142-6337
DADE County

1995-96 Storage Tank Registration Placard enclosed

Facility Type: Other

CLIFF BERRY INC
PO BOX 13079
FORT LAUDERDALE, FL 33316-0100

Placard No: 26037
Placard Issued: August 2, 1995
Registration Paid: $525

Active tanks on site: 21

STORAGE TANK FACILITY ACCOUNT OWNER: PLEASE RETAIN THE TOP STUB FOR YOUR RECORDS

This is to certify that the facility named herein has one or more regulated storage tanks and/or compression vessels registered with the Forida Department of Environmental Protection.

Tanks required to register with the Department include those that contain vehicular fuel for land, sea or air use; other petroleum or petroleum-based products; pollutants such as pesticide(s), ammonia, or chlorine; a hazardous substance such as listed on the federal CERCLA list; or a mineral acid such as hydrobromic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, or sulfuric acid.

PLEASE NOTE: UST systems installed between 1976 and 1980 must be replaced with a new secondary containment system by 12/31/1995.

The FLORIDA DEP is now "online" with rules, information on the Petroleum Cleanup Program, and Storage Tank Registration data. INTERNET USERS: find DEP on the Wide World Web at http://www.dep.state.fl.us/. For more program information, such as:

PETROLEUM CLEANUP NEWS; go to: People, Places, Organizations : Organizational Structure : Division of Waste Management : Local, State, Federal Programs. (Also call the Division of Waste Management, 904-487-3299, for Cleanup Sites/Program information.)

More Internet: TANK REGISTRATION DATA; go to: Information Directory : Standard Reports : Storage Tank Inventory.
See also the free DEP Bulletin Board Service, ECOSYSTEM MANAGEMENT AND ENVIRONMENTAL EDUCATION BBS, accessed at 904-922-7108.

The Storage Tank Registration placard below must be posted at the facility.
It must be placed out of the weather and in plain view of inspectors entering the facility.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
STORAGE TANK REGISTRATION PLACARD

1995-96

Facility ID: 8630152

Placard No: 26037

Facility: CLIFF BERRY INC-MIAMI TERMINAL
3033 NW NORTH RIVER DR
MIAMI, FL 33142-6337
DADE County

Placard Issued: August 2, 1995
Placard Expires: June 30, 1996

Active Tanks: 21

Facility Type: 2 Other

Account Owner: 4244 CLIFF BERRY INC

Virginia B. Wetherell

Virginia B. Wetherell, Secretary
Department of Environmental Protection

Florida Department of
Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

MAY 17 1994

Certified Mail
Return Receipt Requested

Mr. Cliff Berry
P.O. Box 13079
Pt. Everglades Station
Ft. Lauderdale, FL 33316

GMS I.D. No.: 5013P06155
General Permit No.: SO 13-249229
County: Dade
Project: Miami Terminal Facility
Expiration Date: April 17, 1999

Dear Mr. Berry:

This letter acknowledges receipt of your notice requesting the use of a General Permit. Based upon the representation submitted to the Department, this project appears to qualify for the operation of a used oil recycling facility located at 3033 N.W. North River Drive, Miami, Dade County, Florida, 33142.

This facility shall be operated in accordance with the applicable paragraphs set forth in Rules 17-710, Florida Administrative Code (F.A.C).

This General Permit is subject to the General Conditions of Section 17-4.540, F.A.C., (attached).

If you need further information, please contact me at telephone number 407-433-2650.

Sincerely,

Joseph Kahn, P.E.
Supervisor, Solid Waste Section

attachment

cc: Joan Flint, DEP/TLH
Kathy Anderson, DEP/TLH

Printed on recycled paper.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

HAZARDOUS MATERIALS CERTIFICATE OF REGISTRATION

Registrant: CLIFF BERRY INC.
Attn: Kathleen O'Reilly
Po Box 13079
Ft. Lauderdale, FL 33316

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of Section 106(c)(1) of the Hazardous Materials Transportation Act, 49 App. U.S.C. 1801, et. seq. It is unlawful to alter or falsify this document.

Reg. No: 061695 006 042D Issued: 06/27/95 Expires: 06/30/96

Recordkeeping Requirements for the Registration Program

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

(1) A copy of the registration statement filed with RSPA; and
(2) This Certificate of Registration.

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U.S. Department of Transportation upon request.

Each motor carrier (private or for-hire) subject to the registration requirement must keep a copy of that carrier's current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, DHM-60 Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, telephone (202)366-4109.

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY) 12/29/94

PRODUCER
Seitlin & Company
of Broward
4410 N. State Rd. 7, Suite 304
Ft. Lauderdale, FL 33319

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Cliff Berry, Inc.
Clifford Berry, Inc. d/b/a
P.O. Box 13079
Ft. Lauderdale FL 33316

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A	American International Group
COMPANY LETTER B	American International Group
COMPANY LETTER C	
COMPANY LETTER D	Commerce Mutual Ins Co
COMPANY LETTER E	American International Group

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS		
A	GENERAL LIABILITY	GLCM3405944R	12/31/94	12/31/95	GENERAL AGGREGATE	$	4000000
	X COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG.	$	4000000
	X CLAIMS MADE OCCUR.				PERSONAL & ADV. INJURY	$	4000000
	OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE	$	4000000
					FIRE DAMAGE (Any one fire)	$	50000
					MED. EXPENSE (Any one person)	$	5000
B	AUTOMOBILE LIABILITY	CA2772894RA	12/31/94	12/31/95	COMBINED SINGLE LIMIT	$	2000000
	X ANY AUTO						
	ALL OWNED AUTOS				BODILY INJURY (Per person)	$	
	SCHEDULED AUTOS						
	X HIRED AUTOS				BODILY INJURY (Per accident)	$	
	X NON-OWNED AUTOS						
	GARAGE LIABILITY				PROPERTY DAMAGE	$	
	EXCESS LIABILITY				EACH OCCURRENCE	$	
	UMBRELLA FORM				AGGREGATE	$	
	OTHER THAN UMBRELLA FORM						
D	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	15970	10/15/94	10/15/95	X STATUTORY LIMITS		
					EACH ACCIDENT	$	1000000
					DISEASE—POLICY LIMIT	$	1000000
					DISEASE—EACH EMPLOYEE	$	1000000
E	OTHER	CPL5872662	12/31/94	12/31/95			
	POLLUTION LIAB				$2,000,000. EA OCC $2,000,000. AGG.		

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

30 DAY NOTICE WILL BE GIVEN ON WORKERS COMPENSATION

CERTIFICATE HOLDER

CLIFF BERRY, INC
CLIFFORD BERRY, INC D/B/A
PO BOX 13079
FT. LAUDERDALE, FL 33310

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE M. Stephen Jackman

ACORD 25-S (7/90)

©ACORD CORPORATION 1990

TRANS OF WASTE OIL&SOIL

50062-UO

STATE OF FLORIDA
PALM BEACH COUNTY

COUNTY OCCUPATIONAL LICENSE

CLASSIFICATION
OS-012

RECEIVED AUG 1994

THIS LICENSE IS IN ADDITION TO AND NOT IN LIEU OF ANY OTHER LICENSE REQUIRED BY LAW OR MUNICIPAL ORDINANCE AND IS SUBJECT TO REGULATIONS OF ZONING, HEALTH AND ANY OTHER LAWFUL AUTHORITY. COUNTY ORDINANCE NUMBER 72-7

89-13439
CLIFF BERRY INC
CLIFF BERRY INC
P O BOX 13079
FT LAUDERDALE FL 33316-0100

**LOCATED AT:
2601 S E 14TH AVE
FT LAUDERDALE FL

CNTY $25.00

TOTAL $25.00

IS HEREBY LICENSED AT ABOVE ADDRESS FOR THE PERIOD BEGINNING ON THE FIRST DAY OF OCTOBER AND ENDING ON THE THIRTIETH DAY OF SEPTEMBER TO ENGAGE IN THE BUSINESS, PROFESSION OR OCCUPATION OF:

PUBLIC SERVICE

JOHN K. CLARK
TAX COLLECTOR, PALM BEACH COUNTY

THIS IS NOT A BILL - DO NOT PAY

PAID. PBC TAX COLLECTOR CK
$25.00 OCC 75 5427 08-09-94

THIS LICENSE VALID ONLY WHEN RECEIPTED BY TAX COLLECTOR
LICENSE MUST BE DISPLAYED CONSPICUOUSLY AT ESTABLISHMENT OR PLACE OF BUSINESS

DADE COUNTY
TAX COLLECTOR
140 W. FLAGLER ST.
14th FLOOR
MIAMI, FL 33130

1994 OCCUPATIONAL LICENSE TAX 1995
DADE COUNTY - STATE OF FLORIDA
EXPIRES SEPT. 30, 1995
MUST BE DISPLAYED AT PLACE OF BUSINESS
PURSUANT TO COUNTY CODE CHAPTER 8A - ART.9 & 10

FIRST CLASS
U.S. POSTAGE
PAID
MIAMI, FL
PERMIT NO. 231

294581-5
BUSINESS NAME / LOCATION
CLIFF BARRY INC
OPERATING IN DADE COUNTY
OPER IN DADE CNTY

RENEWAL
LICENSE NO. 307969-6
STATE #PCC053364

OWNER
CLIFF BARRY INC
Sec.Type of Business
196 SPECIALTY MECHANICAL

EMPLOYEES
10

THIS IS AN OCCUPATIONAL TAX ONLY. IT DOES NOT PERMIT THE LICENSEE TO VIOLATE ANY EXISTING REGULATORY OR ZONING LAWS OF THE COUNTY OR CITIES, NOR DOES IT EXEMPT THE LICENSEE FROM ANY OTHER LICENSE OR PERMIT REQUIRED BY LAW. THIS IS NOT A CERTIFICATION OF THE LICENSEE'S QUALIFICATION.

DO NOT FOWARD
CLIFF BARRY INC
CLIFF BARRY SR PRES
2601 SE 14 AVE
FT LAUDERDALE FL 33316

PAYMENT RECEIVED
DADE COUNTY TAX
COLLECTOR:

08/11/94
240000108
000045.00

SEE OTHER SIDE

RECEIVED SEP 1994

AM/CHG BUS LOC

RETURN ALL COPIES

FORM NO. 401-280/AC 25-061

BROWARD COUNTY OCCUPATIONAL LICENSE TAX

FOR PERIOD OCTOBER 1, 1994 THRU SEPTEMBER 30, 1995

RENEW ON OR BEFORE SEPTEMBER 30, 1995

X ☐ RENEWAL ☐ TRANSFER SEC # 32 / 329

☐ NEW DATE BUSINESS OPENED 10/08/80

STATE OR COUNTY CERT/REG # 0000000000

Buisness Location Address:

2601 SE 14 AVE
FT LAUDERDALE 33316-0000
BUSINESS PHONE 000 763-3390

59-1350271

TAX	150.00
BACK TAX	
PENALTY	
T. C. FEE	
TRANSFER	
TOTAL	150.00

PENALTIES IF PAID
OCT. - 10% | NOV. - 15%
*DEC. - 20% | *After DEC. 31 - 25%
*Plus Tax Collection Fee of up to $25.00 Based on Cost of License if Paid On or After November 30, 1994

ACCOUNT NUMBER
329-0100897

CLIFF BERRY INC
CLIFF BERRY
P O BOX 13079
FORT LAUDERDALE FL 33316-0000

THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED TO PUBLIC VIEW AT THE LOCATION ADDRESS ABOVE.

DO NOT DETACH

DAVID A. BURNETT
David A. Burnett

BROWARD COUNTY REVENUE COLLECTOR
115 S. Andrews Avenue, Governmental Center Annex
FORT LAUDERDALE, FL 33301

TYPE OF LICENSE TAX PAID

SERVICE
16 UNITS

1994 - 1995

SEE BACK FOR TRANSFER INFORMATION PAYMENT RECEIVED AS VALIDATED ABOVE

0000000000 0000015000 0000003290100897 1001 3 15000 033649 07 081694

OCCUPATIONAL LICENSE

CITY OF
HOLLYWOOD, FLORIDA

CITY OF HOLLYWOOD, FLORIDA — DIAMOND OF THE GOLD COAST — INCORPORATED 1925

SEP 1994

NOTE : IF ANY INFORMATION IS INCORRECT, CALL 921-3225

LICENSE NUMBER	LICENSE TYPE
91 00459	REGULAR

BEGINNING 10 01 94 AND
ENDING ON 09 30 95

NAME AND LOCATION OF LICENSEE
CLIFF BERRY INC

2550 EISENHOWER BLVD #2
FT. LAUDERDALE FL 33316

MAILING ADDRESS
CLIFF BERRY INC
P O BOX 13079
FT EVERGLADES FL 33316

FEE AMOUNT	150.00
PENALTY FEES	0.00
TRANSFER FEES	0.00
TOTAL PAID	150.00

REFERENCE
CLIFFORD L. BERRY

PHONE
305 763 5455

CODE DESCRIPTION
25200 GENERAL CLASSIFICATION

C OF C

NOTICE TO ALL DEALERS CHARGI
SALES TAX: SEC 110.60 CITY CO
OF ORDINANCES REQUIRES TO PO
IN A CONSPICUOUS PLACE, READI
OBSERVABLE TO PUBLIC A LIST
TANGIBLE PERSONAL PROPERTY
BE SOLD, WHICH IS EXEMPT FR
SALES TAX.
*VIOLATIONS PUNISHABLE BY LA
PENALTY IS IMPOSED FOR FAILURE TO KEEP
THIS LICENSE DISPLAYED CONSPICUOUSLY

053370
FOR AUDIT USE ONLY

Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650
Fax: 407/433-2666

Carol M. Browner, Secretary

DEC 3 1 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

HW-Cliff Berry, Inc.

Mr. Cliff Berry
Vice President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida

Re: Withdrawal of Part A application.

Dear Mr. Berry:

The Department has received your letter requesting the withdrawal of the Part A application . The application became effective September 25, 1990 and gave Cliff Berry, Inc. interim status to manage the TC wastes numbered DO18 through DO43. The Department accepts the withdrawal of the facility's application and recognizes that interim status is terminated.

The facility should be aware that if it intends to operate as a Treatment , Storage and Disposal Facility (TSD) as identified in Chapter 17-730, Florida Administrative Code (FAC) , it must apply for a hazardous waste facility permit. A copy of Chapter 17-730 FAC and "Hazardous Waste Facility Permit Application Instructions and Forms" have been enclosed.

Should you have any additional questions, please call me at telephone number (407) 433-2650.

Sincerely,

J. Knox McKee, Jr.
Supervisor, Hazardous Waste Section

JKM :jkm
Enclosures

cc: Satish Kastury, DER/Tallahassee
Alan Farmer, EPA/Atlanta
BCONRP
Tim Grey, DER/WPB
File, File Coordinator

Recycled Paper

State of Florida
Department of Environmental Regulation

District Routing Slip

To: Jeff Smith Date: 29Dec92

			C.C. To:
	Pensacola	**Northwest District**	
	Panama City	Northwest District Branch Office	
	Tallahassee	Northwest District Branch Office	
	Apalachicola	Northwest District Satellite Office	
	Tampa	**Southwest District**	
	Bartow	Southwest District Satellite Office	
	Venice	Southwest District Satellite Office	
	Orlando	**Central District**	
	Melbourne	Central District Satellite Office	
	Jacksonville	**Northeast District**	
	Gainesville	Northeast District Branch Office	
	Fort Myers	**South District**	
	Punta Gorda	South District Branch Office	
	Marathon	South District Branch Office	
✓	**West Palm Beach**	**Southeast District**	
	Port St. Lucie	Southeast District Branch Office	

Reply Optional ☐ Reply Required ☐ Info Only ☑
Date Due _____ Date Due _____

Comments:

Jeff - Bruce Bartz faxed this to me today; it addresses a mixture of topics.

Terri

From: Terri Chasteen Tel.: SC 278-0300

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-5455

RECEIVED
JAN - 6 1993
DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

FAX TRANSMITTAL SHEET

TELEFAX NUMBER: 904 922 4939

DELIVER TO: Teresa Chasteen

COMPANY: FDER Hazardous Waste Management Section

FROM: Bruce Barth **FAX NUMBER(305) 763-8375**

DATE: 12-29-99 **TIME SENT:** 3:55 PM

TOTAL NUMBER OF PAGES: (8) **(INCLUDING COVER SHEET)**

MESSAGE:

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

December 29, 1992

Florida Department of
Environmental Regulation
Twin Towers Office Building
2600 Blair Road
Tallahassee, Florida 32399-2400

Attn: Ms. Terri Chasteen
Environmental Specialist
Hazardous Waste Management Section

Dear Ms. Chasteen:

During our conversation several weeks ago; you mentioned that unless Cliff Berry, Inc. changed insurance carriers we could send in our current insurance certificates to comply with State regulations. Since our last conversation, CBI has contracted with a new insurance carrier.

Enclosed please find our current insurance certificates which expire December 31, 1992. I will be sending you our new certificates which were mailed to us on December 28, 1992 as soon as they arrive.

Sincerely,

J. Bruce Bartz
Sales Manager

encl:

BB/gj

CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY): 03/24/92

PRODUCER

Poe's Associates, Inc.
700 N. Andrews Ave, Suite 708
Ft. Lauderdale, FL 33309

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER	A	London Companies
COMPANY LETTER	B	Michigan Mutual
COMPANY LETTER	C	Lexington Ins. Co.
COMPANY LETTER	D	London Companies
COMPANY LETTER	E	

INSURED

Clifford Berry Inc
Clifford Berry Atlma
P O Box 23079
Ft Lauderdale FL 33316

COVERAGES

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIABILITY LIMITS IN THOUSANDS	EACH OCCURRENCE	AGGREGATE
GENERAL LIABILITY	BINDER 1238	12/31/91	12/31/92			
XX COMPREHENSIVE FORM				BODILY INJURY		
XX PREMISES/OPERATIONS				PROP. DAMAGE		
XX UNDERGROUND EXPL'N COLLAPSE HAZ.				BI & PD COMB.	1000	1000
XX PROD./COMPLETED OPER.						
XX CONTRACTUAL						
XX INDEPENDENT CONTRACTORS						
BROAD FORM PROP. DAMAGE						
PERSONAL INJURY				PERSONAL INJURY		
AUTOMOBILE LIABILITY	CA1012143	12/31/91	12/31/92			
XX ANY AUTO				BODILY INJURY (PR. PER.)		
XX ALL OWNED AUTOS (PRIV. PASS)				BODILY INJURY (PR. ACC.)		
XX ALL OWNED AUTOS (OTHER THAN PRIV. PASS)				PROP. DAMAGE		
HIRED AUTOS				BI & PD COMB.	1000	
NON-OWNED AUTOS						
GARAGE LIABILITY						
EXCESS LIABILITY	5567876	12/31/91	12/31/92			
UMBRELLA FORM				BI & PD COMB.	1000	1000
XX OTHER THAN UMBR. FORM						
WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY		
				(EACH ACCIDENT)		
				(DISEASE-POL. LIM.)		
				(DISEASE-EA. EMP.)		
OTHER						
Pollution	RLH92543	2/4/92	12/31/92	1000, Each Hazard 1000, Annual aggreg		

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

TO WHO IT MAY CONCERN

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Michael A Bell

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY) 3/27/92

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

PRODUCER

Poe & Associates, Inc.
5900 N Andrews Ave. Suite 708
Fort Lauderdale, Florida
33309

INSURED

Clifford Berry Inc. &
Clifford Berry Atima
P.O.Box 13079
Port Everglades, Florida 33316

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A London Companies

COMPANY LETTER B

COMPANY LETTER C

COMPANY LETTER D

COMPANY LETTER E

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
	GENERAL LIABILITY				GENERAL AGGREGATE	$
	COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG.	$
	CLAIMS MADE / OCCUR.				PERSONAL & ADV. INJURY	$
	OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE	$
					FIRE DAMAGE (Any one fire)	$
					MED. EXPENSE (Any one person)	$
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	$
	ANY AUTO					
	ALL OWNED AUTOS				BODILY INJURY (Per person)	$
	SCHEDULED AUTOS					
	HIRED AUTOS				BODILY INJURY (Per accident)	$
	NON-OWNED AUTOS					
	GARAGE LIABILITY				PROPERTY DAMAGE	$
	EXCESS LIABILITY				EACH OCCURRENCE	$
	UMBRELLA FORM				AGGREGATE	$
	OTHER THAN UMBRELLA FORM					
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS	
					EACH ACCIDENT	$
					DISEASE—POLICY LIMIT	$
					DISEASE—EACH EMPLOYEE	$
	OTHER					
A	Pollution Liability	RLH92543	2/4/92	12/31/92	hazar 1000, each Pollution 1000, annual Aggregate	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

To Who It May Concern

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Michael J. Gulf

© ACORD CORPORATION 1990

FAX COVER SHEET

ECS Underwriting, Inc.
One East Uwchlan Avenue
Suite 300
Exton, PA 19341
(215) 269-6731
800-ECS-1414
(outside Pennsylvania)
FAX: (215) 524-5354

TO: ~~STAR BISSELL~~ Bruce Bartz
SEITLIN & CO.
FAX: 305-733-0558
VOICE:
TODAY'S DATE: 12/28/92
TIME: 1:40 A.M. P.M.
NUMBER OF PAGES, INCLUDING COVER: 5

Fax # 763-8375

FROM: Joe Catanese, Underwriter
RE: CLIFF BERRY, INC.

Everything has been done.

COMMENTS:
STAR:
THE ATTACHED FLORIDA SPECIAL CERTIFICATES ARE BEING MAILED TODAY (ORIGINALS TO THE D.E.R., COPIES FOR YOU AND THE INSURED). IN ORDER TO PROCESS A FLORIDA FORM E FILING, WE WILL NEED THE INSURED'S FEI NUMBER. PLEASE LET US KNOW IN ORDER TO EXPEDITE THE FILING.

THANKS.
Joe Catanese

I got from David yesterday

Please confirm receipt of this data.
To: Phone:

ENVIRONMENTAL COMPLIANCE SERVICES, INC.

Environmental insurance protection for American industry.

STATE OF FLORIDA

HAZARDOUS WASTE TRANSPORTER CERTIFICATE OF LIABILITY INSURANCE

1. Planet Insurance Company
[Name of Insurer]
(the "Insurer"), of 4 Penn Center Plaza, Philadelphia, PA 19103
[Address of Insurer]
hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to Cliff Berry, Inc.
[Name of Insured]
(the "Insured"), of P.O. Box 13079, Port Everglades Station, Ft. Lauderdale, FL 33316
[Address of Insured]
in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 17-30.170. The coverage applies at:

EPA/DER I.D. No.	Name	Address
FLD 000883 156	Cliff Berry, Inc.	2601 Southeast 14th Ave. Port Everglades, FL 33316

(If coverage is for multiple facilities identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of $2,000,000 CSL for each accident, exclusive of legal defense costs. The coverage is provided under policy number MKAZ609171, issued on 12/31/92 [Date]. The effective date of said policy is 12/31/92 [Date].

This insurance is excess and the company shall not be liable for amounts in excess of $_____ for each accident in excess of the underlying limit of $_____ for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____ [Date]. The effective date of said policy is _____ [Date].

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:

(a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.

(b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.

(c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Regulation (FDER), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

(d) Cancellation of the insurance, whether by the Insurer or the insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty-five (35) days after a copy of such written notice is received by the Secretary of the FDER as evidenced by certified mail return receipt.

(e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States including Florida.

Joseph S Catanese
[Signature of Authorized Representative of Insurer]

Joseph S. Catanese — 192-60-4391
[Type name] [Social Security Number]

Underwriter
[Title]

Authorized Representative of

Fireget Insurance Company
[Name of Insurer]

4 Penn Center Plaza, Philadelphia, PA 19103
[Address of Representative]

Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Used Oil Transporter Certificate of Liability Insurance

1. Planet Insurance Company (Name of Insurer), (the "Insurer"), 4 Penn Center Plaza, Philadelphia, PA 19103 (Address of Insurer) hereby certifies that it has issued liability insurance covering bodily injury and property damage for sudden accidental occurrences to Cliff Berry, Inc. (Name of Insured), (the "Insured"), P.O. Box 13079, Port Everglades, Ft. Lauderdale, FL 33316 (Address of Insured) whose used oil registration number is _____ in connection with the Insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 17-710.800(d).

This insurance is primary and the company shall be liable for amounts up to $ 1,000,000 OIL less a deductible or retention of $ -0- for each accident exclusive of legal defense costs. If a deductible or retention applies, its amount may not exceed 10% of the equity of the Insured. The coverage is provided under policy number HKA8509171, issued on 12/31/92 (Date). The expiration date of said policy is 12/31/93 (Date) or the annual renewal date is Not Applicable (Date).

This insurance is excess and the company shall not be liable for amounts in excess of $ _____ for each accident in excess of the underlying limit of $ _____ for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____ (Date). The expiration date of said policy is _____ (Date) or the annual renewal date is _____ (Date).

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:

a. Bankruptcy or insolvency of the Insured shall not relieve the Insurer of its obligations under the policy.

b. The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the Insured for any such payment made by the Insurer.

c. Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Regulation (FDER), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

d. Cancellation of the insurance, whether by the Insurer or the Insured or by any other termination of the insurance (e.g., expiration, nonrenewal), will be effective only upon written notice and only after the expiration of thirty-five (35) days after a copy of such written notice is received by the Secretary of the FDER as evidenced by certified mail return receipt.

e. The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States including Florida.

Joseph S. Cattanese
(Signature of Authorized Representative of Insurer)

Joseph S. Cattanese 192-60-4391
(Type name) (Social Security Number)

Underwriter
(Title)

Authorized Representative of

Planet Insurance Company
(Name of Insured)

4 Penn Center Plaza, Philadelphia, PA 19103
(Address of Representative)

17-710.800 Certification of Used Oil Transporters

(d) Demonstrate, and annually verify, proof of liability insurance, or other means of financial responsibility, for any liability which may be incurred in the transport of used oil. Such financial responsibility shall cover sudden and accidental occurrences involving bodily injury and property damage in the amount of at least $100,000 Combined Single Limit.

1. The $100,000 Combined Single Limit is the minimum amount of financial responsibility that every used oil transporter must demonstrate. Depending on vehicle size and weight other restrictions and financial responsibility requirements may be imposed by the Federal or State Departments of Transportation or other agencies.

2. The financial responsibility required in this paragraph may be established by any one or a combination of the following:

a. Evidence of liability insurance, either on a claim made or an occurrence basis, with or without a deductible (with the deductible, if any, to be on a per occurrence or per accident basis and not to exceed ten percent of the equity of the business), using DER Form 17-710.900(4).

b. Other evidence of financial responsibility approved by the Department. Such proof may include, but is not limited to: surety bonds, certificates of deposit, letters of credit, trust fund agreements, or financial tests.

3. States and the federal government are exempt from the requirements of paragraph (d).

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-5455

FAX TRANSMITTAL SHEET

TELEFAX NUMBER: 904 922 4939

DELIVER TO: Terry Costner

COMPANY: FDER Hazardous Waste Management Section

FROM: Bruce Batz FAX NUMBER(305) 763-8375

DATE: 12-29-99 TIME SENT: 3:55PM

TOTAL NUMBER OF PAGES: (8) (5) (INCLUDING COVER SHEET)

MESSAGE:

1st FAX (8) PAGES
2nd FAX (5) PAGES

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

December 29, 1992

Florida Department of
Environmental Regulation
Twin Towers Office Building
2600 Blair Road
Tallahassee, FL 32399-2400

Attention: Ms. Terri Chasteen
Environmental Specialist
Hazardous Waste Management Section

Reference: Hazardous Waste Transfer Facility Status
Cliff Berry, Inc.

Dear Ms. Chasteen:

Please enclosed find my letter dated September 24, 1991 to the USEPA Region IV, regarding CBI's request for cancellation of Interim Status/Part A T C #D018-D043.

Also, please find a copy of EPA Region IV response, dated December 16, 1992.

I hope this will enlighten your department in regards to our current status with the EPA.

Sincerely,

J. Bruce Bartz
Sales Manager

Encl:

BB/gj

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV
345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

4WD-RCRA
DEC 16 1992

Mr. Clifford Berry, II
Vice President
Cliff Berry Industries
P.O. Box 13079
Fort Lauderdale, Florida 33316

Re: EPA and FDER Inspection of September 21, 1992
Cliff Berry Industries
FLD 000 831 156

Dear Mr. Berry:

On September 21, 1992, U.S. Environmental Protection Agency (EPA) Region IV, and Florida Department of Environmental Regulation (FDER) conducted a RCRA Compliance Evaluation Inspection (CEI) at your facility. The CEI concluded that Cliff Berry Industries, located 2601 SE 14 Avenue, Fort Lauderdale, Florida, does not have interim status.

For your information and records, a copy of the EPA inspection report is enclosed with this letter. Either EPA or FDER shall follow-up under separate cover on the issue of accepting Cliff Berry's request for withdrawal of the Part A application.

If you should have any questions regarding this report, please contact Mr. David Langston, of my staff at (404)-347-7603.

Sincerely yours,

Jeffrey T. Pallas
Chief, FL/GA Unit
RCRA Compliance Section

Enclosure

cc: Tim Gray, FDER/SE District (w/o enclosure)

Printed on Recycled Paper

FEB 22 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-RCRA&FFB

Mr. Cliff Berry
Vice President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Receipt of Completed Part A Application Pursuant to the Toxicity Characteristic (TC) Final Rule

Dear Mr. Berry:

The purpose of this letter is to acknowledge receipt of the revised Part A application submitted by Cliff Berry, Inc., on February 8, 1991. This submittal completes your original application received on September 25, 1990.

Effective September 25, 1990, Cliff Berry, Inc., has interim status to manage the TC wastes Numbered D018 through D043. Cliff Berry, Inc., must submit a Part B Application when called upon to do so by EPA.

Interim status for TC wastes requires that Cliff Berry, Inc., manage these wastes in compliance with all the applicable regulations in 40 CFR 265 until such time as a final decision is made on the completed hazardous waste permit application, which includes the Part B.

If you have any questions regarding this letter, please contact Ms. Lisa Perras of my staff at (404) 347-7603. Florida has not adopted the TC regulations as state law. Questions regarding state TC requirements should be directed to the Florida Department of Environmental Regulation.

Sincerely yours,

James H. Scarbrough, P.E., Chief
RCRA and Federal Facilities Branch
Waste Management Division

cc: Mr. Barry Swihart, Florida DER
Mr. Scott Benyon, Florida DER

bc: Betty Willis, WCS
Lisa Perras, WCS

137/42

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

September 24, 1991

United States Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Attn: Mr. Javier Garcia

Re: Cliff Berry, Inc. 2601 S.E. 14th Ave.
Ft. Lauderdale, FL
Cancellation of Interium Status Part A
T.C. Waste # D018-D043.

Dear Mr. Garcia:

Cliff Berry, Inc. regretfully submits this letter for cancellation of our Interium Status for Part A T.C. # D018-D043.

We are cancelling our Part A Status as of September 24, 1991 because we feel that we would not have enough time to complete all the conditions of the Part B Permit and that CBI is also proposing to build a new facility in Port Everglades, Florida, within the next year and a half.

To the best of our knowledge, Cliff Berry, Inc. has not received any hazardous waste during Interium Status or prior to being granted Interium Status.

Sincerely,
Cliff Berry, Inc.

J. Bruce Bartz
Sales Manager

cc: James H. Scarbrough
P.E. Chief
RCRA and Federal Fatilities Branch
Waste Management Division

Scott Benyon
Manager
1900 S. Congress Avenue
Suite A
West Palm Beach, Florida

END

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV
345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

RECEIVED
DEC 2 1 1992
DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

4WD-RCRA
DEC 1 6 1992

Mr. Vizek Kameth, Director
Waste Management
Southeast District
Florida Department of Environmental
Regulation
1900 S. Congress Avenue, Suite A
West Palm Beach, Florida 33406

Re: EPA and FDER Inspection of September 21, 1992
Cliff Berry Industries
FLD 000 831 156

Dear Mr. Kameth:

On September 21, 1992, EPA, and FDER conducted a RCRA Compliance Evaluation Inspection (CEI) at Cliff Berry Industries. The CEI concluded that Cliff Berry Industries, located 2601 SE 14 Avenue, Fort Lauderdale, Florida, does not have interim status.

Pursuant to Memorandum of Agreement between EPA and FDER, a copy of the EPA inspection report is enclosed with this letter. EPA anticipates that Cliff Berry's request for withdrawal of the Part A application shall be accepted and a formal reply is currently being drafted.

If you should have any questions regarding this report, please contact Mr. David Langston, of my staff at (404)-347-7603.

Sincerely yours,

Jeffrey T. Pallas
Chief, FL/GA Unit
RCRA Compliance Section

Enclosure

cc: Tim Gray, FDER/SE District (w/enclosure)

Printed on Recycled Paper

RCRA Inspection

1. INSPECTOR AND AUTHOR OF REPORT

David Langston, E.I.T.
Environmental Engineer

2. FACILITY INFORMATION

Cliff Berry, Inc.
Post Office Box 13079
Fort Lauderdale, Florida 33316
FLD 000 831 156
305/763-3390
305/763-5455

3. RESPONSIBLE OFFICIAL

Bruce Bartz
Sales Manager

4. INSPECTION PARTICIPANTS

David Langston, U.S. EPA, RCRA Compliance Section
Tim Gray, Florida Department of Environmental Regulation
Bruce Bartz, Cliff Berry
Clifford Berry II, V.P. Cliff Berry

5. DATE & TIME OF INSPECTION

September 21, 1992
12:20 p.m.

6. APPLICABLE REGULATIONS

RCRA §3007
40 C.F.R. Parts 260, 261, 262, 265 and 268

7. PURPOSE OF SURVEY

To conduct an inspection of the interim status facility, Cliff Berry under §3007(a) of RCRA, to evaluate the facility's compliance with 40 C.F.R. Part 265, Interim Status Standards Applicable to Owners and/or Operators of Treatment/Storage and Disposal Facilities. Additionally, to determine whether withdrawal of the Part A application should be granted.

8. FACILITY DESCRIPTION

On September 24, 1990, Cliff Berry submitted a Part A application for treatment and storage of hazardous waste. The application had been submitted pursuant to the Toxic Characteristic Rule (TC Rule) which had become effective on September 24, 1990. On January 30, 1991, EPA requested additional information pursuant to filing a complete and accurate Part A application. On February 22, 1991, EPA acknowledged receipt of the revised Part A and noted that Cliff Berry, Inc., had interim status to manage TC wastes D018 through D043.

In or around September 24, 1991, Cliff Berry submitted to EPA Region IV, a request to withdraw the Part A application. The withdrawal request was based on the assertion that the facility had not handled hazardous waste at the facility. Additionally, Cliff Berry indicated a desire to build a new facility in the Port Everglades area.

Cliff Berry is located in an industrial park adjacent to Port Everglades. Located within this industrial park are numerous petroleum distribution facilities and other industries. Many of the industries within the park support or are directly related to Port Everglades and the shipping of commodities. Cliff Berry Industries is designated as a RCRA transporter, waste oil handler, and a TSDF for treatment and storage of hazardous waste. The majority of wastes are derived from ships, power plants, quick lube facilities, and UST remediation projects. According to Mr. Berry, the wastes are predominately water with some oil residue. Mr. Berry noted that the oily waters left from the oil recovery are sent to Rinker for incineration as a non-hazardous waste, and are manifested as such. Rinker apparently utilizes the oily waste water as a cooling media in the clinker formation.

Mr. Bartz and Mr. Berry noted that they rely on generator knowledge and analytical results provided by the generator in making the determination as what to accept at the facility. They explained that this is based on a good faith working relationship with the generating facility.

Wastes and environmental media from UST clean-up projects are left at the remediation site for direct transport to a waste disposal site. Cliff Berry personnel noted that the only storage which occurs is as a consequence of recovering used oil, and as a transporter when utilizing the site as a transfer facility.

9. FINDINGS

Physical Review

The physical review began with review of the tank farm which is used to recover used oil and petroleum products. The facility indicated that the final oils are sent to Rinker for energy recovery purposes.

Each tank is dedicated to a specific purpose, such as receiving & holding, low solids

and clean waters, and good oils for fuel usage. Tanks A1 and A2 are dedicated to the receipt and separation of oil/water mixtures. Tanks A-3-F, A-3-B, A-4-F, and A-4-B are used for clean waters containing low solids. Tanks A-5, A-6, A-7, and A-8 are used to contain good oils for fuel usage. Mr. Berry and Mr. Bartz also noted that they receive used motor oil from "Do-It-Yourselfers". The service is offered to the public on a call ahead basis.

Housekeeping was generally adequate with minimal discolored soils present. Some spillage around the area of the used oil filter crusher was noted. No drums of hazardous waste were noted in inventory. Drums of materials present were labeled and were reviewed to confirm the content. Most of the drums contained oily wastes from oil recovery operations, and crushed used oil filters.

The on-site laboratory is a small portable building which is used to determine chloride content from salt water, flash point of the fuels, centrifuge for solids determination, distillation, PCBs identification and screening, and halogen identification and screening. In general, the laboratory is used to confirm the identity of the materials received and shipped off-site. This constitutes basic fingerprint identification of the waste materials and is presumably satisfactory for a used oil handling facility.

Document Review

The following documents were requested during the inspection of Cliff Berry Industries:

Personnel Training Plan
Personnel Training Records
Inspection Logs
Liability Insurance
Waste Analysis Plan
Waste Analysis Results
Manifests

The review of the manifests and waste analysis results strongly suggested that Cliff Berry Industries had never operated as a RCRA TSDF. The file review could not establish that the facility had ever received hazardous waste other than as a transporter.

10. CONCLUSIONS

Cliff Berry Industries is a protective filer and never had interim status. The facility's request to withdraw the Part A permit application should be addressed by formally issuing correspondence indicating that the facility is not a TSDF and never had operated as a TSDF. Cliff Berry Industries should be cautioned that the storage, treatment or disposal of hazardous waste at a facility with neither interim status or permit is prohibited by state and federal statute. Additionally, Cliff Berry must understand that a new facility under construction will not have interim status for TC

wastes and must submit a Part B application six months prior to the start of the physical construction of the facility.

11. RECOMMENDATION

Transmit a copy of the EPA inspection report to FDER. It is further recommended that EPA formally acknowledge that Cliff Berry never had interim status, and establish the need for Cliff Berry to submit a Part B permit application and receive a permit from FDER prior to operating as a TSDF.

12. SIGNED

David Langston, E.I.T.
Environmental Engineer

12-9-92
Date

13. CONCURRENCE

Jeffrey T. Pallas
Chief, FL/GA
RCRA Compliance Section

12/15/92
Date

APPROVAL

John Dickinson, P.E., Chief
RCRA Compliance Section
RCRA Branch

12/15/92
Date

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246 EPA OT

For State Use Only

EPA
Hazardous Waste Permit Application Part A

(Read the instructions before starting)

Date Received
Month Day Year

I. ID Number(s)

A. EPA ID Number: FLD000831156

B. Secondary ID Number (if applicable):

II. Name of Facility

CLIFF BERRY INC

III. Facility Location (Physical address not P.O. Box or Route Number)

A. Street: 2601 SE 14 AVENUE

Street (continued):

City or Town: FORT LAUDERDALE FL 33316 -

County Code: BROWARD

B. Land Type: P 26 05 024 080 07 043

C. Facility Existence Date: Day Year 02 01 1987

IV. Facility Mailing Address

PO BOX 13079

FORT LAUDERDALE FL 33316 -

Name (Last): BERRY

City: CLIFFORD

Job Title: VICE PRESIDENT

Phone Number (Area Code and Number): 305-763-3390

VI. Facility Contact Address (See Instructions)

X

City or Town: -

... type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-OT

EPA I.D. Number (enter ...)

F L D 0 0 0 8 3 1 1 5 6

VII. Operator Information (see instructions)

Name of Operator

C L I F F B E R R Y

Street or P.O. Box

P O B O X 1 3 0 7 9

City or Town

F O R T L A U D E R D A L E F L 3 3 3 1 6 -

Phone Number (area code and number)

3 0 5 - 7 6 3 - 3 3 9 0 P

VIII. Facility Owner (see instructions)

A. Name of Facility's Legal Owner

C L I F F B E R R Y

Street or P.O. Box

P O B O X 1 3 0 7 9

City or Town

F O R T L A U D E R D A L E F L 3 3 3 1 6 -

Phone Number (area code and number)

3 0 5 - 7 6 3 - 3 3 9 0 P

IX. SIC Codes (4-digit, in order ...)

Primary

(description) (description)

Secondary

(description) (description)

X. Other Environmental Permits

A. Permit Type (enter code)		
E	H T S - W O - 1	OPER. PETRO. TRANS STATION (BC)
E	W 0 9 0 - 1 0 4 - 0 0 0	LIQ. WASTE TRANS. (DC)
E	I 3 1 - I 3 3	
E	I 7 4	HAUL LICENSE FOR BROWARD COUNTY
E	I 1 4 2	FOR WASTE OIL, WASTE FUEL
E	I 2 6 5 - I 2 6 7	PETROLEUM CONTAMINATED WATER,
E	I 1 4 9	TANK SLUDGES, PETROLEUM
E	I 4 2 0 - I 4 2 1	CONTAMINATED SOIL

EPA I.D. Number (enter from page 1)

F	L	D	0	0	0	8	3	1	1	5	6

Facility ID Number (enter from page 1)

XI. Nature of Business (provide a brief description)

Cliff Berry Inc. (CBI) is operated as a spill response company which utilizes vacuum trucks, tankers, dump trucks and ancillary machinery and equipment for remediation of petroleum spills. Services are provided for private and governmental agencies. CBI responds to spills both of a solid and liquid nature. All materials collected from spill sites are stored within the aforementioned transfer station. Solids are stored within 55 gallon drums, liquids in any of 10 storage tanks (two of which are compartmentalized). The total liquid storage capacity of the facility is approximately 180,000 gallons. All storage tanks are located within a containment which has been designed to meet regulations at the time of installation. Also located within the contained area is a hydraulic press which is used to remove liquids from absorbent pads. All liquids collected from the compression operation are transferred to the storage tanks.

The facility is licensed as a transfer station by the Broward County Environmental Quality Control Board and the State of Florida. Each of the operating vehicles is also licensed under the Broward and Dade County programs.

The facility holds no other federal, state or county permits or licenses. All permits are maintained in an active status and have been enforced from their inception.

XII. Process - Codes and Design Capacities

A. PROCESS CODE - Enter the code from the list of process codes below that best describes each process to be used at the facility. Twelve lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. If a process will be used that is not included in the list of codes below, then describe the process (including its design capacity) in the space provided in Item XIII.

B. PROCESS DESIGN CAPACITY - For each code entered in column A, enter the capacity of the process.

1. AMOUNT - Enter the amount. In a case where design capacity is not applicable (such as for a closure/post-closure or enforcement action) enter the total amount of waste for that process unit.

2. UNIT OF MEASURE - For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.

C. PROCESS TOTAL NUMBER OF UNITS - Enter the total number of units used with a process code.

PROCESS CODE	PROCESS	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY
	DISPOSAL:	
D79	INJECTION WELL	GALLONS; LITERS; GALLONS PER DAY; OR LITERS PER DAY
D80	LANDFILL	ACRE-FEET OR HECTARE-METER
D81	LAND APPLICATION	ACRES OR HECTARES
D82	OCEAN DISPOSAL	GALLONS PER DAY OR LITERS PER DAY
D83	SURFACE IMPOUNDMENT	GALLONS OR LITERS
	STORAGE:	
S01	CONTAINER (barrel, drum, etc.)	GALLONS OR LITERS
S02	TANK	GALLONS OR LITERS
S03	WASTE PILE	CUBIC YARDS OR CUBIC METERS
S04	SURFACE IMPOUNDMENT	GALLONS OR LITERS
	TREATMENT:	
T01	TANK	GALLONS PER DAY OR LITERS PER DAY
T02	SURFACE IMPOUNDMENT	GALLONS PER DAY OR LITERS PER DAY
T03	INCINERATOR	SHORT TONS PER HOUR; METRIC TONS PER HOUR; GALLONS PER HOUR; LITERS PER HOUR; OR BTU'S PER HOUR
T04	OTHER TREATMENT (Use for physical, chemical, thermal or biological treatment processes not occurring in tanks, surface impoundment or incinerators. Describe the processes in the space provided in Item XIII.)	GALLONS PER DAY; LITERS PER DAY; POUNDS PER HOUR; SHORT TONS PER HOUR; KILOGRAMS PER HOUR; METRIC TONS PER DAY; METRIC TONS PER HOUR; OR SHORT TONS PER DAY

UNIT OF MEASURE	UNIT OF MEASURE CODE
GALLONS	G
GALLONS PER HOUR	E
GALLONS PER DAY	U
LITERS	L
LITERS PER HOUR	H
LITERS PER DAY	V
SHORT TONS PER HOUR	D
METRIC TONS PER HOUR	W
SHORT TONS PER DAY	N
METRIC TONS PER DAY	S
POUNDS PER HOUR	J
KILOGRAMS PER HOUR	R
CUBIC YARDS	Y
CUBIC METERS	C
ACRES	B
ACRE-FEET	A
HECTARES	Q
HECTARE-METER	F
BTU's PER HOUR	K

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

GSA No. 3246 EPA

EPA I.D. Number (enter from page 1)

F	L	D	0	0	0	8	3	1	1	5	6

Secondary ID Number (enter from page 1)

IX. Process - Codes and Design Capacities (continued)

EXAMPLE FOR COMPLETING ITEM XII (shown in line numbers X-1 and X-2 below): A facility has two storage tanks, one tank can hold 200 gallons and the other can hold 400 gallons. The facility also has an incinerator that can burn up to 20 gallons per hour.

Line Number	A. PROCESS CODE (from list above)	B. PROCESS DESIGN CAPACITY 1. AMOUNT (specify)	B. PROCESS DESIGN CAPACITY 2. UNIT OF MEASURE (enter code)	C. PROCESS TOTAL NUMBER OF UNITS	FOR OFFICIAL USE ONLY
X 1	S 0 2	600	G	0 0 2	
X 2	T 0 3	20	E	0 0 1	
1	S 0 2	180,000	G	0 1 0	
2	T 0 4	500	J	0 0 1	
3	S 0 3	75 (PROPOSED)	Y	0 0 1	
4	S 0 1	2750 (PROPOSED)	G	0 0 1	
5					
6					
7					
8					
9					
10					
11					
12					

NOTE: If you need to list more than 12 process codes, enter the additional code(s) with the information in the same format as above. Number the lines sequentially, taking into account any lines that will be used for additional treatment processes in item XIII.

XIII. Additional Treatment Processes (Read instructions from Item XII)

Line Number	A. PROCESS CODE	B. TREATMENT PROCESS DESIGN CAPACITY 1. AMOUNT (specify)	B. TREATMENT PROCESS DESIGN CAPACITY 2. UNIT OF MEASURE (enter code)	C. PROCESS TOTAL NUMBER OF UNITS	D. DESCRIPTION OF PROCESS
0 2	T 0 4	500	J	0 0 1	HYDRAULIC PRESS USED FOR REMOVAL OF OIL FROM ABSORBENT PADS
	T				
	T 0 4				
	T 0 4				

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-OT

EPA I.D. Number (enter from page 1)

F	L	D	0	0	0	8	3	1	5	6

Secondary ID Number (enter from page 1)

IV. Description of Hazardous Wastes

A. EPA HAZARDOUS WASTE NUMBER - *Enter the four-digit number from 40 CFR, Part 261 Subpart D that describes each listed hazardous waste you will handle. For hazardous wastes which are not listed in 40 CFR, Part 261 Subpart D, enter the four-digit number(s) from 40 CFR, Part 261 Subpart C that describes the characteristics and/or the toxic contaminants of these hazardous wastes.*

B. ESTIMATED ANNUAL QUANTITY - *For each listed waste entered in column A estimate the quantity of that waste that will be handled on an annual basis. For each characteristic or toxic contaminant entered in column A estimate the total annual quantity of all the non-listed waste(s) that will be handled which possess that characteristic or contaminant.*

C. UNIT OF MEASURE - *For each quantity entered in column B enter the unit of measure code. Units of measure which must be used and the appropriate codes are:*

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES

1. **PROCESS CODES:**

For listed hazardous waste: For each listed hazardous waste entered in column A select the code(s) from the list of process codes contained in Item XII A on page 3 to indicate how the waste will be stored, treated, and/or disposed of at the facility.

For non-listed hazardous waste: For each characteristic or toxic contaminant entered in column A select the code(s) from the list of process codes contained in Item XII A on page 3 to indicate all the processes that will be used to treat, store, and/or dispose of all the non-listed hazardous wastes that possess that characteristic or toxic contaminant.

NOTE: THREE SPACES ARE PROVIDED FOR ENTERING PROCESS CODES. IF MORE ARE NEEDED:

1. *Enter the first two as described above.*
2. *Enter "000" in the unused right hand of Item XII.*
3. *Enter in the space provided on page 3, Item XII [illegible]*

2. **PROCESS DESCRIPTION** - *If a code is not available for a process you will use, describe the process in the space provided on the form (D.(2)).*

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER. Facilities treating, storing or disposing of hazardous wastes that can be described by more than one EPA Hazardous Waste Number should list the description on one line as follows:

1. *Select one of the EPA Hazardous Waste Numbers that describes a waste and enter it in column A. Complete columns B, C, and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.*
2. *In column A of the next line enter the other EPA Hazardous Waste Number that describes the waste. In column B enter "included with above" and make no entries in columns C and D(1). In column D(2) for that line enter the process code(s) and description of the processes used to treat, store, and/or dispose of the portion of the waste described by the EPA Hazardous Waste Number entered in column A.*
3. *Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.*

EXAMPLE FOR DESCRIBING [illegible]

[illegible] estimated [illegible] dispose of [illegible] The other wastes are corrosive only and there will be [illegible] This waste [illegible]

Line Number	A. EPA HAZARD WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES (1) PROCESS CODES (enter)	(2) PROCESS DESCRIPTION (If a code is not entered in D(1))
X 1	D 0 0 8	900	P	T 0 3	
X 2	D 0 0 9	400	P	T 0 3	
X 3	D 0 1 0	100	P	T 0 3	
X 4	D 0 1 1	2	P	T 0 3	Included With Above

GSA No. 02-xx

EPA I.D. Number (enter from page 1): F I D 0 0 0 8 3 1 1 5 6

Secondary ID Number (enter from page 1):

XIV. Description of Hazardous Wastes (continued)

Line Number	A. EPA HAZARDOUS WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES (1) PROCESS CODES (enter)	D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	D 0 0 1	1,750,000	G	S 0 1 S 0 2	LIQUID & SOIL WASTE
2	D 0 0 1	500	T	S 0 1 S 0 3	CONTAINING ANY OF
3	D 0 0 2	5000	G	S 0 1	THE COMPONENTS LISTED
4	D 0 0 2	100	T	S 0 1	IN ITEM A MAY BE
5	D 0 0 3	10,000	G	S 0 1 S 0 2	HANDLED. ADDITIONALLY
6	D 0 0 3	50	T	S 0 1	THE FACILITY HANDLES
7	D 0 0 4	50	T	S 0 1 S 0 3	WASTE OIL & LIQUIDS
8	D 0 0 5	50	T	S 0 1 S 0 3	CONTAINING MINIMAL
9	D 0 0 6	50	T	S 0 1 S 0 3	QUANTITIES OF
10	D 0 0 7	50	T	S 0 1 S 0 3	OTHER NON LISTED
11	D 0 0 8	50	T	S 0 1 S 0 3	HAZARDOUS WASTES.
12	D 0 0 9	50	T	S 0 1 S 0 3	MATERIALS ARE PICKED U
13	D 0 0 10	50	T	S 0 1 S 0 3	IN COMPANY OWNED VACUU
14	D 0 0 11	50	T	S 0 1 S 0 3	TRUCKS, TANKERS &
15	F 0 0 1	3000	G	S 0 1	RELATED EQUIPMENT. SE
16	F 0 0 2	3000	G	S 0 1	PARAGRAPH XI PAGE 3
17	F 0 0 3	3000	G	S 0 1	FOR DETAILED
18	F 0 0 4	3000	G	S 0 1	DESCRIPTION.
19	F 0 0 5	3000	G	S 0 1	
20					
21					
22					
23					
24					
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26					
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31					
32					
33					
34					

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Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-DF

EPA I.D. Number *(enter from page 1)*

F	L	D	0	0	0	8	3	1	1	5	6

Secondary ID Number *(enter from page 1)*

XIV. Description of Hazardous Waste (continued)

E. USE THIS SPACE TO LIST ADDITIONAL PROCESS CODES FROM ITEM D(1) ON PAGE 6.

Line Number	Additional Process Codes (enter)

XV. Map

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in this map area. See instructions for precise requirements.

XVI. Facility Drawing

All existing facilities must include a scale drawing of the facility (see instructions for more detail).

XVII. Photographs

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas (see instructions for more detail).

XVIII. Certification(s)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Owner Signature [signature] Date Signed 9-24-90

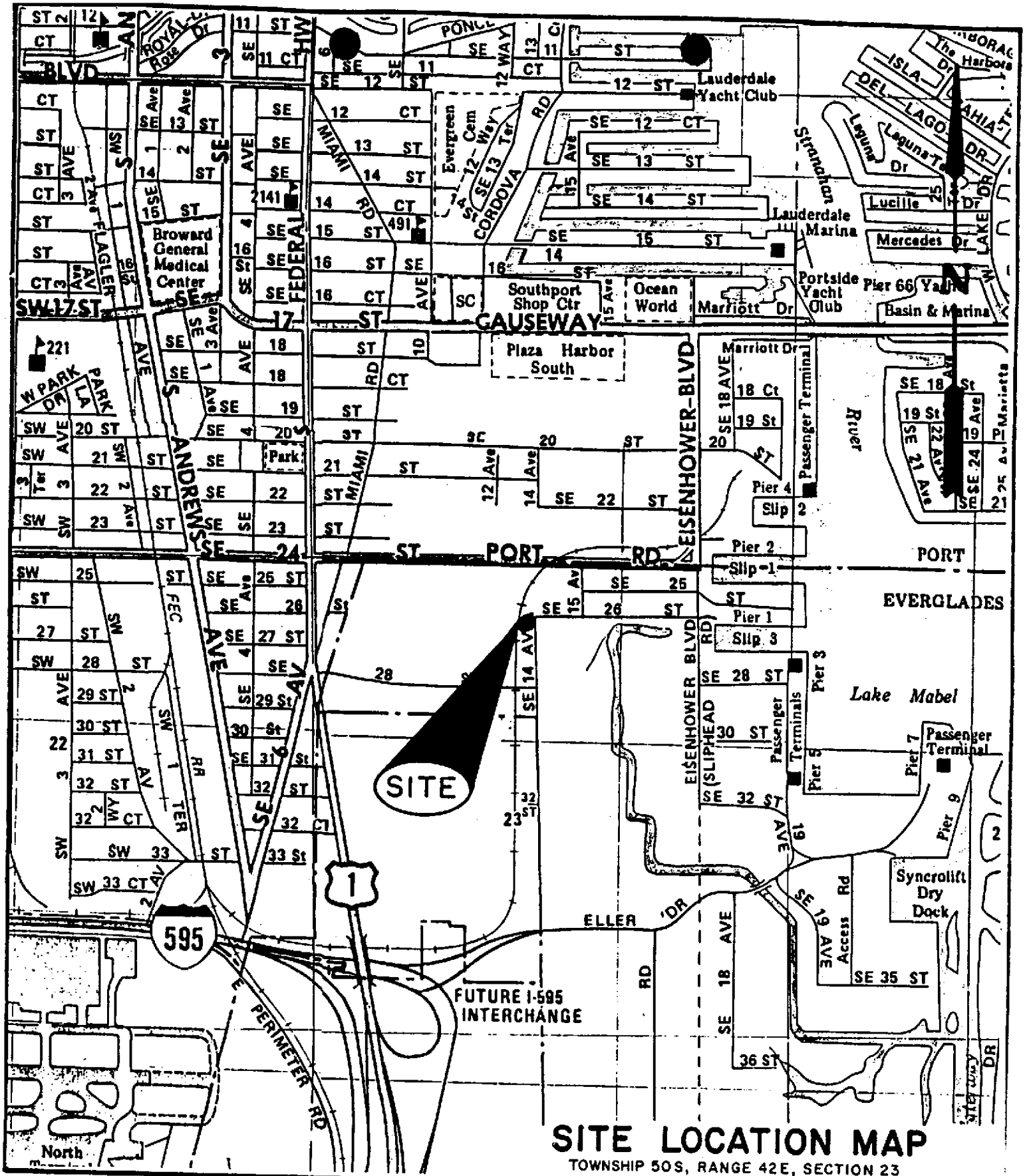
Name and Official Title *(type or print)*
CLIFF BERRY, II VICE PRESIDENT

Operator Signature [signature] Date Signed 9-24-90

Name and Official Title *(type or print)*
JAMES D. COINER OPERATIONS MANAGER

XIX. Comments

Note: Mail completed form to the appropriate EPA Regional or State Office. (refer to instructions for more information)



SITE LOCATION MAP

TOWNSHIP 50S, RANGE 42E, SECTION 23

JEB

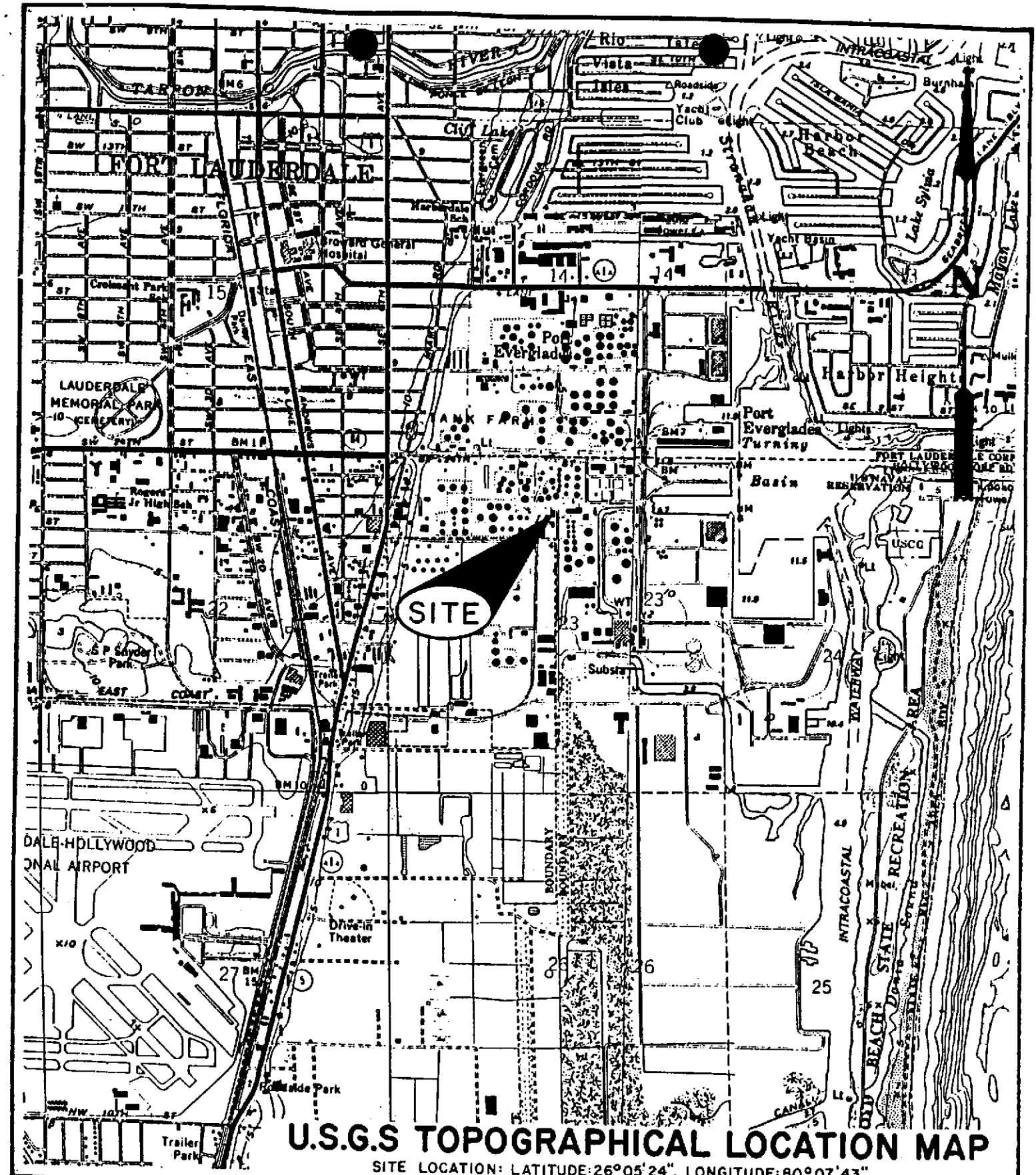
DRAWN BY: J.A. NODARSE	SCALE: 1" = 1,320'
CHECKED BY: J.E. BRENMAN	DATE: 9/21/90
PROJECT NO.: 013-002-90	SHEET NO.: 1 OF 3

CLIFF BERRY INDUSTRIES

2601 S.E. 14th. AVENUE, CITY OF FT. LAUDERDALE, BROWARD CO.

J.E. BRENMAN CONSULTING ENGINEERS, INC.

1801 UNIVERSITY DRIVE CORAL SPRINGS, FLORIDA 33071



U.S.G.S TOPOGRAPHICAL LOCATION MAP

SITE LOCATION: LATITUDE: 26°05'24", LONGITUDE: 80°07'43"

JEB

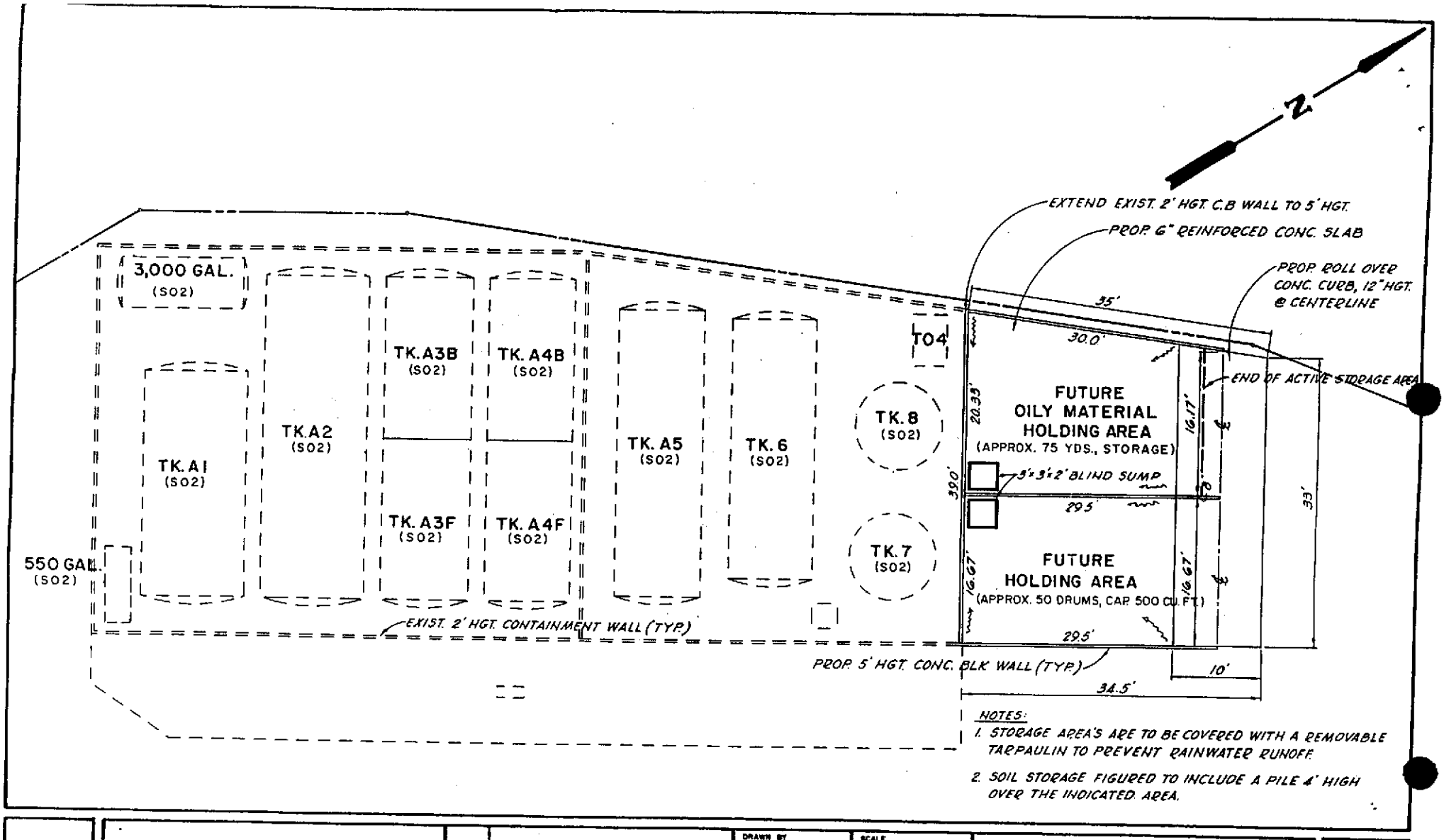
DRAWN BY: J.A. NODARSE	SCALE: 1:24000
CHECKED BY: J.E. BRENMAN	DATE: 9/21/90
PROJECT NO.: 013-002-90	SHEET NO.: 2 OF 3

CLIFF BERRY INDUSTRIES

2601 S.E. 14th. AVENUE, CITY OF FT. LAUDERDALE, BROWARD CO.

J.E. BRENMAN CONSULTING ENGINEERS, INC.

1801 UNIVERSITY DRIVE CORAL SPRINGS, FLORIDA 33071



NOTES:

1. STORAGE AREA'S ARE TO BE COVERED WITH A REMOVABLE TARPAULIN TO PREVENT RAINWATER RUNOFF.
2. SOIL STORAGE FIGURED TO INCLUDE A PILE 4' HIGH OVER THE INDICATED AREA.

JEB

J.E. BRENMAN CONSULTING ENGINEERS, INC.
1801 UNIVERSITY DRIVE CORAL SPRINGS, FLORIDA 33071

DATE	REVISIONS

DRAWN BY	J.A. NODARSE
CHECKED BY	J.E. BRENMAN
PROJECT NO.	013-002-90
SCALE	1" = 10'
DATE	9/24/90
SHEET NO.	3 OF 3

HOLDING AREA PLAN

CLIFF BERRY INDUSTRIES

2601 S.E. 14th. AVENUE, CITY OF FT. LAUDERDALE, BROWARD CO.

SEAL

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

January 7, 1991

RECEIVED
EPA/REGION IV
FEB 11 3 39 PM '91
WASTE
COMPLIANCE SECTION

United States Environmental
Protection Agency
345 Courtland Street, NE
Atlanta, Georgia 30365

Attn: Mr. John E. Dickinson
P.E Chief
Waste Compliance Section
RCRA & Federal Facilities Branch
Waste Management Division
4WD-RCRAFFB

Re: Revised Part A Application
SIC Codes & TC Waste Codes

Dear Mr. Dickinson:

Cliff Berry, Inc. is submitting the following revised paperwork in regard to the above referenced application.

1. Part A Checklist (SIC Codes)
2. Part A Checklist (TC Waste Codes)

Should you have any questions or need further information, CBI will supply the answers regarding this permit.

Sincerely,
Cliff Berry, Inc.

J. Bruce Bartz
Sales Manager

EPA I.D. Number *(enter from page 1)*: F L D 0 0 0 8 3 1 1 5 6

Secondary ID Number *(enter from page 1)*:

XIV. Description of Hazardous Wastes *(continued)*

Line Number	A. EPA HAZARDOUS WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES (1) PROCESS CODES (enter)	D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	D018	7500	T	S01 S02 S03	LIQUID & SOIL WASTE
2	D019	8	T	S01 S02 S03	CONTAINING ANY OF
3	D020	50	T	S01 S02 S03	THE COMPONENTS LISTED
4	D021	100	T	S01 S02 S03	IN ITEM A MAY BE
5	D022	10	T	S01 S02 S03	HANDLED. ADDITIONALLY
6	D023	5	T	S01 S02 S03	THE FACILITY HANDLES
7	D024	5	T	S01 S02 S03	WASTE OIL & LIQUIDS
8	D025	5	T	S01 S02 S03	CONTAINING MINIMAL
9	D026	5	T	S01 S02 S03	QUANTITIES OF
10	D027	100	T	S01 S02 S03	OTHER NON LISTED
11	D028	25	T	S01 S02 S03	HAZARDOUS WASTES.
12	D029	25	T	S01 S02 S03	MATERIALS ARE PICKED
13	D030	5	T	S01 S02 S03	UP IN COMPANY OWNED
14	D031	8	T	S01 S02 S03	VACUUM TRUCKS, TANKERS
15	D032	25	T	S01 S02 S03	& RELATED EQUIPMENT.
16	D033	5	T	S01 S02 S03	SEE PARAGRAPH XI PAGE
17	D034	10	T	S01 S02 S03	3 FOR DETAILED
18	D035	20	T	S01 S02 S03	DESCRIPTION.
19	D036	3	T	S01 S02 S03	
20	D037	10	T	S01 S02 S03	
21	D038	5	T	S01 S02 S03	
22	D039	50	T	S01 S02 S03	
23	D040	25	T	S01 S02 S03	
24	D041	50	T	S01 S02 S03	
25	D042	50	T	S01 S02 S03	
26	D043	50	T	S01 S02 S03	
27					
28					
29					
30					
31					
32					
33					

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Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-OT

EPA I.D. Number (enter from page 1): FLD000831156

Secondary I.D. Number (enter from page 1):

VII. Operator Information (see instructions)

Name of Operator: CLIFF BERRY, INC.

Street or P.O. Box: PO BOX 13079

City or Town: FORT LAUDERDALE

State: FL

ZIP Code: 33316-

Phone Number (area code and number): 305-763-3390

B. Operator Type: P

C. Change of Operator Indicator: Yes ☐ No ☐

Month / Day / Year of Change:

VIII. Facility Owner (see instructions)

A. Name of Facility's Legal Owner: CLIFF BERRY

Street or P.O. Box: PO BOX 13079

City or Town: FORT LAUDERDALE

State: FL

ZIP Code: 33316-

Phone Number (area code and number): 305-763-3390

B. Owner Type: P

C. Change of Owner Indicator: Yes ☐ No ☐

Month / Day / Year of Change:

IX. SIC Codes (4-digit, in order of significance)

Primary		Secondary	
1389	(description) Oil & Gas field Services		(description)
Secondary		Secondary	
4959	(description) Oil Spill Cleanup		(description)

X. Other Environmental Permits (see instructions)

A. Permit Type (enter code)	B. Permit Number	C. Description
E	HTS-WO-1	Oper. Petro. Tran St (BC)
E	W090_104-00	Liquid waste transporter (DC)
E	I31-I33	
E	I74	Haul license for Broward County
E	I142	For waste oil, waste fuel,
E	I265-I267	petroleum contaminated water
E	I149	tank sludges, petroleum contam-
E	I420	inated soil
E	FLD000831156	Hazardous waste transporter(FLA)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JAN 30 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-RCRAFFB

Mr. Clifford Berry
Vice-President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Receipt of Part A Application Pursuant to the Toxicity Characteristic (TC) Final Rule: Additional Information Required

Dear Mr. Berry:

The purpose of this letter is to acknowledge receipt of the revised Part A application submitted by Cliff Berry, Inc.

The submittal is timely; however additional information is required to complete the revised Part A application. Please submit the following additional information:

- Based on Part A Checklist up to four SIC codes are to be listed on the application; and
- The second missing item is the listing of the actual TC Waste Codes which are also based on the Part A Checklist.

The information listed above must be submitted within fourteen (14) calendar days of your receipt of this letter to:

John E. Dickinson, P.E., Chief
Waste Compliance Section
RCRA & Federal Facilities Branch
Waste Management Division
4WD-RCRAFFB
United States Environmental
Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Printed on Recycled Paper

Failure to submit the required information within the specified time frame may result in loss of interim status authorization to operate a hazardous waste management facility.

If you have any questions regarding this letter, please contact Ms. Lisa Perras of my staff at (404) 347-7603.

Sincerely yours,

Beverly Williams Jr.

James H. Scarbrough, P.E., Chief
RCRA and Federal Facilities Branch
Waste Management Division

cc: Mr. Barry Swihart, Florida DER
Mr. Scott Benyon, Florida DER

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

OSA No. 0246 EPA 07

EPA I.D. Number (enter from page 1): FLD000831156

Secondary ID Number (enter from page 1):

XIV. Description of Hazardous Wastes (continued)

Line Number	A. EPA HAZARDOUS WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES (1) PROCESS CODES (enter)	D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	D018	7500	T	S01 S02 S03	LIQUID & SOIL WASTE
2	D019	8	T	S01 S02 S03	CONTAINING ANY OF
3	D020	50	T	S01 S02 S03	THE COMPONENTS LISTED
4	D021	100	T	S01 S02 S03	IN ITEM A MAY BE
5	D022	10	T	S01 S02 S03	HANDLED. ADDITIONALLY
6	D023	5	T	S01 S02 S03	THE FACILITY HANDLES
7	D024	5	T	S01 S02 S03	WASTE OIL & LIQUIDS
8	D025	5	T	S01 S02 S03	CONTAINING MINIMAL
9	D026	5	T	S01 S02 S03	QUANTITIES OF
10	D027	100	T	S01 S02 S03	OTHER NON LISTED
11	D028	25	T	S01 S02 S03	HAZARDOUS WASTES
12	D029	25	T	S01 S02 S03	MATERIALS ARE PICKED
13	D030	5	T	S01 S02 S03	UP IN COMPANY OWNED
14	D031	8	T	S01 S02 S03	VACUUM TRUCKS, TANKERS
15	D032	25	T	S01 S02 S03	& RELATED EQUIPMENT.
16	D033	5	T	S01 S02 S03	SEE PARAGRAPH XI PAGE
17	D034	10	T	S01 S02 S03	3 FOR DETAILED
18	D035	20	T	S01 S02 S03	DESCRIPTION.
19	D036	3	T	S01 S02 S03	
20	D037	10	T	S01 S02 S03	
21	D038	5	T	S01 S02 S03	
22	D039	50	T	S01 S02 S03	
23	D040	25	T	S01 S02 S03	
24	D041	50	T	S01 S02 S03	
25	D042	50	T	S01 S02 S03	
26	D043	50	T	S01 S02 S03	
27					
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EEP- 8-91 FRI 1:12

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Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-GT

EPA I.D. Number (enter from page 1)

F L D 0 0 0 8 3 1 1 5 6

VII. Operator Information (see instructions)

Name of Operator

C L I F F B E R R Y , I N C.

Street or P.O. Box

P O B O X 1 3 0 7 9

City or Town

F O R T L A U D E R D A L E F L 3 3 3 1 6

Phone Number (area code and number)

3 0 5 - 7 6 3 - 3 3 9 0

VIII. Facility Owner (see instructions)

A. Name of Facility's Legal Owner

C L I F F B E R R Y

Street or P.O. Box

P O B O X 1 3 0 7 9

City or Town

F O R T L A U D E R D A L E F L 3 3 3 1 6

Phone Number (area code and number)

3 0 5 - 7 6 3 - 3 3 9 0

IX. SIC Codes (4-digit, in order of significance)

Primary

1 3 8 9 (description) Oil & Gas field Services

Secondary

4 9 5 9 (description) Oil Spill Cleanup

X. Other Environmental Permits (see instructions)

A. Permit Type (enter code)	B. Permit Number	C. Description
E	HTS-W0-1	Oper. Petro. Tran St (BC)
E	W090-104-00	Liquid waste transporter (DC)
E	I31-I33	
E	I74	Haul license for Broward County
E	T142	For waste oil, waste fuel,
E	I265-I267	petroleum contaminated water
E	I149	tank sludges, petroleum contem-
E	I420	inated soil
E	FLD000831156	Hazardous waste transporter(FLA)

L-SA

FEB 22 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-RCRA&FFB

Mr. Cliff Berry
Vice President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Receipt of Completed Part A Application Pursuant to the Toxicity Characteristic (TC) Final Rule

Dear Mr. Berry:

The purpose of this letter is to acknowledge receipt of the revised Part A application submitted by Cliff Berry, Inc., on February 8, 1991. This submittal completes your original application received on September 25, 1990.

Effective September 25, 1990, Cliff Berry, Inc., has interim status to manage the TC wastes Numbered D018 through D043. Cliff Berry, Inc., must submit a Part B Application when called upon to do so by EPA.

Interim status for TC wastes requires that Cliff Berry, Inc., manage these wastes in compliance with all the applicable regulations in 40 CFR 265 until such time as a final decision is made on the completed hazardous waste permit application, which includes the Part B.

If you have any questions regarding this letter, please contact Ms. Lisa Perras of my staff at (404) 347-7603. Florida has not adopted the TC regulations as state law. Questions regarding state TC requirements should be directed to the Florida Department of Environmental Regulation.

Sincerely yours,

James H. Scarbrough, P.E., Chief
RCRA and Federal Facilities Branch
Waste Management Division

cc: Mr. Barry Swihart, Florida DER
Mr. Scott Benyon, Florida DER

bc: Betty Willis, WCS
Lisa Perras, WCS

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

September 24, 1991

United States Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Attn: Mr. Javier Garcia

Re: Cliff Berry, Inc. 2601 S.E. 14th Ave.
Ft. Lauderdale, FL
Cancellation of Interium Status Part A
T.C. Waste # D018-D043.

Dear Mr. Garcia:

Cliff Berry, Inc. regretfully submits this letter for cancellation of our Interium Status for Part A T.C. # D018-D043.

We are cancelling our Part A Status as of September 24, 1991 because we feel that we would not have enough time to complete all the conditions of the Part B Permit and that CBI is also proposing to build a new facility in Port Everglades, Florida, within the next year and a half.

To the best of our knowledge, Cliff Berry, Inc. has not received any hazardous waste during Interium Status or prior to being granted Interium Status.

Sincerely,
Cliff Berry, Inc.

J. Bruce Bartz
Sales Manager

cc: James H. Scarbrough
P.E. Chief
RCRA and Federal Fatilities Branch
Waste Management Division

Scott Benyon
Manager
1900 S. Congress Avenue
Suite A
West Palm Beach, Florida

CLIFF BERRY, INC.

Environmental Services
Waste Petroleum & Water Removal
Emergency Oil Spill Response

P.O. Box 13079, Port Everglades Station, Fort Lauderdale, Florida 33316 • (305)763-3390

September 24, 1991

RECEIVED
SEP 26 1991
DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

United States Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Attn: Mr. Javier Garcia

Re: Cliff Berry, Inc. 2601 S.E. 14th Ave.
Ft. Lauderdale, FL
Cancellation of Interium Status Part A
T.C. Waste # D018-D043.

Dear Mr. Garcia:

Cliff Berry, Inc. regretfully submits this letter for cancellation of our Interium Status for Part A T.C. # D018-D043.

We are cancelling our Part A Status as of September 24, 1991 because we feel that we would not have enough time to complete all the conditions of the Part B Permit and that CBI is also proposing to build a new facility in Port Everglades, Florida, within the next year and a half.

To the best of our knowledge, Cliff Berry, Inc. has not received any hazardous waste during Interium Status or prior to being granted Interium Status.

Sincerely,
Cliff Berry, Inc.

J. Bruce Bartz
Sales Manager

cc: James H. Scarbrough
P.E. Chief
RCRA and Federal Fatilities Branch
Waste Management Division

Scott Benyon
Manager
1900 S. Congress Avenue
Suite A
West Palm Beach, Florida

Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor | Dale Twachtmann, Secretary | John Shearer, Assistant Secretary

10-09-90

CLIFF BERRY, PRESIDENT
CLIFF BERRY INC
PO BOX 13079
FORT LAUDERDALE FL 33316

RE: Facility ID # FLD000831156
LOC: 1000 SE 28TH ST
FORT LAUDERDALE

Based on information supplied by you, we have processed and accepted at the state level your request for the facility identified with the above ID number to receive the following status change under RCRA:

Your facility status has been changed to the following:

Transporter.

We are advising EPA of this change. Please notify us if there is any further change in your operations which would affect your status.

Sincerely,

Michael X. Redig

Michael X. Redig
Environmental Supervisor II
Hazardous Waste Management Section

cc: Dave Gray - EPA/Region IV
DER/West Palm Beach
GMS-ID # 5006P00650

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0028. Expires 10-31-91
GSA No. 0246-EPA-OT

Please refer to the *Instructions for Filing Notification* before completing this form. The information requested here is required by law *(Section 3010 of the Resource Conservation and Recovery Act).*

EPA Notification of Regulated Waste Activity

United States Environmental Protection Agency

Date Received (For Official Use Only)

I. Installation's EPA ID Number *(Mark 'X' in the appropriate box)*

[X] A. First Notification [ ] B. Subsequent Notification *(complete item C)*

C. Installation's EPA ID Number: FLD000831156

II. Name of Installation *(Include company and specific site name)*

CLIFF BERRY INCORPERATED

III. Location of Installation *(Physical address not P.O. Box or Route Number)*

Street: 2601 SOUTH EAST 14 AVENUE

Street (continued):

City or Town: PORT EVERGLADES | State: FL | ZIP Code: 33316-

County Code: | County Name: BROWARD

IV. Installation Mailing Address *(See Instructions)*

Street or P.O. Box: PO BOX 13079

City or Town: FORT LAUDERDALE | State: FL | ZIP Code: 33316-

V. Installation Contact *(Person to be contacted regarding waste activities at site)*

Name *(last)*: BERRY | *(first)*: CLIFFORD

Job Title: VICE PRESIDENT | Phone Number *(area code and number)*: 305-763-3390

VI. Installation Contact Address *(See instructions)*

A. Contact Address Location [X] Mailing [ ] | B. Street or P.O. Box:

City or Town: | State: | ZIP Code: -

VII. Ownership *(See instructions)*

A. Name of Installation's Legal Owner: CLIFFORD BERRY SR. PORT EVERGLADES

Street, P.O. Box, or Route Number: 1850 ELLER DRIVE

City or Town: PORT EVERGLADES | State: FL | ZIP Code: 33316-

Phone Number *(area code and number)*: 305-523-3404

B. Land Type: P | C. Owner Type: P | D. Change of Owner Indicator: Yes [ ] No [ ] | (Date Changed) Month Day Year:

Continue on reverse

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0028; Expires 10-31-91
GSA No. 0246-EPA-OT

ID – For Official Use Only

VIII. Type of Regulated Waste Activity *(Mark 'X' in the appropriate boxes. Refer to instructions.)*

A. Hazardous Waste Activity

1. Generator (See Instructions)
   - [ ] a. Greater than 1000kg/mo (2,200 lbs.)
   - [ ] b. 100 to 1000 kg/mo (220 – 2,200 lbs.)
   - [ ] c. Less than 100 kg/mo (220 lbs.)
2. Transporter (Indicate Mode in boxes 1-5 below)
   - [ ] a. For own waste only
   - [X] b. For commercial purposes

   Mode of Transportation
   - [ ] 1. Air
   - [ ] 2. Rail
   - [X] 3. Highway
   - [ ] 4. Water
   - [ ] 5. Other – specify
3. [X] Treater, Storer, Disposer (at installation) Note: A permit is required for this activity; see instructions.
4. Hazardous Waste Fuel
   - [ ] a. Generator Marketing to Burner
   - [X] b. Other Marketers
   - [ ] c. Burner – indicate device(s) – Type of Combustion Device
     - [ ] 1. Utility Boiler
     - [ ] 2. Industrial Boiler
     - [ ] 3. Industrial Furnace
5. [ ] Underground Injection Control

B. Used Oil Fuel Activities

1. Off-Specification Used Oil Fuel
   - [ ] a. Generator Marketing to Burner
   - [X] b. Other Markerer
   - [ ] c. Burner – indicate device(s) – Type of Combustion Device
     - [ ] 1. Utility Boiler
     - [ ] 2. Industrial Boiler
     - [ ] 3. Industrial Furnace
2. [ ] Specification Used Oil Fuel Marketer (or On-site Burner) Who First Claims the Oil Meets the Specification

IX. Description of Regulated Wastes *(Use additional sheets if necessary)*

A. Characteristics of Nonlisted Hazardous Wastes. Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. *(See 40 CFR Parts 261.20 – 261.24)*

1. Ignitable (D001)	2. Corrosive (D002)	3. Reactive (D003)	4. EP Toxic (D000)	(List specific EPA hazardous waste number(s) for the EP Toxic contaminant(s))
X	X	X	X	D006 D007 D008 D009

B. Listed Hazardous Wastes. (See 40 CFR 261.31 – 33. See instructions if you need to list more than 12 waste codes.)

1	2	3	4	5	6
D0010	D0011	F001	F002	F003	F004
7	**8**	**9**	**10**	**11**	**12**
F005					

C. Other Wastes. (State or other wastes requiring an I.D. number. See instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

Signature	Name and Official Title *(type or print)*	Date Signed
	Cliff Berry II, Vice President	9-27-90

XI. Comments

OCT 1 1990

HAZARDOUS WASTE PERMITTING

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

FEB 22 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-RCRA&FFB

Mr. Cliff Berry
Vice President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Receipt of Completed Part A Application Pursuant to the Toxicity Characteristic (TC) Final Rule

Dear Mr. Berry:

The purpose of this letter is to acknowledge receipt of the revised Part A application submitted by Cliff Berry, Inc., on February 8, 1991. This submittal completes your original application received on September 25, 1990.

Effective September 25, 1990, Cliff Berry, Inc., has interim status to manage the TC wastes Numbered D018 through D043. Cliff Berry, Inc., must submit a Part B Application when called upon to do so by EPA.

Interim status for TC wastes requires that Cliff Berry, Inc., manage these wastes in compliance with all the applicable regulations in 40 CFR 265 until such time as a final decision is made on the completed hazardous waste permit application, which includes the Part B.

If you have any questions regarding this letter, please contact Ms. Lisa Perras of my staff at (404) 347-7603. Florida has not adopted the TC regulations as state law. Questions regarding state TC requirements should be directed to the Florida Department of Environmental Regulation.

Sincerely yours,

James H. Scarbrough, P.E., Chief
RCRA and Federal Facilities Branch
Waste Management Division

cc: Mr. Barry Swihart, Florida DER
Mr. Scott Benyon, Florida DER

Printed on Recycled Paper

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

RECEIVED
FEB 4 1991
Dept. of Environmental Reg.
West Palm Beach

JAN 30 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-RCRAFFB

Mr. Clifford Berry
Vice-President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

RE: Receipt of Part A Application Pursuant to the Toxicity Characteristic (TC) Final Rule: Additional Information Required

Dear Mr. Berry:

The purpose of this letter is to acknowledge receipt of the revised Part A application submitted by Cliff Berry, Inc.

The submittal is timely; however additional information is required to complete the revised Part A application. Please submit the following additional information:

- Based on Part A Checklist up to four SIC codes are to be listed on the application; and

- The second missing item is the listing of the actual TC Waste Codes which are also based on the Part A Checklist.

The information listed above must be submitted within fourteen (14) calendar days of your receipt of this letter to:

John E. Dickinson, P.E., Chief
Waste Compliance Section
RCRA & Federal Facilities Branch
Waste Management Division
4WD-RCRAFFB
United States Environmental
Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Printed on Recycled Paper

Failure to submit the required information within the specified time frame may result in loss of interim status authorization to operate a hazardous waste management facility.

If you have any questions regarding this letter, please contact Ms. Lisa Perras of my staff at (404) 347-7603.

Sincerely yours,

Beverly Williams Jr.

James H. Scarbrough, P.E., Chief
RCRA and Federal Facilities Branch
Waste Management Division

cc: Mr. Barry Swihart, Florida DER
Mr. Scott Benyon, Florida DER

RECEIVED
JUN 3 - 1992
DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

BROWARD COUNTY
FLORIDA

Office of . .tural Resource Protection

LICENSE TO OPERATE A TRANSFER STATION FACILITY

OWNER/AGENT:
APPLICANT:

Cliff Berry, President
Cliff Berry, Inc.
P.O. Box 13079, Port Everglades Station
Ft. Lauderdale, Florida 33316

LICENSE NO. HTS-007

FACILITY NAME/ADDRESS
Cliff Berry, Inc.
2601 S.E. 14th Avenue
Ft. Lauderdale, Florida 33311
Phone: (305) 763-3390

This license is issued under the provisions of Chapter 27 of the Broward County Code of Ordinances. The above-named applicant, hereinafter called licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications submitted by applicant and made a part hereof and described specifically below. If no objection to this license is received within 14 days you will be deemed to have accepted it and all the attached terms and conditions.

TO OPERATE: An Industrial Transfer Station for the receipt, storage, and shipment of waste petroleum products, associated contaminated water, and contaminated soil.

IN ACCORDANCE WITH: ONRP license application received 2/13/92 (none attached).

SPECIAL CONDITIONS: This facility shall be limited to one (1) 30,000 gallon tank, two (2) 25,000 gallon tanks, two (2) 20,000 gallon tanks, one (1) 18,000 gallon tank, one (1) 2000 gallon tank, all above ground Horizontal Steel Tanks, one (1) 16,000 gallon, one (1) 18,000 gallon above ground vertical steel tanks. All these tanks are within an impermeable secondary containment of sufficient volume and have a storm water control system.

All 55-gal. drums shall be stored on the concrete pad adjacent to the tank farm which provides secondary containment.

Contaminated stormwater from the secondary containment area shall be pumped to a petroleum storage tank within the containment area. The licensee shall not allow any discharge of waste petroleum products and/or associated contaminated waters to ground.

Subject to General Conditions 1 thru 12 and Specific Conditions 1 thru 11.
Expiration date: 2/6/93
Renewal Application Due 12/8/93

Kay Gerwasi
OFFICE OF NATURAL RESOURCE PROTECTION

Issued this 6th day of February, 1991
Broward County Office of Natural Resource Protection
Prepared by Sean McFarlane
200 NW-15

cc: DER/WPB
c:\wpdoc5/HTS007.lic

c:\wpdoc5/HTS007.lic

Cliff Berry, President

LICENSE NO. HTS-007

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by the ONRP pursuant Chapter 27 of the Broward County Code of Ordinances. The ONRP will review this license periodically and may revoke the license, initiate administrat and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.

2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds revocation and enforcement action by the ONRP.

3. In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify the Broward County Off of Natural Resource Protection within 12 hours. Within 5 working days of the event, the licensee shall submit a written report to the Broward County Off of Natural Resource Protection that describes the incident, its cause, the measure being taken to correct the problem and prevent its reoccurrence, owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of events leading toward operation within license condition.

4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private prope or any invasion of personal rights, or any violations of federal, state or local laws or regulations.

5. This license must be available for inspection on licensee's premises during the entire life of the license.

6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construct or operation of this permitted source, that are submitted to the ONRP, may be used by the ONRP as evidence in any enforcement proceeding arising un Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statues.

7. This licensee agrees to comply with Chapter 27, Broward County Code of Ordinances, as amended.

8. Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transfe shall remain liable for performance in accordance with the license until the transferee applies for, and is granted a transfer of license. The Transfe shall also be liable for performance in accordance with the license.

9. The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by ONRP personnel for purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.

10. This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.

11. If the licensee wishes to renew the license or extend it terms, he shall make application 60 days prior to its expiration. Expired licenses are renewable.

12. In addition to the general conditions set forth above, each license issued by the ONRP shall contain specific conditions determined by site condit and requirements pursuant to the regulations as determined by the Broward County Office of Natural Resource Protection. Licensee agrees that spec conditions are enforceable by the ONRP for any violation thereof.

SPECIFIC CONDITIONS:

1. The licensee shall at all times properly operate the facility and system of treatment installed or used to achieve compliance with the conditions of license.

2. Any change in the licensed operation and/or configuration of this facility shall be approved by the Broward County Office of Natural Resource Protec prior to the change.

3. The Industrial Sludge Disposal Data Monthly Report shall be submitted to Broward County Office of Natural Resource Protection by the 15th of the m following the month of shipment. In the event no shipments were made, so indicate and submit the report on the same schedule.

4. The licensee shall maintain containment areas, emergency equipment and provide an emergency plan to handle any spills. A designated person shall insp daily for leakage from containers and containment areas. A maintenance log book of the activities shall be made available for inspection by Broward Cou Office of Natural Resource Protection. Records shall be kept for a period of not less than five (5) years.

The licensee shall not allow discharge of any substance which is ignitable, reactive, corrosive, toxic or TCLP toxic to the ground. In the event of accidental spill, Broward County Office of Natural Resource Protection shall be notified in accordance with General Condition 3 of this license and immediate cleanup of the spill shall be undertaken by the licensee. The absorbent and waste from any leakage or spill shall be containerized and dispo of at an approved disposal site.

Cracks in a concrete containment barrier will be considered as a violation of the integrity of the containment barrier and shall be repaired immediat or coated with an approved impervious membrane.

Any regulated substances which are on-site and leave the facility shall be reported to Broward County Office of Natural Resource Protection by legi copy of manifest on a monthly and annual basis, by the fifteenth (15) day of the following month, and be disposed in accordance with EPA and requirements.

5. Emergency Cleanup Plan

Upon discharge of any hazardous material:

a) Immediately telephone Broward County fire Department on 911.
b) Report the discharge to Broward County Office of Natural Resource Protection within 24 hours. Telephone 765-4900
c) Report the discharge to Florida Department of Environmental Regulation in West Palm Beach. Telephone 407/433-2650, 8:00 a.m. to 5:00 p.m., or Flo Bureau of Disaster and Preparedness in Tallahassee, Telephone 904/488-1322, 24 hours.
d) Immediately implement the approved discharge recovery plan.
e) Submit a written closure plan to Broward County Office of Natural Resource Protection within 5 days.

6. Transfer station facilities shall receive, store or ship hazardous materials or regulated wastes only in areas that have no floor drains or other n of discharge and that have a secondary containment adequate to contain the amount of material stored which is made of or coated with a material imperv to the material stored. The secondary containment areas shall be under cover and allow no storm water within the secondary containment unless appr by Broward County Office of Natural Resource Protection. Waste storage areas require secondary containment. A building with floors and walls imperv to the hazardous materials utilized may be considered as a secondary containment if there is no possibility that spilled materials can find egress thr cracks, holes, doors or other openings to uncontained area.

7. Stormwater within the secondary containment area(s) shall be promptly removed and if contaminated directed into an approved storage tank. It shal the responsibility of the licensee to insure there are no discharges of contaminated water to ground or surface waters. Failure to do so may resul enforcement action.

8. Closure Plan & Hazardous Waste Disposal Plan

The closure plan will be governed by Section 27-12.085 of the Broward County Code of Ordinances. In the event that the transfer station facility busi is partly or wholly discontinued, the equipment and building shall be cleaned of all hazardous materials and residues. All related hazardous mater shall be returned to the supplier; utilized before discontinuance of the business; disposed to a properly licensed hazardous material or waste transpor disposer, recycler or reclaimer; or any combination of the above. Approval of site specific plan shall be obtained from Broward County Office of Nat Resource Protection prior to closure.

9. All reactive materials shall be kept in separate secondary containments to avoid inter-reaction in the event of spills.

10. It is the licensee's responsibility to require that all facility personnel shall successfully complete a program of classroom instructions and/or o job training that teaches them to perform their duties in a way that ensures the facility's compliance with The Code of Regulations. The training include proper handling and storage of all hazardous materials used at the facility. It shall also include training at least once a year in the Contingency Plan. A record of the name of each employee and the fact that the person has completed the training shall be kept on file on the pre 3 years after his last work day or until the facility is closed.

11. The licensee shall only accept regulated materials from haulers that have current Broward County sludge hauling licenses as evidenced by li identification tags displayed on the rear of the hauling vehicle.

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT
1900 SOUTH CONGRESS AVENUE, SUITE A
WEST PALM BEACH, FLORIDA 33406
(305) 964-9668

BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
J. SCOTT BENYON
DISTRICT MANAGER

MAR 1 4 1988

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ___ COMPLAINT _X_ ROUTINE ___ FOLLOW-UP ___ PERMITTING

FACILITY NAME Cliff Berry, Inc. DER/EPA ID FL D 0 0 0 8 3 1 1 5 6

ADDRESS 2603 Southeast 14th Avenue, Fort Lauderdale, Florida 33316

COUNTY Broward Phone (305) 763-3390 DATE 12/31/87 TIME 10:00 a.m.

TYPE OF FACILITY:

Generator
____ Small Quantity
____ Generator
_X_ Non-Handler

Storage
____ Container
____ Tank
____ Waste Pile
____ Surface Impoundment

Treatment
____ Tank
____ Land Treatment
____ Thermal
____ Chem/Phys/Bio.
____ Incinerator
____ Surface Impoundment

Transporter
____ Transporter
____ Transfer Station

Disposal
____ Landfill
____ Surface Impoundment
____ Waste Pile

2. Applicable Regulations:

___ 40 CFR 261 ___ 40 CFR 262 ___ 40 CFR 263 ___ 40 CFR 264 ___ 40 CFR 265

3. Responsible Official: (Name & Title)

Cliff Berry - President

4. Survey Participants & Principal Inspector

Joe DeMartini (JD), Mark Lobe, Phil Elson (PE) - DER
Cliff Berry - CBI

5. Facility Latitude: 80° 7' 30" Longitude: 26° 5' 50"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit Number: N/A Date Issued: _____ Expiration Date: _____

FORM REV. 10/8/84

CLIFF BERRY, INC. FLD000831156

MAR 1 4 1988

On October 23, 1987, the Department mailed Cliff Berry, Inc. a certified letter informing them that a hazardous waste inspection would be conducted in the near future. On December 31, 1987, a routine hazardous waste inspection was conducted at Cliff Berry, Inc., a transfer station facility for used oil and petroleum waste water. Cliff Berry, Inc. was established in 1976 and was located at 1000 Southeast 28th Street, Fort Lauderdale, Florida. In March 1985, Cliff Berry, Inc. moved to 2603 Southeast 14th Avenue, Fort Lauderdale, and has been at present location, since that time. There are approximately 10 employed at this facility.

Processes

Cliff Berry, Inc. operates a transfer station facility for the receiving, storage or shipment of liquid, dewatered and dried industrial sludges, or hazardous substances. This transfer station consists of seven (7) above-ground tanks, as follows:

Horizontal Tanks, Capacity	Vertical Tank, Capacity
1) 20,000 gallons	1) 18,000 gallons
2) 30,000 gallons	
3) 25,000 gallons	
4) 25,000 gallons	
5) 20,000 gallons	
6) 18,000 gallons	

All above-ground storage tanks have secondary containment and storm water control for the receipt, storage and shipment of waste petroleum products and associated contaminated water. Contaminated stormwater from the secondary containment area is manually pumped to a petroleum storage tank within the contained area. Tankers ranging in size of 3,000 gallon to 6,500 gallon capacity unload used oil by pumping to storage tanks. Spent anti-freeze and used oil are separately shipped to Howco Environmental Services for disposal at their water treatment facility's in St. Petersburg, Florida. The spent anti-freeze is tested for E.P. Toxicity for lead (P6) prior to delivery to Howco by Howco's laboratory. There is no oil/water separator on site. Howco picks up water and oil mix and separates the mixture at their facility in St. Petersburg, Florida using the DAF process.

Waste Quantities and Disposal Practices

According to the Annual Report, 1985 a total of 81,177 gallons of oil/water mix was transported to Environmental Technologies, Jacksonville, Florida.

MAR 1 4 1988

The following shipments have been made to Tim's Oil Recovery:

Date Shipped	Amount	Waste Type
Jan. 30, 1986	26,764 gallons	Oil-Water Mix
Feb. 28, 1986	26,432 gallons	"
Mar. 30, 1986	26,205 gallons	"
Apr. 30, 1986	26,802 gallons	"
May 31, 1986	26,003 gallons	"
June 26, 1986	26,806 gallons	"
July 27, 1986	26,652 gallons	"
Aug. 30, 1986	25,950 gallons	"
Sept. 29, 1986	26,432 gallons	"
Oct. 30, 1986	26,251 gallons	"
Nov. 30, 1986	25,975 gallons	"
Dec. 31, 1986	27,154 gallons	"

(Total oil/water shipped off-site during 1986 is 317,426 gallons oil/water mix).

Date Shipped	Amount	Waste Type
January 1987	35,107 gallons	Oil-Water Mix
February 1987	28,552 gallons	"
March 1987	30,501 gallons	"
April 1987	37,750 gallons	"
May 1987	32,145 gallons	"
June 1987	40,755 gallons	"
July 1987	33,112 gallons	"
August 1987	35,250 gallons	"
September 1987	27,794 gallons	"
October 1987	44,995 gallons	"
November 1987	38,132 gallons	"
December 1987	37,193 gallons	"

(Total oil/water shipped off-site during 1987 is 421,286 gallons).

DER Observations

The Department observed secondary containment areas for the seven (7) above-ground tanks (no cracks were noticed in containment area). Manifest reports dating back to January, 1985 were examined. Mr. Berry showed the Department his emergency equipment, contingency plan, spill prevention control and counter measures plan (SPCC). The Department observed nine (9) drums outdoors in poor condition containing oil/water mix. No labels were on the drums. Joe De Martini of the Department conducted two chlorine tests (by chemetrics) to determine the quantity of chlorine in the waste oil. Both tests were negative for chlorine (less than 750 ppm cl).

No outward signs of spills were noted.

Conclusions

Cliff Berry, Inc. appears to be a non-handler of hazardous waste. Mr. Berry told the Department that the last time he shipped hazardous waste off-site was at least three (3) years ago. According to Mr. Berry, Chemical Conservation out of Orlando, was the transportor of this waste. No hazardous waste violations were noted.

Facility personnel were cooperative.

JD:d/183

cc: Office of General Counsel, DER/Tallahassee
Broward County Environmental Quality Control Board
File, Reporting Coordinator
West Palm Beach DER Files

D

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

500 S.W. 14th Court
Fort Lauderdale, Florida 33315
(305) 765-5881

RECEIVED
'87 DEC 17 PM 4 27
FLA. DEPARTMENT OF
ENV. REG. DIV.
WEST PALM BEACH

December 16, 1987

Mr. Cliff Berry, President
Cliff Berry, Inc.
P.O. Box 13079
Ft. Lauderdale, Fl. 33316

Dear Licensee:

Attached is your Broward County Industrial Transfer Station License.

You are advised to read the entire document for you, as the licensee, will be held responsible for compliance.

If no objection to this license is received within fourteen (14) days you will be deemed to have accepted it and all the attached terms and conditions.

If there are any questions concerning these matters, do not hesitate to contact Mr. Glenn Malmstrom of our staff.

Sincerely,

James E. Andrews

JAMES E. ANDREWS, P.E.
CHIEF, WATER POLLUTION CONTROL SECTION

JEA/GM/sc

attachment

WP001/ltrIndTrSt

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

500 S.W. 14th Court
Fort Lauderdale, Florida 33315
(305) 765-5881

LICENSE TO OPERATE/CONSTRUCT A TRANSFER STATION FACILITY

Source Name: CLIFF BERRY, INC.

Source Address: 2603 S.E. 14th Ave.

Ft. Lauderdale, Fl. 33316

Source Tel. No. (305) 763-3390

(Owner) (~~Owner's Agent~~) Name: Mr. Cliff Berry, President

Address: P.O. Box 13079 Ft. Lauderdale, Fl. 33316

Tel. No. (305) 763-3390

TRANSFER STATION FACILITY LICENSE NUMBER HTS-WO-1

This license is issued under the provisions of Chapter 27-12 of the Code of Regulations of the Broward County Environmental Quality Control Board, The license is in response to and is based on an application received 10/21/87.

The above named (owner) (~~owner's agent~~), hereinafter called the licensee, is hereby authorized to (operate) (construct) a transfer station facility for the receiving, storage or shipment of liquid, dewatered and dried industrial sludges, or hazardous substances at the above address. The facility is limited to the quantities, types and disposal firms specified in the Specific Conditions of this license and is subject to the attached General Conditions 1 through 12 and Specific Conditions 1 through 13.

Issue Date 2/6/87*
Expiration Date 2/6/88
Revision Date N/A
As Built Due Date N/A
Automatic Revocation Date N/A
(see Spec. Condition)

Renewal Application Due 12/8/87

*Expiration date of previous license.

By Victor N Howard
VICTOR N HOWARD. P.E.
POLLUTION CONTROL OFFICER

6 Sep 18, 1987

licTransSt
5/23/86

GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by the EQCB pursuant to Chapter 27 of the Broward County Environmental Quality Control Board (EQCB) Code. The EQCB will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.

2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation and enforcement action by the EQCB.

3. In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify the PCO within 12 hours. Within 5 working days of the event, the licensee shall submit a written report to the PCO that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of events leading toward operation within the license conditions.

4. The issuance of this license does not convey any vested rights or exclusive priviliges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any violations of federal, state or local laws or regulations.

5. This license must be available for inspection on licensee's premises during the entire life of the license.

6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to the EQCB, may be used by the EQCB as evidence in any enforcement proceeding arising under EQCB rules and regulations, except where such use is prohibited by Section 403.111, Florida Statutes.

7. The licensee agrees to comply with Chapter 27, Code of Regulations of the EQCB.

8. Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accord with the license until the transferee applies for and is granted transfer of license.

9. The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by EQCB personnel for the purposes of inspection and testing to determine compliance with this license and EQCB rules and regulations.

10. This license does not constitute a waiver of or approval of any other license that may be required for other aspects of the total project.

11. If the licensee wishes to renew the license or extend its term, he shall make application 60 days prior to its expiration. Expired licenses are not renewable.

12. In addition to the general conditions set forth above, each license issued by the EQCB shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the PCO. Licensee agrees that specific conditions are enforceable by the EQCB for any violation thereof.

SPECIFIC CONDITIONS FOR TRANSFER STATION FACILITY

1. This license is issued to provide the licensee a period of time to construct and/or operate a facility for receipt, storage and shipment of liquid, dewatered and dried industrial sludges or hazardous substances that will be in complete compliance with Section 27 of the Code of Regulations of the EQCB. A Construction License provides a 60 day trial period after the estimated completion date provided in the license application. The licensee of a Construction License shall apply for an Operating License no later than 30 days prior to the expiration date.

2. Any change in the licensed operation and/or configuration of this facility shall be approved by the EQCB prior to the change.

3. The Industrial Sludge Disposal Data Monthly Report shall be submitted to EQCB by the 15th of the month following the month of shipment. In the event no shipments were made, so indicate and submit the report on the same schedule.

4. The licensee shall maintain containment areas, emergency equipment and provide an emergency plan to handle any spills. A designated person shall inspect daily for leakage from containers and containment areas. A maintenance log book of the activities shall be made available for inspection by EQCB. Records shall be kept for a period of not less than five (5) years.

   The licensee shall not allow discharge of any substance which is ignitable, reactive, corrosive, toxic or EP toxic to the ground. In the event of an accidental spill, EQCB shall be notified of the incident within 24 hours and an immediate cleanup of the spill shall be undertaken by the licensee. The absorbent and waste from any leakage or spill shall be containerized and disposed of at an approved hazardous waste disposal site.

   Cracks in a concrete containment barrier will be considered as a violation of the integrity of the containment barrier and shall be patched immediately or coated with an approved impervious membrane.

   Any hazardous waste that is on-site and any non-hazardous waste or sludge that is on-site and leaves the facility shall be reported to EQCB by legible copy of manifest on a monthly and annual basis, by the fifteenth (15) day of the following month, and be disposed in accordance with EPA and DER requirements.

5. Emergency Cleanup Plan
Upon discharge of any hazardous material:
a) Immediately telephone Broward County Fire Department on 911.
b) Report the discharge to EQCB within 24 hours. Telephone 765-5881, 8:00 a.m. to 4:30 p.m.
c) Report the discharge to Florida Department of Environmental Regulation in West Palm Beach. Telephone 305/689-5800, 8:00 a.m. to 5:00 p.m., or Florida Bureau of Disaster and Preparedness in Tallahassee, Telephone 904/488-1322, 24 hours.
d) Immediately implement the approved discharge recovery plan.
e) Submit a written closure plan to EQCB within 5 days.

6. Transfer station facilities shall receive, store or ship hazardous materials or wastes only in areas that have no floor drains or other means of discharge and that have a secondary containment adequate to contain the amount of material stored which is made of a material impervious to the material stored. The secondary containment areas shall be under cover and allow no storm water within the secondary containment. Waste storage areas require secondary containment. A building with floors and walls impervious to the hazardous materials utilized may be considered as a secondary containment if there is no possibility that spilled materials can find egress through cracks, holes, doors or other openings to uncontained area.

7. Closure Plan & Hazardous Waste Disposal Plan
The closure plan will be governed by Section 27-5.11 of the EQCB Code of Regulations. In the event that the transfer station facility business is partly or wholly discontinued, the equipment and building shall be cleaned of all hazardous materials and residues. All related hazardous materials shall be returned to the supplier; utilized before discontinuance of the business; disposed to a properly licensed hazardous material or waste transporter, disposer, recycler or reclaimer; or any combination of the above. Approval of site specific plan shall be obtained from EQCB prior to closure.

8. All reactive materials shall be kept in separate secondary containments to avoid inter-reaction in the event of spills.

9. Underground monitor wells shall be tested at a frequency of not less than once per week. Positive response of a detection device, monitoring well test, the presence of a sheeny-layer or odor of pollutant, or the positive report of a sample or laboratory report that a sample contains pollutant shall be treated as a discharge unless the owner or operator can affirmatively demonstrate that no discharge has occurred.

10. It is the licensee's responsibility to require that all facility personnel shall successfully complete a program of classroom instructions and/or on the job training that teaches them to perform their duties in a way that ensures the facility's compliance with EQCB Code of Regulations. The training shall include proper handling and storage of the hazardous materials used at the facility. It shall also include training in the Emergency Cleanup Plan.

A record of the name of each employee and the fact that the person has completed the training shall be kept on file on the premises so long as the person is employed.

11. This license renewal allows Cliff Berry, Inc. to operate an industrial transfer station consisting of 4 above ground storage tanks with secondary containment and storm water control for the receipt, storage, and shipment of waste petroleum products and associated contaminated water.

12. The licensee shall only accept sludge from haulers that have current Broward County sludge hauling licenses as evidenced by license identification tags displayed on the rear of the hauling vehicle.

13. Contaminated stormwater from the secondary containment area shall be manually pumped to a petroleum storage tank within the contained area. The licensee shall not allow any discharge of waste petroleum products and/or associated contaminated waters to ground.

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT
1900 SOUTH CONGRESS AVENUE
WEST PALM BEACH, FLORIDA 33406

BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY
J. SCOTT BENYON
DISTRICT MANAGER

OCT 2 3 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Cliff Berry, President
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

Dear Mr. Berry:

RE: Hazardous Waste Inspection

Our records indicate that your operation handles hazardous waste. The purpose of this letter is to inform you that the Department intends to inspect your facility, in the near future, to determine compliance with the Hazardous Waste Regulations contained in Florida Administrative Code (F.A.C.) 17-30 and F.A.C. 17-34. In recognition that the cited rules and regulations are complicated and often difficult to understand, I have attached an outline entitled "Highlights of Hazardous Waste Regulations". This document spells out the different categories of hazardous waste facilities. It also highlights the compliance items the inspectors will be looking for during the upcoming visit to your facility.

I strongly recommend that you read the "Highlight" document as well as the appropriate regulations and correct any waste handling or record keeping deficiencies at your facility prior to our inspection. In many instances we are required to seek penalty assessments for non-compliance items, even on the first visit/inspection. In certain severe instances these penalty assessments can range up to $50,000 per day, per violation.

Should you have any questions concerning the Hazardous Waste regulations or inspection procedures, please contact Mr. Paul Wierzbicki or Ms. Donna Rodman of the Hazardous Waste Compliance Section in West Palm Beach, telephone (305) 964-9668.

Thank you for your cooperation.

Sincerely,

J. Scott Benyon
District Manager

JSB:pws/184

Attachment

cc: Broward County Environmental Quality Control Board

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

500 S.W. 14th Court
Fort Lauderdale, Florida 33315
(305) 765-5881

RECEIVED
'85 AUG 28 AM 10 44
FLA. DEPARTMENT OF
ENVIRONMENTAL REG.
WEST PALM BEACH

Given cc: Rich W
Larry O.
cl
9/2/85

Charles

August 23, 1985

Mr. Cliff Berry, President
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Ft. Lauderdale, FL 33316

Subject: Proposal for Continued Site Investigation at CBI, 1000 SE 28 St., Port Everglades, Florida

Dear Mr. Berry:

On 8/19/85, EQCB received the subject proposal. Copies were forwarded to FDER and Amoco Oil, Tulsa, Oklahoma for review. Staff agrees with the general intent of the proposal, however, recent developments within the state groundwater reclassification system have been proposed which could affect the overall requirements at the CBI site.

For this reason we have scheduled a meeting for September 11, 1985, at 2 P.M. at this office to discuss the following:

1. The subject proposal

2. Groundwater Reclassification Procedure.

3. General time tables and scheduling of Closure Activities.

Sincerely,

Victor N Howard

VICTOR N. HOWARD, P.E.
POLLUTION CONTROL OFFICER

cc: R. Duke (DER/WPB)
J. Tostanowski (Enviropact)
T. Gogle (Amoco Oil)
T. Zinn (Attorney)

VNH/TAL/sc
ltrClfBry7

RESEARCH CORPORATION
RAL GABLES, FLORIDA 33146 • TEL. (305) 444 5822

LABORATORY ANALYSIS

liff Berry Nursery

S: Herbicides, Pesticides, etc.

OD: GLC

DATE COLLECTED & METHOD USED: 4/26/84 at mid-depth by E.Rich
DATE RECEIVED: 4/26/84
DATE ANALYZED:

STORAGE:
ANALYST: E.F.Corcoran, Univ. of Miami-RSMAS

RESULTS: 284-2211

Rosenstiel School of Marine & atmosphere Science

305-361-4629

Herbicides (water) ng/l

Station	2,4-D	Silvex	2,4,5-T
Ditch	300.2	ND*	319.2
Lake-N	658.2	ND	50.7
Lake-Mid	118.5	50.5	149.7

Pesticides (water) ng/l

	Aldrin	pp/DDE	Dieldrin
Ditch	134.0	875.0	1486.0
Lake-N	ND	ND	1216.7
Lake-Mid	ND	697.0	494.2

Herbicides (sediment) ng/g

	2,4-D	Silvex	2,4,5-T
Ditch	7.2	ND	ND
Lake-N	10.3	2.6	ND
Lake-Mid	ND	ND	4.3

Pesticides, PAEs, PCBs (sediment) ng/g

	Aroclor 1248
Ditch	619.2
Lake-N	116.6
Lake-Mid	113.9

Aroclor 1016, 1221, 1232, 1242, 1250 & 1260 ?

eg Lindane
*none detected
Methoxychlor
DDT/Toxaphene/
DDD/Aldrin carb
Heptachlor
2,4,5-TP

(1) Total PCBs = ? (both sediment & surface water)

(2) Need a complete Pesticide

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT

P.O. BOX 3858
3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33402-3858

BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

ROY M. DUKE
DISTRICT MANAGER

August 15, 1985

Cliff Berry Inc.
Berry Cliff, President
P. O. Box 13079
1000 S. E. 28th St.
Ft. Lauderdale, FL 33316

Dear Mr. Cliff:

On January 4, 1985, the Environmental Protection Agency promulgated regulations which substantially changed the definition of solid waste. The Department of Environmental Regulation has recently adopted these regulations and incorporated them in appropriate sections of Chapter 17-30, F.A.C. The changes became effective on July 5, 1985.

The new regulations have the most significant impact on the regulatory status of hazardous waste which is recycled or reused. Since you have indicated on your 1984 Annual Report that hazardous waste handled by your organization was exempt from regulation under the beneficial reuse provisions, we are hereby advising you of these regulatory changes and of your obligation to determine whether your waste is now regulated. Attached for your information is a schematic diagram which indicates which waste types and methods of recycling or reuse are now subject to hazardous waste regulations. Copies of portions of the regulations are also enclosed. A complete set of the regulations can be obtained from the Department of Environmental Regulation, Hazardous Waste Subsection, 2600 Blair Stone Road, Tallahassee, Florida 32301, phone (904) 488-0300.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

If, from examination of this material, you feel that waste which you are currently recycling or reusing is now subject to the regulations, you should contact the Hazardous Waste Section of this office (telephone (305) 689-5800) to determine the appropriate steps to bring your facility into compliance with the regulations. If a storage permit is required, then a permit application must be submitted to this office within 30 days.

Your cooperation in this matter is appreciated.

Sincerely,

Roy M Duke

Roy M. Duke
District Manager

RMD:mgs/2

Enclosure

cc: Craig Diltz, DER/Tallahassee
Broward County Environmental Quality Control Board

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

SOUTHEAST FLORIDA DISTRICT

P.O. BOX 3858
3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33402-3858

BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

ROY M. DUKE
DISTRICT MANAGER

July 2, 1985

Mr. Mike Ambrose
D. M. Ambrose Associates, Inc.
6190 N. Federal
Boca Raton, Florida 33431

Dear Mr. Ambrose:

RE: **Berry Nursery**

Reviewing the sampling assay data submitted some time ago by Mr. E. F. Corcoran, we find that the analytical methods and levels of detection are inconsistent with EPA guidelines. In other words, applying the numerical values derived from the method used to the published detection limits, indicates violations of State of Florida water standards.

We intend to sample and run a total scan for halogenated pesticides, total PCBs, EPA series 601 and 602, and EPA toxic metals. Survey of the site will determine appropriate sampling points to sample soil, surface and ground water, and sediments.

If your client desires split sampling, it can be done. Based on the analytical results then becoming available, we will determine whether or not the site is presently permittable. We will do our best to expedite this decision process.

Sincerely,

Donald B. White

Donald B. White, P.E.
Permitting Section Head

DBW:my:38

cc: Roy Duke
Julia Cobb
Terry Davis
Larry O'Donnell
Charles Ouseph
Robert J. Compton

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

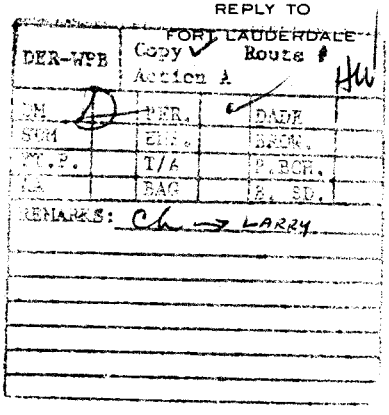
LAW OFFICES
COMPTON & ASSOCIATES, P.A.
POST OFFICE BOX 14124
617 SOUTHEAST 4TH AVENUE
FORT LAUDERDALE, FLORIDA 33302-4124

(305) 763-4747
DADE 949-0420

ROBERT J. COMPTON
ADMIRALTY
PERSONAL INJURY & WRONGFUL DEATH
CORPORATION & BUSINESS LAW

FORT PIERCE / VERO BEACH OFFICE
POST OFFICE BOX 2843
VERO BEACH, FLORIDA 32961-2843

REPLY TO
FORT LAUDERDALE



June 26, 1985

Mr. Charles Busef
Department of Environmental Regulation
3301 Gun Club Road
West Palm Beach, Florida 33402

Re: **Berry Nursery**

Dear Mr. Busef:

I am in receipt of a copy of a letter dated January 24, 1985, directed to you by Earl R. Rich, Ph.D, President of Rio Palenque Research Corporation.

As you are aware, this office represents Mr. & Mrs. Berry and the Berry Nursery in a permitting application. Moreover, Dr. Rich has been consulted by my office on behalf of the Berrys for his expertise in the matters he has addressed apparently to a letter which you sent to him prior to June 24, 1985.

Please be advised of our concern that matters are being conducted concerning my representation of the Berrys of which this office is not aware. I have directed a copy of this letter to your counsel in Tallahassee, Julia D. Cobb, in order that she may direct your attention to certain laws regarding the representation of a client by a lawyer in the State of Florida.

In any event, I would appreciate your including this law firm with any correspondence or other actions taken by DER not privileged or work product of the DER. I hope you understand my concern and would respectfully request your cooperation in this matter.

Very truly yours,

Robert J. Compton, Esq.

RJC/lw
cc: Earl R. Rich, Ph.D.
Julia D. Cobb, Atty.
Mr. & Mrs. Berry

RECEIVED
JUN 28 1985
Dept. of Environmental Reg.
West Palm Beach

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

INTEROFFICE MEMORANDUM

Routing To District Offices And To Other Than The Addressee

To: _____ Loctn.: _____
To: _____ Loctn.: _____
To: _____ Loctn.: _____
From: _____ Date: _____

Reply Optional [ ] Reply Required [ ] Info. Only [ ]
Date Due: _____ Date Due: _____

TO: Larry O'Donnel

FROM: Charles Ouseph

DATE: June 18, 1985

SUBJECT: Cliff Berry Site (Nursery etal.)

I have reviewed the test results contained in the report and given below are some of my thoughts on the subject report.

I have discussed some of these questions on June 13, 1985 with the analyst E. F. Corcoran (305/361-4629) who performed the analysis. I am still waiting to receive his response.

a) Test results for many of the constituents appear to indicate detection limits far in excess of those recognized in EPA's methods. For example: detection limit in water for 2,4-D is 1 ppb (per Test Methods for Evaluating Solid Wastes/method 8150: Chlorinated Herbicides, July 1982 Edition), and yet, the test data supplied indicates measurement accurate up to one-tenth of a part per trillion! This is four orders of magnitude improvement in the EPA method of detection.

b) The report does not show any QA/QC program validating the test data.

c) The test data only indicates some pesticides and herbicides, but is silent on the remaining pesticides and herbicides, especially those listed as hazardous in 40 CFR 261.24 & 31-33. (For example: 2,4,5-TP, DDT, Toxophene, Chlordane, Endrin, Methoxychlor, etc.).

d) Why is analysis of PCB's limited to sediment only? Even more important, why is PCB Analysis limited to Aroclor 1248 only (rather than total PCB's)?

In summary, the analysis on applicable samples should include a total pesticide and herbicide scan (especially for halogenated constituents), and the testing program should include a proper QA/QC program.

CO:s/2

cc: Rick Reis, DER/West Palm Beach

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

500 S.W. 14th Court
Fort Lauderdale, Florida 33315
(305) 765-5881

Except
1. Non Contact Industrial cooling water
2. Approved by PCO
no new discharges permitted

May 15, 1985

Mr. Garth Hinkle
D.M. Ambrose Associates, Inc.
6190 N. Federal Hwy.
Boca Raton, Fl. 33431

Re: Permit Requirement for Treatment of Industrial Waste,
Cliff Berry Salvage Yard.

Dear Mr. Hinkle:

The subject Department of Environmental Regulation letter dated May 6, 1985 sent to you by Mr. J. Guidry has prompted this response by the EQCB.

Be advised that Mr. Cliff Berry's proposed facility or salvage yard is not allowed by current Broward County Chapter 27 Code of Regulations to discharge industrial waste to any waters within Broward County proper. The specific regulation is 27-5.038 and became effective February 22, 1984. It reads as follows:

27-5.038 INDUSTRIAL WASTEWATER

After the date of approval of this amendment no new industrial wastewater discharges, except as specified in Section 27-5.042(2) shall be permitted, suffered or allowed. Industrial wastewater discharges existing and licensed on the date of approval of this amendment shall not be increased in quantity or decreased in quality.

Please contact Joe Chaparro of this office should questions arise.

Sincerely,

Bruce Kester

BRUCE KESTER, PE
CHIEF, WATER POLLUTION CONTROL

BK/JC/lr
cc: John A. Guidry, DER
Carlos DeRojas, Water Mgt. Eng.

RECEIVED
MAY 17 1985
Dept. of Environmental Reg.
West Palm Beach

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

FILE

SOUTHEAST FLORIDA DISTRICT

P.O. BOX 3858
3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33402-3858

BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

ROY M. DUKE
DISTRICT MANAGER

May 6, 1985

Broward County
IW-Cliff Berry, Inc.

Mr. Garth Hinkle
D.M. Ambrose Associates, Inc.
6190 North Federal Highway
Boca Raton, Florida 33431

Dear Mr. Hinkle:

Re: Permit Requirement for Treatment of Industrial Waste

We have received a copy of a letter from the South Florida Water Management District, dated April 10, 1985, addressed to you. In this letter the question is raised whether DER will require an Industrial Waste Permit. Section 403.087(1), Florida Statutes states:

> No stationary installation which will reasonably be expected to be a source of air or water pollution shall be operated, maintained, constructed, expanded, or modified without an appropriate and currently valid permit issued by the department, unless exempted by department rule. In no event shall a permit for a water pollution source be valid for more than 5 years. However, upon expiration, a new permit may be issued by the department in accordance with this act and the rules and regulations of the department.

If there will be any discharge of industrial waste to the waters of the state, Mr. Berry will require permits from the Department prior to his operation of his salvage yard, one for construction of the system and one for operation. In the event of a discharge to surface waters a NPDES permit will be required from E.P.A.

Should you have any questions concerning this matter, please contact Mr. W.A. Keats of this office at (305) 689-5800.

Sincerely,

John A. Guidry
Supervisor
Industrial Waste Permitting
JAG:wk:lp7
cc: Broward County Environmental Quality Control Board
Carlos De Rojas, Water Management Engineer

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

South Florida
Water Management District
Post Office Box V 3301 Gun Club Road
West Palm Beach, Florida 33402
Telephone (305) 686-8800
Florida WATS Line 1-800-432-2045

John R. Wodraska, Executive Director

DER

VIC

IN REPLY REFER TO:

April 10, 1985

Bill:
Pl. write them a letter about our requirements for Ind. Permit
VIC

Mr. Garth Hinkle
D. M. Ambrose Associates, Inc.
6190 North Federal Highway
Boca Raton, Fl 33431

Re: Appl. No. 01095-D, Berry Warehouses
Fort Lauderdale, Broward County, S23/T50S/R42E
Meeting held April 9, 1985
Attendees: Mr. Garth Hinkle - D.M. Ambrose Associates, Inc.
Mr. Charles W. Pemble - SFWMD
Mr. Carlos de Rojas - SFWMD
Mr. Rich Waleski - DER

Dear Mr. Hinkle:

Thank you for coming in for the meeting yesterday. Per your comments, it appears that the proposed project will involve more than a simple warehousing operation. You stated that you believe that it is Mr. Berry's intention to relocate his existing salvage yard operation to the north, onto the proposed site because of his present lease being terminated. This is new information which reopens the District time clock, and allows the District to ask additional questions, not included in previous District letters. Because industrial wastes may be involved, the following concerns need to be addressed. According to Rule 40E-40, Florida Administrative Code (FAC), the following must be provided before our review can continue.

1. What system is proposed for handling of industrial wastes that may result from the operation of a salvage yard (in which handling and cleaning of possibly contaminated equipment may occur).

2. How will the industrial wastes be prevented from entering the Surface Water Management System for the site.

3. DER stated at the meeting that clean-up, of the contaminated sediments from the bottom of the existing pond, may be required. Please indicate how the clean-up will be accomplished.
Note: For your information, DER is investigating the possibility that this site may be considered a hazardous waste site.

4. Will DER require an Industrial Waste Permit for this site?

Stanley W. Hole, Chairman - Naples
William E. Sadowski, Vice Chairman - Miami
J. Neil Gallagher, St. Cloud
Nathaniel P. Reed, Hobe Sound
Kathleen Shea Abrams, Miami Shores
John F. Flanigan, North Palm Beach
Timer E. Powers, Indiantown
Kent Price, Okeechobee
Nancy H. Roen, Plantation

South Florida
Water Management District
John R. Wodraska, Executive Director
Post Office Box V 3301 Gun Club Road
West Palm Beach, Florida 33402
Telephone (305) 686-8800
Florida WATS Line 1-800-432-2045

IN REPLY REFER TO:

5. Please provide more details on the paving, grading and drainage plans showing how the off-site flows will be routed around the project.

6. The paving, grading and drainage plans need to be more specific as to how the site is to be developed. Buildings and paved areas need to be shown.

7. Who will provide potable and wastewater service for the site. Letters of commitment need to be provided.

8. Filling in of the lakes as shown on the application may result in isolated pockets of wet areas remaining on the property to the south which may not meet District minimum dimensional criteria. Show evidence of appropiate agreements with adjacent property owner as filling in of the pockets may be required.

In accordance with 40E-1.603(5) FAC, if a response is not received within 90 days, the application may be processed for denial, if not withdrawn by the applicant. Please submit 4 copies of the information. Should you have any questions, please call

Sincerely,

Carlos de Rojas
Water Management Engineer
Resource Control Department

cc: Ms. N. Roen
Dr. K. Abrams
DER
Broward County Engineer

Stanley W. Hole, Chairman - Naples
William E. Sadowski, Vice Chairman - Miami
J. Neil Gallagher, St. Cloud
Nathaniel P. Reed, Hobe Sound
Kathleen Shea Abrams, Miami Shores
John F. Flanigan, North Palm Beach
Timer E. Powers, Indiantown
Kent Price, Okeechobee
Nancy H. Roen, Plantation

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

In Re: CASE NO. W-0103-27955

CLIFF BERRY, INC. CITATION NO. 3350

VIK

Respondent

HEARING EXAMINER'S REPORT

The Hearing was commenced at 10:00 A.M. on March 1, 1985 at the Nova University Law School, 3100 S.W. 9th Avenue, Fort Lauderdale, Florida. Appearing for the Board were William C. Metzger, Chief of Enforcement and Joe Chaparro, Engineer Assistant. No one appeared on behalf of the Respondent. The issue to be determined was whether or not the Respondent violated Section 27-5.082 (19) Grease & Oil of the Code of Regulations of the BCEQCB by failure to meet the effluent standards of the Environmental Quality Control Board. The witnesses were sworn and testified.

FINDINGS OF FACT

On January 3, 1985, samples were taken at the Treatment Plant at 1000 S.E. 28th Street, Fort Lauderdale, Florida, owned by Cliff Berry, Inc., and test results of these samples indicated the following parameter failed to meet standards: Grease & Oil. A Notice of Violation and Order Assessing a Civil Penalty was properly served on the Respondent on January 25, 1985. This is the fifth failure and the fourth Notice of Violation issued for Grease & Oil.

CONCLUSION OF LAW

The Respondent did violate Section 27-5.082 (19) Grease & Oil of the Code of Regulations of the Broward County Environmental Quality Control Board. The staff recommendation was for a Civil Penalty of $1,000.00 and costs of $115.00 for a total of $1,115.00.

PROPOSED FINAL ORDER

The Hearing Examiner recommends to the Broward County Environmental Quality Control Board that a Final Order be entered assessing against Respondent, Cliff Berry, Inc., a Civil Penalty of $1,000.00 and costs of $115.00 for a total of of $1,115.00.

Respectfully submitted,

Alexander M. Siegel, Hearing Examiner

4/10/85

Date

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

In Re: CASE NO. W-1227-27944

CLIFF BERRY, INC. CITATION NO. 3349

Respondent

HEARING EXAMINER'S REPORT

The Hearing was commenced at 10:00 A.M. on March 1, 1985 at the Nova University Law School, 3100 S.W. 9th Avenue, Fort Lauderdale, Florida. Appearing for the Board were William C. Metzger, Chief of Enforcement and Joe Chaparro, Engineer Assistant. No one appeared on behalf of the Respondent. The issue to be determined was whether or not the Respondent violated Section 27-5.073 (11) LAS (MBAS) of the Code of Regulations of the BCEQCB by failure to meet the water quality standards of the Environmental Quality Control Board. The witnesses were sworn and testified.

FINDINGS OF FACT

On December 27, 1984, samples were taken at the Treatment Plant at 1000 S.E. 28th Street, Fort Lauderdale, Florida, owned by Cliff Berry, Inc., and test results of these samples indicated the following parameter failed to meet standards: LAS (MBAS). A Notice of Violation and Order Assessing a Civil Penalty was properly served on the Respondent on January 25, 1985. This is the fourth failure and the third Notice of Violation issued for LAS (MBAS).

CONCLUSION OF LAW

The Respondent did violate Section 27-5.073 (11) LAS (MBAS) of the Code of Regulations of the Broward County Environmental Quality Control Board. The staff recommendation was for a Civil Penalty of $1,000.00 and costs of $102.00 for a total of $1,102.00.

PROPOSED FINAL ORDER

The Hearing Examiner recommends to the Broward County Environmental Quality Control Board that a Final Order be entered assessing against Respondent, Cliff Berry, Inc., a Civil Penalty of $1,000.00 and costs of $102.00 for a total of $1,102.00.

Respectfully submitted,

Alexander M. Siegel, Hearing Examiner

4/10/85

Date

BROWARD COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

In Re: CASE NO. W-1212-27354

CLIFF BERRY, INC. CITATION NO. 3292

Respondent

HEARING EXAMINER'S REPORT

The Hearing was commenced at 10:00 A.M. on March 1, 1985 at the Nova University Law School, 3100 S.W. 9th Avenue, Fort Lauderdale, Florida. Appearing for the Board were William C. Metzger, Chief of Enforcement and Joe Chaparro, Engineer Assistant. No one appeared on behalf of the Respondent. The issue to be determined was whether or not the Respondent violated Section 27-5.082 (19) Grease & Oil of the Code of Regulations of the BCEQCB by failure to meet the effluent standards of the Environmental Quality Control Board. The witnesses were sworn and testified.

FINDINGS OF FACT

On December 12, 1984, samples were taken at the Treatment Plant at 1000 S.E. 28th Street, Fort Lauderdale, Florida, owned by Cliff Berry, Inc., and test results of these samples indicated the following parameter failed to meet standards: Grease & Oil. A Notice of Violation and Order Assessing a Civil Penalty was properly served on the Respondent on January 10, 1985. This is the fourth failure and the third Notice of Violation issued for Grease & Oil.

CONCLUSION OF LAW

The Respondent did violate Section 27-5.082 (19) Grease & Oil of the Code of Regulations of the Broward County Environmental Quality Control Board. The staff recommendation was for a Civil Penalty of $1,000.00 and costs of $103.00 for a total of $1,103.00.

PROPOSED FINAL ORDER

The Hearing Examiner recommends to the Broward County Environmental Quality Control Board that a Final Order be entered assessing against Respondent, Cliff Berry, Inc., a Civil Penalty of $1,000.00 and costs of $103.00 for a total of $1,103.00.

Respectfully submitted,

Alexander M. Siegel, Hearing Examiner

Date 4/10/85

3/27/85
50064

Enviropact, Inc.
Environmental Consulting and Analysis

4790 N.W. 157 Street
Hialeah, Florida 33014
Telephone: (305) 620-1700
Fla. Watts: (800) 432-9706

1143

A1439

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation:EFFLUENT FOR MONTHLY ANALYSIS

REPORT OF ANALYSIS : NORTH WELL		UNITS
COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.02	mg/l
M.B.A.S	0.13	mg/l
pH	7.0	

RECEIVED
MAR 26 1985
Dept. of Environmental Reg.
West Palm Beach

Analyses made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

JK 3/27/85
X11441

1143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation:SAND FILTER EFFLUENT: MONTHLY ANALYSIS

REPORT OF ANALYSIS : SAND FILTER		UNITS
COPPER	< 0.1	mg/l
ETHER EXTRACTABLES	17	mg/l
LEAD	0.14	mg/l
M.B.A.S	11.0	mg/l
pH	6.5	

RECEIVED
MAR 26 1985
Dept. of Environmental Reg.
West Palm Beach

Analyses made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully Submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact. Inc.
Environmental Consulting and Analysis

JK 3/27/85 A11440

1143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation:EFFLUENT FOR MONTHLY ANALYSIS

REPORT OF ANALYSIS : SOUTH WELL		UNITS
COPPER	0.02	mg/l
ETHER EXTRACTABLES	1	mg/l
LEAD	0.02	mg/l
M.B.A.S	4.0	mg/l
pH	6.8	

RECEIVED
MAR 26 1985
Dept. of Environmental Reg.
West Palm Beach

Analyses made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

C.C. BILL KEATS
MIKE AMBROSE
VICTOR HOWARD P.E.

Respectfully Submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

4790 N.W. 157th Street
Hialeah, Florida 33014
Telephone: (305) 620-1700
Fla. Watts: (800) 432-9706

Mr. Bill Keats
D.E.R.
P.O. Box 3858
W. Palm Beach, Florida
33402

April 15, 1985

Dear Mr. Keats,
Per your request, please find enclosed copies of monthly compliance analysis for Cliff Berry Industries. Reports from the following dates are included:

January, 1984
February, 1984
March, 1984
June, 1984 (2)
July, 1984
January, 1985(2)

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Should you have any further questions or comments please feel free to call me at 1-800-432-9706.
I shall be happy to assist you in any way.

Sincerely yours,

Marjorie K. Bixby

Envirapact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs, Fla. 33166
Telephone: (305) 885-1869
Fla. Watts: (800) 432-9706

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 21, 1984
Report 10229
Lab I.D. 86119

Sample Received: 03/02/84 Collected by: A. PARRISH
Sample Designation:CLIFF BERRY ROUTINE ANALYSIS; AS NOTED.

REPORT OF ANALYSIS

	[redacted] EFF.	
COPPER	0.13	mg/l
LEAD	< 0.10	mg/l
M.B.A.S	44	mg/l
pH	7.3	
OIL & GREASE	8.8	mg/l

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 21, 1984
Report 10229
Lab I.D. 86119

Sample Received: 03/02/84 Collected by: A. PARRISH
Sample Designation:CLIFF BERRY ROUTINE ANALYSIS; AS NOTED.

REPORT OF ANALYSIS	IN-GOING EFF.	
COPPER	< 0.1	mg/l
LEAD	0.13	mg/l
M.B.A.S	30	mg/l
pH	7.2	
OIL & GREASE	65	mg/l

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs, Fla. 33166
Telephone: (305) 885-1869
Fla. Watts (800) 432-9706

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 8, 1984
Report 10145
Lab I.D. 86119

Sample Received: 02/22/84 Collected by: A. PARRISH
Sample Designation:ROUTINE MONTHLY ANALYSIS.

REPORT OF ANALYSIS	AIR-PIT	
COPPER	0.17	mg/l
ETHER EXTRACTABLES	8.0	mg/l
LEAD	0.20	mg/l
M.B.A.S	9.96	mg/l
pH	8.4	

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 8, 1984
Report 10145
Lab I.D. 86119

Sample Received: 02/22/84 Collected by: A. PARRISH
Sample Designation:ROUTINE MONTHLY ANALYSIS.

REPORT OF ANALYSIS	FINAL	
COPPER	< 0.10	mg/l
ETHER EXTRACTABLES	6.3	mg/l
LEAD	0.10	mg/l
M.B.A.S	3.36	mg/l
pH	7.8	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 8, 1984
Report 10145
Lab I.D. 86119

Sample Received: 02/22/84 Collected by: A. PARRISH
Sample Designation: ROUTINE MONTHLY ANALYSIS.

REPORT OF ANALYSIS	IN-GOING	
COPPER	0.12	mg/l
ETHER EXTRACTABLES	21.0	mg/l
LEAD	0.19	mg/l
M.B.A.S	7.02	mg/l
pH	8.0	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

4790 N.W. 157 Street
Hialeah, Florida 33014
Telephone: (305) 620-1700
Fla. Watts: (800) 432-9706

JK 4/14/85

1143

Page 1 of 3

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation: [redacted] FOR MONTHLY ANALYSIS

A11439

REPORT OF ANALYSIS : NORTH WELL

		UNITS
COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.02	mg/l
M.B.A.S	0.13	mg/l
pH	7.0	

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analyses made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully Submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact. Inc.
Environmental Consulting and Analysis

YK 4/19/85

1143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation:SAND FILTER EFFLUENT: MONTHLY ANALYSIS

X 11441

REPORT OF ANALYSIS : SAND FILTER		UNITS
COPPER	< 0.1	mg/l
ETHER EXTRACTABLES	17	mg/l
LEAD	0.14	mg/l
M.B.A.S	11.0	mg/l
pH	6.5	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully Submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

4/19/85

1143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE,FL 33316
ATT : CLIFF BERRY

Febuary 8,1985
Report 12988
LAB I.D. 86119

Sample Received: 1/30/85 Collected By: M.K.BIXBY
Sample Designation: [redacted] MONTHLY ANALYSIS

A1/440

REPORT OF ANALYSIS : SOUTH WELL		UNITS
COPPER	0.02	mg/l
ETHER EXTRACTABLES	1	mg/l
LEAD	0.02	mg/l
M.B.A.S	4.0	mg/l
pH	6.8	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

C.C. BILL KEATS
MIKE AMBROSE
VICTOR HOWARD P.E.

Respectfully Submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

4790 N.W. 157 Street
Hialeah, Florida 33014
Telephone: (305) 620-1700
Fla. Watts: (800) 432-9706

001143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

January 23, 1985
Report 12792
Lab I.D. 86119

ATTN: CLIFF BERRY
Sample Received: 01/11/85 Collected by: M.BOURGEOIS
Sample Designation:SAND FILTER EFFLUENT: MONTHLY ANALYSIS

REPORT OF ANALYSIS

	SAND FILTER	
COPPER	< 0.1	mg/l
ETHER EXTRACTABLES	13	mg/l
LEAD	< 0.1	mg/l
M.B.A.S	3.29	mg/l
pH	6.3	

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APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

cc: BILL KEATS
MIKE AMBROSE
VICTOR HOWARD P.E.

Respectfully submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

001143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

January 23, 1985
Report 12792
Lab I.D. 86119

ATTN: CLIFF BERRY
Sample Received: 01/11/85
Collected by: M.BOURGEOIS
Sample Designation: [redacted] MONTHLY ANALYSIS

A 11440

REPORT OF ANALYSIS	SOUTH WELL	
COPPER	0.04	mg/l
ETHER EXTRACTABLES	2	mg/l
LEAD	< 0.1	mg/l
M.B.A.S	3.05	mg/l
PH	7.0	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

cc: BILL KEATS
MIKE AMBROSE
VICTOR HOWARD P.E.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

JK
4/19/85

001143

CLIFF BERRY INDUSTRIES
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

January 23, 1985
Report 12792
Lab I.D. 86119

ATTN: CLIFF BERRY
Sample Received: 01/11/85
Collected by: M.BOURGEOIS
Sample Designation: [redacted] MONTHLY ANALYSIS

A11439

REPORT OF ANALYSIS — NORTH WELL

COPPER	0.03	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	< 0.1	mg/l
M.B.A.S	0.61	mg/l
pH	7.1	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

cc: BILL KEATS
MIKE AMBROSE
VICTOR HOWARD P.E.

Respectfully submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs, Fla. 33166
Telephone: (305) 885-1869
Fla. Watts: (800) 432-9706

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

August 9, 1984
Report 11439
Lab I.D. 86119

Sample Received: 07/31/84
Collected by: J. BARKACH
Sample Designation:MONTHLY ANALYSIS.

A11460

REPORT OF ANALYSIS — SOUTH WELL

COPPER	< 0.01	mg/l
LEAD	0.03	mg/l
M.B.A.S	0.15	mg/l
pH	7.3	
OIL & GREASE	1	mg/l

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn.
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

YK 11/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

August 9, 1984
Report 11439
Lab I.D. 86119

Sample Received: 07/31/84
Sample Designation:MONTHLY ANALYSIS.

Collected by: J. BARKACH

REPORT OF ANALYSIS

NORTH WELL A11439

COPPER	< 0.01	mg/1
LEAD	0.02	mg/1
M.B.A.S	9.20	mg/1
PH	6.9	
OIL & GREASE	< 1	mg/1

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn.
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs Fla 33166
Telephone (305) 885 1869
Fla Watts (800) 432 9706

JK 4/18/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

July 10, 1984
Report 11140
Lab I.D. 86119

Sample Received: 06/28/84 Collected by: A. PARRISH
Sample Designation:MONTHLY ANALYSIS.

A11440

REPORT OF ANALYSIS — SOUTH WELL

COPPER	0.01	mg/l
LEAD	0.02	mg/l
M.B.A.S	5	mg/l
PH	6.8	
OIL & GREASE	1	mg/l

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn.
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

July 10, 1984
Report 11140
Lab I.D. 86119

Sample Received: 06/28/84 Collected by: A. PARRISH
Sample Designation:MONTHLY ANALYSIS.

X11441

REPORT OF ANALYSIS **SAND FILTER EFFLUENT**

COPPER	< 0.1	mg/l
LEAD	< 0.1	mg/l
M.B.A.S	0.42	mg/l
pH	7.3	
OIL & GREASE	1	mg/l

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn.
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs, Fla. 33166
Telephone (305) 885-1869
Fla. Watts (800) 432-9706

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

June 26, 1984
Report 11028
Lab I.D. 86119

Sample Received: 06/12/84 Collected by: J. BARKACH
Sample Designation:CLIFF BERRY , AS NOTED.

A11439

REPORT OF ANALYSIS

NORTH WELL

COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.07	mg/l
M.B.A.S	4.16	mg/l
PH	6.5	

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn.
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

June 26, 1984
Report 11028
Lab I.D. 86119

Sample Received: 06/12/84 Collected by: J. BARKACH
Sample Designation:CLIFF BERRY , AS NOTED.

X11441

REPORT OF ANALYSIS

	SAND FILTER	
COPPER	< 0.1	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.10	mg/l
M.B.A.S	4.55	mg/l
pH	7.1	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn.
Laboratory Supervisor

Enviropact. Inc.
Environmental Consulting and Analysis

001143

CLIFF BERRY
P.O. BOX 13079
FT.LAUDERDALE, FL 33316

June 26, 1984
Report 11028
Lab I.D. 86119

Sample Received: 06/12/84 Collected by: J. BARKACH
Sample Designation:CLIFF BERRY , AS NOTED.

REPORT OF ANALYSIS — SOUTH WELL

COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.02	mg/l
M.B.A.S	0.36	mg/l
pH	6.9	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Horn.
Laboratory Supervisor

Enviropact, Inc.

JK 4/19/84

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 21, 1984
Report 10229
Lab I.D. 86119

Sample **Received: 03/02/84** Collected by: A. PARRISH
Sample Designation:CLIFF BERRY ROUTINE ANALYSIS; AS NOTED.

X11441

REPORT OF ANALYSIS **SAND-FILTER EFF.**

COPPER	< 0.1	mg/l
LEAD	< 0.10	mg/l
M.B.A.S	20	mg/l
pH	7.5	
OIL & GREASE	4.8	mg/l

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 21, 1984
Report 10229
Lab I.D. 86119

Sample Received: 03/02/84 Collected by: A. PARRISH
Sample Designation:CLIFF BERRY ROUTINE ANALYSIS; AS NOTED.

REPORT OF ANALYSIS — NORTH WELL — A11439

COPPER	< 0.01	mg/l
LEAD	< 0.01	mg/l
M.B.A.S	0.34	mg/l
pH	7.3	
OIL & GREASE	< 1	mg/l

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 21, 1984
Report 10229
Lab I.D. 86119

Sample Received: 03/02/84 Collected by: A. PARRISH
Sample Designation:CLIFF BERRY ROUTINE ANALYSIS; AS NOTED.

A11440

REPORT OF ANALYSIS	SOUTH WELL	
COPPER	< 0.01	mg/l
LEAD	< 0.01	mg/l
M.B.A.S	4.74	mg/l
pH	7.0	
OIL & GREASE	< 1	mg/l

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc. 4/19/84

001143 Page 4 of 5

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 8, 1984
Report 10145
Lab I.D. 86119

Sample Received: 02/22/84 Collected by: A. PARRISH
Sample Designation: ROUTINE MONTHLY ANALYSIS.

A11439

REPORT OF ANALYSIS	NORTH WELL	
COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	< 0.01	mg/l
M.B.A.S	0.10	mg/l
pH	7.2	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

Enviropact, Inc.

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

March 8, 1984
Report 10145
Lab I.D. 86119

Sample Received: 02/22/84 Collected by: A. PARRISH
Sample Designation: ROUTINE MONTHLY ANALYSIS.

AIR440

REPORT OF ANALYSIS — SOUTH WELL

COPPER	< 0.01	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	< 0.01	mg/l
M.B.A.S	3.51	mg/l
pH	6.9	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

Lawrence J. Korn

Lawrence J. Korn
Laboratory Supervisor

S006P00650

Enviropact, Inc.
Environmental Consulting and Analysis

100 Westward Drive
Miami Springs, Fla. 33166
Telephone (305) 885-1869
Fla. Watts (800) 432-8706

001143

Page 1 of 3

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

February 3, 1984
Report 9944
Lab I.D. 86119

4/19/85

Sample Received: 01/25/84
Collected by: A. PARRISH
Sample Designation: CLIFF BERRY IND. ROUTINE ANALYSIS; AS NOTED.

A11469

REPORT OF ANALYSIS

	EFFLUENT	
COPPER	0.16	mg/l
ETHER EXTRACTABLES	76	mg/l
LEAD	0.20	mg/l
M.B.A.S	3.15	mg/l
pH	7.5	

RECEIVED
APR 17 1985
Dept. of Environmental Reg.
West Palm Beach

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

John E. Tostanoski
Laboratory Supervisor

Enviropact, Inc.

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

February 3, 1984
Report 9944
Lab I.D. 86119

Sample Received: 01/25/84 Collected by: A. PARRISH
Sample Designation: CLIFF BERRY IND. ROUTINE ANALYSIS; AS NOTED.

A11439

REPORT OF ANALYSIS	NORTH WELL	
COPPER	0.05	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.11	mg/l
M.B.A.S	0.13	mg/l
pH	7.0	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

John E. Tostanoski
Laboratory Supervisor

Enviropact, Inc.
Environmental Consulting and Analysis

JK 4/19/85

001143

CLIFF BERRY
P.O. BOX 13079
FT. LAUDERDALE, FL 13079

February 3, 1984
Report 9944
Lab I.D. 86119

Sample Received: 01/25/84
Collected by: A. PARRISH
Sample Designation: CLIFF BERRY IND. ROUTINE ANALYSIS; AS NOTED.

A11440

REPORT OF ANALYSIS	SOUTH WELL	
COPPER	0.05	mg/l
ETHER EXTRACTABLES	< 1	mg/l
LEAD	0.12	mg/l
M.B.A.S	0.44	mg/l
pH	6.9	

Analysis made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted,

John E. Tostanoski
Laboratory Supervisor

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

FILE

SOUTHEAST FLORIDA
DISTRICT

P.O. BOX 3858
3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33402-3858

BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

ROY M. DUKE
DISTRICT MANAGER

March 26, 1985

Broward County
IW-Cliff Berry,
Incorporated

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Cliff Berry
Cliff Berry, Incorporated
1000 Southeast 28th Street
Fort Lauderdale, Florida 33316

AUGUST REPORT NOT RECEIVED

Dear Mr. Berry:

Re: Failure to Submit Analytical Reports

Permit #IO-06-57825 was issued by the Department for the operation of the referenced facility. Specific Condition #3 of the subject permit requires the permittee to submit analytical reports covering the parameters listed below:

Copper	Detergents (M.B.A.S.)
Oil & Grease	pH
Lead	

Grab samples are to be obtained at the sand filter and North & South wells. Reports are to be submitted to the Department no later than the fifteenth (15th) day of the month following the month of sampling. To date the Department has not received the required analytical reports for January through August and December 1984.

Failure to submit the required reports to this office has resulted in violations of your current operation permit, portions of Florida law, and Department rules. You are therefore advised to submit to this office, within twenty (20) days of receipt of this Notice, the delinquent reports identified herein.

A response to this Notice is required and must reach this office within twenty (20) days. In your response please provide the requested information along with assurances that henceforth, monitoring will be conducted and submitted to this office in accordance with permit #IO-06-57825.

Failure to respond and/or failure to comply with the requests made herein will result in further action by the Department. If you have any questions or comments regarding this matter, please contact Mr. William A. Keats of this office, at 305/689-5800.

Sincerely,

John A. Guidry
Supervisor
Industrial Waste Permitting

JAG:wk:lp

cc: Broward County Environmental Quality Control Board

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

JUN 2 6 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

Broward County
HW-Cliff Berry, Inc.

RE: Settlement of Department of Environmental Protection vs Cliff Berry, Inc. OGC Case No. 00-1192

Dear Mr. Berry:

Enclosed for your implementation is a copy of the fully executed and filed Consent Order in the above styled case. Please familiarize yourself with the compliance dates and terms of the Consent Order so the complete and timely performance of those obligations are accomplished.

Thank you for your cooperation in this matter. If you have any questions concerning this matter please contact Mr. Jeffrey Smith at 561/681-6670.

Sincerely,

Melissa L. Meeker 6/26/00
Director of District Management
Southeast District

MLM/VK/jas

cc: Laurie Benton, EPA Region IV
Jeff Halsey, Broward County DPEP
Morgan Liebrandt, DEP Tallahassee (MS #4560)
West Palm Beach, DEP File
Kathy Carter, OGC, DEP Tallahassee (MS #35)

RECEIVED
JUN 14 2000

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

RECEIVED
JUN 21 2000
DEPT OF ENV PROTECTION
WEST PALM BEACH

Broward County
HW-Cliff Berry, Inc.

SUBJECT: Settlement by Consent Order in Case of Florida Department of Environmental Protection vs Cliff Berry, Inc., OGC File No. 00-1192.

Dear Mr. Berry:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated May 12, 2000, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. As transporter, Cliff Berry, Inc. received loads of chemicals confiscated by the United States Drug Enforcement Agency. The loads received for shipment by Cliff Berry, Inc. had been characterized by the generator on-site and offered to Cliff Berry, Inc. You have explained that you did not intend to improperly transport or mismanage the chemicals. Additionally, there appears to be no economic gain realized as a result of Cliff Berry, Inc.'s transportation of these chemicals. However, the Department has calculated civil penalties in the amount of $3,000.00 along with $250.00 to reimburse the Department's costs, for a total of $3,250.00. The payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystem Management and Restoration Trust Fund." The payment shall be sent to the Southeast District Office, Post Office Box 15425, West Palm Beach, Florida 33416, in accordance with the terms and payment schedule set forth in Schedule A.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department, which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the Southeast District address given above within 20 days of receiving it, the Department will assume that you are not

interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantive interest are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

Melissa L. Meeker
Director of District Management
Southeast District

VK
MLM/VK/jas

I ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

Cliff Berry, Inc.:

Clifford Berry II Date
Cliff Berry, Inc.

For the Florida Department of Environmental Protection:

6/26/00
Melissa L. Meeker
Director of District Management
State of Florida
Department of Environmental Protection

ENTERED this 26th day of June, 2000 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk JUN 26 2000
Date

Attachment

cc: West Palm Beach DEP, Files

SCHEDULE A

This penalty settlement payment plan is mutually agreed upon by the Respondent and the Department. The agreed monthly payment schedule referenced below shall begin June 20, 2000. The agreed payment schedule shall be two monthly payments as follows:

1) $1,750.00 on June 30, 2000
2) $1,500.00 on July 30, 2000

If the Respondent fails to meet the payment schedule for any month as specified above, allowing a 5 day grace period, the entire remaining balance of the penalty settlement shall be due and payable within seven days of the Department's written notification to the Respondent.

Failure to comply with the terms of this Schedule shall constitute a violation of this Consent Order.

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:
(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

MAY 1 2 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER #WL00-0070HW06SED
FLD000831156

Mr. Clifford Berry II
Cliff Berry, Inc.
P.O. Box 13079
Port Everglades Station
Port Everglades, Florida 33316

Broward County
HW-Cliff Berry, Inc.

RE: Cliff Berry, Inc., Port Everglades, Florida

Dear Mr. Berry:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on September 27, 1999. Possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations, Parts 260 to 268 and 279, as adopted in Chapter 62-730, F.A.C. and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes or rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration and the judicial imposition of civil penalties up to $50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James Ayers of this office at 561/681-6673 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the August 12, 1997 Deparment's "Settlement Guidelines for Civil Penalties" and the RCRA Civil Penalty Policy of 1990, the proposed penalty in this case is $6,500.00 plus $250.00 for the Department's costs and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceedings. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Melissa L. Meeker 5/12/00

Melissa L. Meeker
Director of District Management
Southeast District

MLM/VK/jra

cc: West Palm Beach, DEP File
Morgan Leibrandt, DEP Tallahassee
Laurie Benton, EPA Region IV

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION REPORT

MAY 1 2 2000

1. INSPECTION TYPE: ___COMPLAINT _X_ROUTINE ___FOLLOW-UP ___PERMITTING

FACILITY NAME: Cliff Berry, Inc. (CBI) DEP/EPA ID FLD000831156

STREET ADDRESS: 2601 SE 14th Ave, Ft. Lauderdale, FL 33316

COUNTY: Broward PHONE: (954)763-5455 DATE: 9/27/99 TIME: 11:42 A.M.

TYPE OF FACILITY

Generator
___Generator(>1000 kg/mo)
___SQG (100-1000 kg/mo)
_X_CESQG (<100 kg/mo)

Transporter
_X_Transporter
___Transfer Facility

___Non Handler

Storage
___Container
___Tank
___Waste Pile
___Surface Impoundment

Disposal
___Landfill
___Surface Impoundment
___Waste Pile

Treatment
___Tank
___Land Treatment
___Thermal
___Chem/Phys/Bio
___Incinerator
___Surface Impoundment
___Exempt Off-Site

_X_Used Oil

2. Applicable Regulations:

_X_40 CFR 261.5 ___40 CFR 262 _X_40 CFR 263 ___40 CFR 264 ___40 CFR 265
___40 CFR 266 ___40 CFR 268 _X_62-730 F.A.C. _X_40 CFR 279

3. Responsible Official:

Cliff Berry II, President

4. Survey Participants and Principal Inspector:

Jim Ayers, Jim Bussey - FDEP
Larry Doyle, Mark Hoover - CBI

5. Facility Latitude: 26°05'24" Longitude: 80°07'43"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Permit No.: HO06-308164 Date Issued: 2/12/98 Exp. Date: 2/12/03

Cliff Berry, Inc.
Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

INTRODUCTION

On September 27, 1999 a site visit was conducted at Cliff Berry, Inc. (CBI) located at 2601 SE 14th Ave, Ft. Lauderdale, FL 33316. CBI manages and processes used oil for recycling at this facility. CBI was issued a Used Oil Processing Permit on February 12, 1998 which will expire on February 12, 2003. The site visit was conducted by Mr. Jim Ayers and Mr. Jim Bussey of the Department's Southeast District Waste Management Section. Representing CBI during the inspection was the on-site manager and Vice President of CBI, Mr. Larry Doyle.

SITE INSPECTION

CBI maintains a storage tank area that allows bulking of used oil. The used oil is dewatered and thermally treated. The extracted water is transferred to CBI's Miami facility for treatment and disposal.

The storage tank area consists of 12 aboveground storage tanks, 10 of which may be used to store or process used oil and oily wastewater as described in Table #1 of the SPCC plan of the permit application. All process tanks are inside secondary containment. A leaking transfer pump was observed at the seal of a used oil tank, but was contained by the secondary containment basin. The inspectors documented this finding and explained that a violation may occur if the problem persists. CBI personnel immediately fixed the leak by re-packing (or tightening) the pump to ensure no leaks occurred in the future. The facility is surrounded by a fence and a gate for controlled access. The facility handles used oil, oily wastewater, oil filters, and petroleum contact water. Operation of the facility must be in accordance with the used oil processing permit.

The facility maintains a non-hazardous drum storage area. This drum storage area contains oily rags and absorbents, screened material, pan filtrate, and spilled used oil. The pan filtrate (CBI refers to this as "pan receiving media") is produced from the off-loading of tanker trucks and approximately one to two drums per week are generated. The wastes are profiled and bulked with solid waste and then sent to CSR Rinker Materials Corporation (Rinker).

There were "No Smoking" Signs, Fire Extinguishers, and spill control equipment at various locations throughout the facility. Security was adequate.

Used oil storage tanks were well maintained and properly labeled. The required weekly tank inspections were documented. The tank storage area's secondary containment concrete structure was in acceptable condition.

CBI utilizes radio and phones at the facility for emergencies. Emergency spill response and other equipment is maintained at the facility. A fire alarm and fire extinguishers are also present.

Cliff Berry, Inc.
Inspection Report

FLD000831156
Used Oil Processor,
HW Transporter

RECORD REVIEW

Department personnel reviewed records pertinent to CBI's hazardous waste activities. Records appeared to be in order.

DEPARTMENT FINDINGS

At the time of the inspection, it appeared that CBI was a Conditionally Exempt Small Quantity Generator (CESGQ) of hazardous waste. The Department provided the facility with an exit interview summary, which listed concerns noted by the inspectors regarding the need to keep all transfer pumps properly packed and secure before opening. This will prevent future leaks.

On December 24, 1998, the Department's Southeast District received documentation that CBI's Fort Lauderdale facility had been shipping hazardous waste generated by the Drug Enforcement Agency (DEA) using shipping tickets instead of uniform hazardous waste manifests and without proper Environmental Protection Agency (EPA) ID numbers. DEA generated these wastes as a result of dismantling illegal drug manufacturing operations. On July 28, 1999, the Department hand delivered a letter to CBI's Miami facility requesting CBI to respond with information addressing the manifests and EPA ID numbers. The letter also requested information on the facility's status as being a transfer facility, since CBI has never notified the Department as being a hazardous waste transfer facility, hazardous waste determinations, and driver logs.

Regarding the Department's concerns with the DEA wastes, CBI also stated that it was contracted by Ferguson Harbour, Inc. (FHI) and acted only as the first transporter. According to CBI, FHI had told CBI to use the shipping tickets instead of manifests and to ship the waste as a Conditionally Exempt Small Quantity Generator (CESQG) instead of using proper EPA ID numbers.

During the meeting, the Department became aware that CBI had not always performed a TCLP analysis when determining a waste's hazardous status, even when samples had potential to fail the analysis. CBI explained this by stating that Rinker's standards were used which do not always require that a TCLP analysis be performed, even if there is potential for the waste to fail the analysis. The TCLP had not been performed because Rinker had not required it. This practice is acceptable by Department standards as long as the waste is sent to an energy recovery facility, as Rinker is. However, if the waste is sent off site for land disposal, it will be subject to a hazardous waste determination.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's capabilities, limitations, time constraints, and workload.

In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 263.20

Hazardous Waste Manifests

CBI transported hazardous waste without using a uniform hazardous waste manifests and failed to use the generator's proper EPA ID number.

CORRECTIVE ACTIONS

40 CFR 263.20

Hazardous Waste Manifests

Effective immediately, CBI should not transport hazardous waste without using a uniform hazardous waste manifest and without using the generator's proper EPA ID number.

Inspected: Tom R. Ayers Date: 5/9/00
James Ayers
Engineer II

Approved: Jeffrey A. Smith Date: 5/10/00
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement

PENALTY COMPUTATION WORKSHEET

Facility Name: Cliff Berry Incorporated
Facility Address: 2601 S.E. 14th Avenue, Port Everglades, FL 33316

Departmental Staff Responsible for Penalty Calculation:

Jeffrey Smith James Ayers John Harris

Date: 3/22/00

Part I - Class A Penalty Determination *

Potential Violation	Potential for Harm	Extent of Dev.	Matrix Amount	Multi-day	Adjustment	Total
40 CFR 263.20 Failure to use Proper Manifest	Moderate	Moderate	$ 6,500			$ 6,500

Total Penalties for all Violations: $6,500

5-12-00
Date

Melissa L. Meeker
Director of District Management
Southeast District

* All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Regulation Section's "Guidelines for Characterizing RCRA Violations" revised as of 4/18/95 and "Guidelines for Characterizing Used Oil Violations" revised as of 8/96. Certain violations require Potential for Harm Ranking System characterization and have been utilized where applicable. See Part II for each violation for which an adjustment on multi-day penalty is determined. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement.

Penalty Computation Worksheet

Part II - Multi-day Penalties and Adjustments

Adjustments:	Dollar Amount:
Good Faith/lack of good Faith prior to Discovery: Justification:	$ 0
Good Faith/lack of good Faith after Discovery: Justification:	$ 0
History of Non-Compliance: Justification:	$ 0
Economic Benefit of Non-Compliance: Justification:	$ 0
Ability to pay: Justification:	$ 0

Multi-Day Penalties:	Dollar Amount:
N/A	$ 0

Number of days adjustment factor(s) to be applied:
Justification:

Number of days matrix amount is to be multiplied:
Justification:

Part III-Other Adjustments Made After Meeting With Responsible Party

Adjustments	Dollar Amount:
Relative Merits of the Case:	
Resource Consideration:	

Other Justification: After meeting with Respondent, District staff recommends the calculated penalty be reduced to $3,000 plus $250 for costs and expenses for the purpose of settlement and to avoid the risk of litigation.

Date

Melissa L. Meeker
Director of District Management
Southeast District

Cliff Berry Incorporated

Penalty Justification
Based Upon Guidelines for Characterizing RCRA Violations
April 18, 1995

1. **Regulation:** 40 CFR 263.20
Manifest

Violation: CBI transported hazardous waste without using a uniform hazardous waste manifest.

Characterization of Violation:

Potential for Harm - Moderate

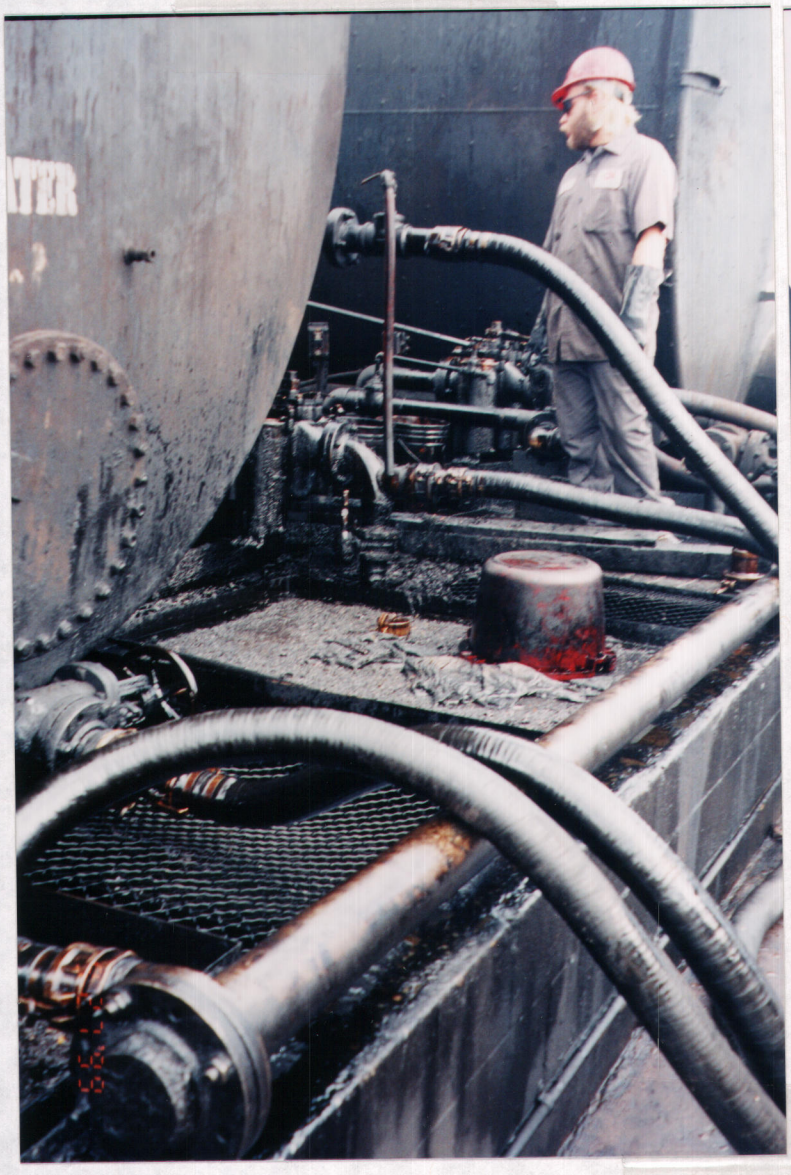
In accordance with the Potential for Harm Ranking System, the nature of the waste, volume of waste (>25 drums), discharges of the waste, and potential receptors (<10 people) were taken into account in determining this portion of the matrix. The potential for harm was determined to be moderate.

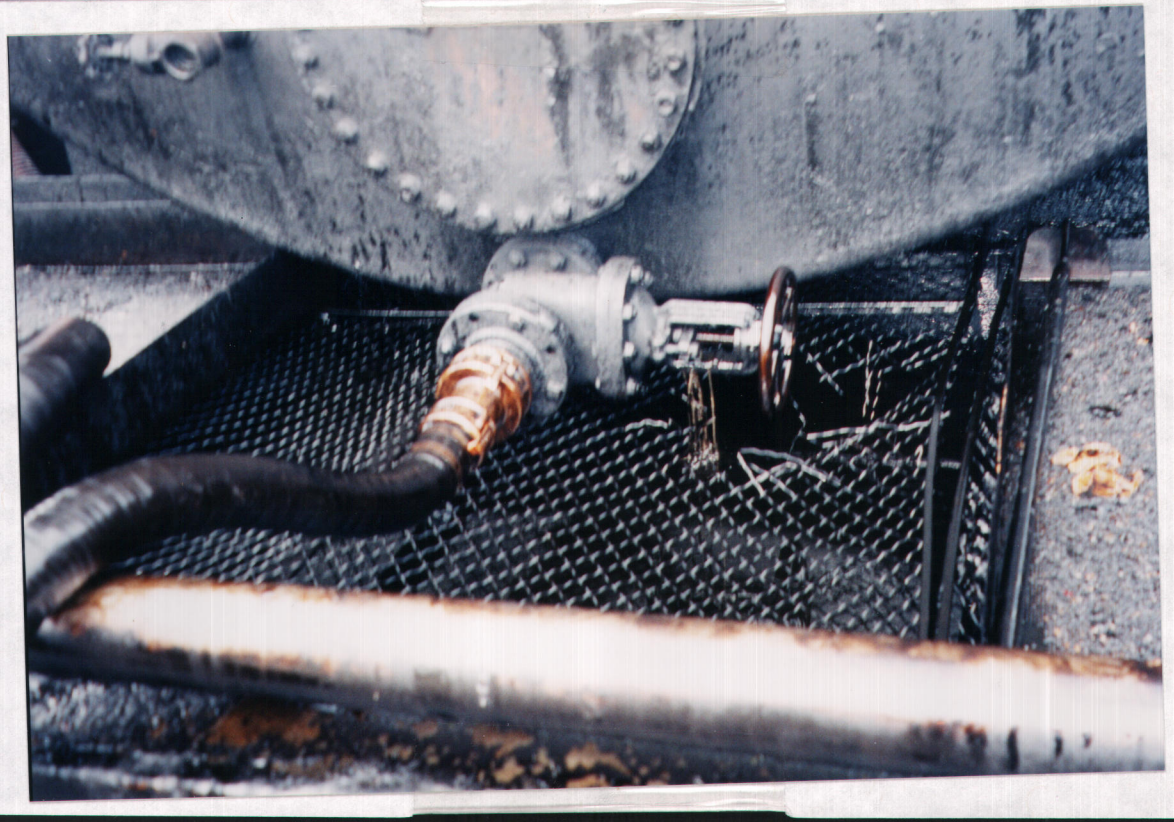
Extent of Deviation - Moderate

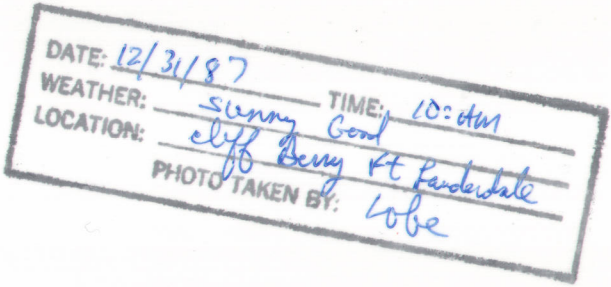
The RCRA penalty guidelines in the DEP Enforcement Manual indicates that an transporter failing to utilize a manifest with shipping papers available the extent of deviation is moderate.

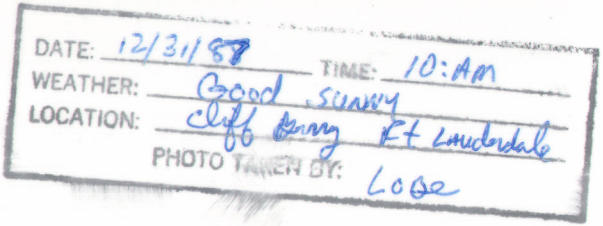
Multi-day violation: N/A
Economic Benefit: N/A
Adjustments: N/A

CLIFF BERRY, INC.
CEI - 9/27/99

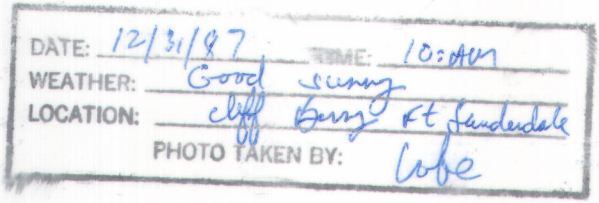




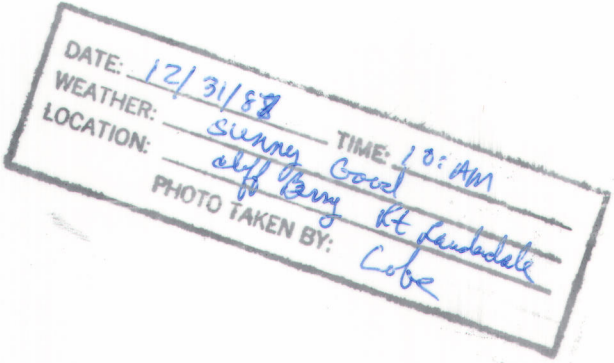

DATE: 12/31/87
WEATHER: sunny Cool
TIME: 10:00
LOCATION: cliff Berry Ft Lauderdale
PHOTO TAKEN BY: Lobe

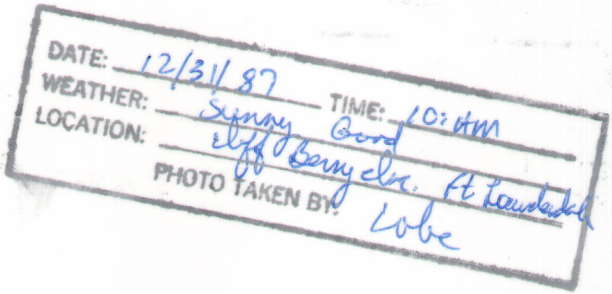

DATE: 12/31/88
TIME: 10:AM
WEATHER: Good, SUNNY
LOCATION: Cliff Bruns Ft Lauderdale
PHOTO TAKEN BY: LODE

A-1
A-2
A-3F
A-3B
A-4B
A-4F


DATE: 12/31/87
TIME: 10:AM
WEATHER: Good sunny
LOCATION: cliff Berry Ft Lauderdale
PHOTO TAKEN BY: Lobe

A-1
A-2
A-3-F
A-3-B
A-4-B
A-4-F


DATE: 12/31/88
WEATHER: Sunny Cool
TIME: 10: AM
LOCATION: Jeff Berry Ft Lauderdale
PHOTO TAKEN BY: Cobe


DATE: 12/31/87
WEATHER: Sunny Cool
TIME: 10:00AM
LOCATION: off Berry Dr. Ft Lauderdale
PHOTO TAKEN BY: Lobe