

Thursby, Kim

From: Kelly Brandenburg <compliance@cliffberryinc.com>
Sent: Wednesday, January 31, 2018 10:26 AM
To: Epost HWRS
Cc: Baker, Bryan; Walker, Kim (Waste); McBride, Ashanti; Kothur, Bheem; Cinquino, Dawn; Jarmolowski, James; Eldredge, Susan F.; Blandin, Norva; Acosta, Kayla; Buselli, Bradley
Subject: RE: Cliff Berry Inc. – Miami; FLD 058 560 699; First Request for Additional Information (RAI)

received

From: Thursby, Kim [mailto:Kim.Thursby@dep.state.fl.us] **On Behalf Of** Epost HWRS
Sent: Thursday, January 25, 2018 12:14 PM
To: Kelly Brandenburg
Cc: Baker, Bryan; Walker, Kim (Waste); McBride, Ashanti; Kothur, Bheem; Cinquino, Dawn; Jarmolowski, James; Eldredge, Susan F.; Blandin, Norva; Acosta, Kayla; Buselli, Bradley
Subject: Cliff Berry Inc. – Miami; FLD 058 560 699; First Request for Additional Information (RAI)

CAUTION - EXTERNAL EMAIL

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

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

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

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

Bryan Baker, P.G.
Environmental Administrator
Hazardous Waste Program & Permitting





Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

REQUEST FOR ADDITIONAL INFORMATION

January 25, 2018

Kelly Brandenburg, Regulatory Affairs Manager
Cliff Berry Inc. – Miami Facility
P.O. Box: 13079
Ft. Lauderdale, Florida 33316
KBrandenburg@cliffberryinc.com

RE: First Request for Additional Information (RAI)
Miami-Dade County – Hazardous Waste
Facility Name: Cliff Berry Inc. – Miami Facility
EPA ID Number: FLD 058 560 699
Current Permit Numbers: 77628-006-HO & 77628-007-SO
DEP Application Numbers: 77628-009-HO & 77628-0010-SO

Dear Ms. Brandenburg:

Thank you for your application for renewal of the Used Oil Processing Permit for the above referenced Facility. The Department has assigned DEP Application No. 77628-009-HO & 77628-0010-SO to the application. A Department staff review of the application and supporting documentation dated December 18, 2017 and January 11, 2018, indicates the application is incomplete. Pursuant to the provisions of Rule 62-710.800(3) F.A.C., Rule 62-710.901(6) F.A.C., Rule 62-730.220 F.A.C., and Rule 62-730.220(6), F.A.C., please provide the information in the attached document and refer to this correspondence in your response. The response to this correspondence must be signed, sealed, and dated by a registered Florida Professional Engineer.

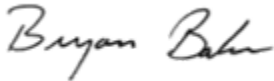
In order for the Department to continue processing your application, please submit the requested information as soon as possible. The Department must receive a response within 30 days of the date of this letter, February 26, 2018, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Rule 62-730.220(6), F.A.C. and Section 120.60, F.S., failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

Please submit the response in electronic format to HWPP@dep.state.fl.us, with a copy to Bradley.Buselli@floridadep.gov. If the file is very large, you may post it to a folder on this

office's ftp site at: [ftp://ftp.dep.state.fl.us/pub/incoming/DWM/\[name of folder\]](ftp://ftp.dep.state.fl.us/pub/incoming/DWM/[name of folder]). After posting the document, send an e-mail to HWPP@dep.state.fl.us, with a copy to Bradley.Buselli@floridadep.gov, alerting us that it has been posted.

If you have any questions, please contact Bradley Buselli by telephone at 850-245-8989 or by e-mail at Bradley.Buselli@floridadep.gov.

Sincerely,



Bryan Baker, P.G., Administrator
Hazardous Waste Program and Permitting

Attached: List of Requested Information

cc:

Ashanti McBride, DEP OGC, ashanti.mcbride@dep.state.fl.us
Bheem Kothur, DEP Headquarters, bheem.kothur@dep.state.fl.us
Dawn Cinquino, DEP Headquarters, Dawn.Cinquino@floridadep.gov
James Jarmolowski, DEP Headquarters, james.jarmolowski@floridadep.gov
Susan Eldredge, DEP Headquarters, susan.f.eldredge@floridadep.gov
Norva Blandin, DEP Southeast District, norva.blandin@floridadep.gov
Kayla Acosta, DEP Southeast District, kayla.acosta@floridadep.gov

Attachment: List of Requested Information

Facility Name: Cliff Berry Inc. – Miami Facility
EPA ID Number: FLD 058 560 699
Current Permit Numbers: 77628-006-HO & 77628-007-SO
DEP Application Numbers: 77628-009-HO & 77628-0010-SO

Used Oil Permit Renewal Application Review Comments: Comments for the used oil permit renewal application are included below. Please submit any necessary revisions electronically for our record, unless a physical copy is otherwise noted or requested. Page numbers listed below reflect the pages from the PDF submission.

1. Application, DEP Form 62-710.901(6),

- a. Part I, Page 2 of 8, Item #A.14: It is the Department's understanding that Cliff Berry Inc. has contracted a new professional engineer; please review and revise this page of the application with updated information.
- b. Part I, page 2 of 8, Item #B.3: The given reference to the facility detailed process description and other items described by this section cannot be found. Attachments 1 & 2 appear to have this information; please review and revise this page of the application.

2. Attachment 1, page 10 of 108 (PDF):

- a. Item 1:
 - (1) This section makes reference to the "Miami-Dade County Permitting, Environment, and Regulatory affairs (PERM)." The current name of this agency is the Department of Environmental Resources Management – Pollution Regulation & Enforcement Division (DERM).
 - (2) This section also states that the facility has 21 registered storage tanks; the total tanks listed in Attachment 13 indicates 31 tanks. Please clarify and revise this number or any tank tables as appropriate.
- b. Item 2:
 - (1) Please provide an approximate timeframe for the expected installation of the four additional process tanks.
 - (2) Please review and revise the table in this section as necessary to reflect volumes consistent with Table #1 and 95% of the maximum storage capacity of the tanks.
- c. Item 3: This section states that CBI operates five (5) other facilities in Florida. In addition to the five (5) noted in this section, CBI also operates a previously unregistered sixth facility in Fort Myers, Florida. Please review and revise this section to include the sixth facility.

3. Attachment 2, page 14 of 108 (PDF): The table on this page notes that Petroleum Contact Water (PCW) in the amount of 17,600 gallons will be stored on site in Tank #17. However, Table #1 in Section 3 of the SPCC Plan on page 54 of 108 (PDF) identifies Tank #17 as containing Oily Water, which does not match the table in this section or the table in Attachment 13 on page 108 of 108 (PDF). Please indicate

which of the three tables is the correct version, and revise all affected pages of the application accordingly.

4. **Attachment 3, page 15 of 108 (PDF):** Please note that when generator knowledge is utilized to profile waste streams, the information must meet regulatory requirements and be backed by appropriate documentation. Please include more detail within your analysis plan about how generator knowledge is documented and used in making a hazardous waste determination. For more information, refer to 81 Federal Register, November 28, 2016, 85751 (<https://www.gpo.gov/fdsys/pkg/FR-2016-11-28/pdf/2016-27429.pdf>).
5. **Attachment 5, page 19 of 108 (PDF):**
 - a. Per Rule 62-710.510(1), F.A.C., the information recorded for each accepted used oil load should include the following in addition to what is listed on this page:
 - (1) The *telephone number* of the transporter,
 - (2) The *destination or end use of used oil and oily wastes, including the name and street address of each destination or end user, EPA identification number if applicable, the end use code designation found in the form instructions; and*
 - (3) *Documentation of halogen screening in accordance with the requirements of 40 CFR Part 279 [as adopted in subsection 62-710.210(2), F.A.C.].*
 - b. Records shall be maintained on DEP form 62-710.901(2), or on substantially equivalent forms containing at least the same information as the Department form.
 - c. In addition, 40 CFR 279.56 (for processors) & 40 CFR 279.46 (for transfer facilities) requires that similar records be kept of each used oil shipment accepted and delivered. Please review and revise this section appropriately.
6. **Attachment 9, General Provisions, page 24 of 108 (PDF):**
 - a. A citation error was observed, “Rule ~~63~~-710.800(9),” which should read as Rule ~~62~~-710.800(5), F.A.C.
 - b. Upon closure, soil and groundwater sampling should be conducted in accordance with Chapter 62-780, F.A.C. Samples should be collected from land surface to 6”, 6” to 2’, and so on until the water table is reached. Please review this section, revise and provide more detail.
 - c. It is recommended that the citation verbiage on page 2 of 4 of this attachment include reference to 40 CFR 279.54, in addition to the current language.
7. **Attachment 10, page 28 of 108 (PDF):** No content is provided in this attachment regarding used oil training; however, Section 8 of the SPCC Plan refers to Personnel Training. Please add a statement in this attachment that references the SPCC Plan in a similar manner as Attachments 6, 7, & 8.
8. **Attachment 11 – SPCC Plan (multiple pages):**
 - a. **Section 1, page 41 of 108 (PDF):**
 - (1) The header on this page indicates states it is part of the “Port Everglades Facility;” please review and revise.

- (2) Under paragraph 1, the text indicates that “the next API 653 inspection will be performed in 2014.” Please update this section to reflect the most recent and upcoming inspection dates.
 - b. Section 2, Introduction, page 44 of 108 (PDF): Under Bulk Storage Tanks and Inspection Records, it is mentioned that a tank integrity inspection will occur daily and be recorded. Please provide the blank checklists that will be used during these and all other inspections at the facility.
 - c. Section 3, Oily Waste and Used Oil Storage:
 - (1) Dikes, Berms..., page 51 of 108 (PDF): Please review this section and ensure the count of tanks mentioned in this paragraph is representative of the total tanks listed in the tank table from Attachment 13.
 - (2) Table #1, page 54 of 108 (PDF): This table indicates that tanks 27-30 were installed in 2016. Other versions of Table #1 in the permit application state “TBD” for the date installed. Please provide clarification, as it is the Department’s understanding that these tanks have not been installed. Refer to comment 2.b. and 3 above, and ensure that all revisions are consistent.
 - d. Section 7, Materials and Equipment Listing, page 63 of 108 (PDF): In addition to the provided materials list, the SPCC Plan must include the location and a physical description of each item on the list and a brief outline of its capabilities in accordance with 40 CFR 279.52(b)(2)(v). While a figure providing the location of the emergency equipment was located in Section 9 of the SPCC on page 75 of 108 (PDF), it is not referenced in this section. Please review and revise this section to include the additional information.
 - e. Section 8, Personnel Training and Drills, page 65 of 108 (PDF): Please expand the facility’s training materials to include used oil and hazardous waste regulations found at Chapter 62-710, F.A.C., Chapter 62-730, F.A.C., Chapter 62-762, F.A.C., 40 CFR 112, and 40 CFR 279. The employee training program should also include USDOT hazardous materials training.
 - f. Section 9, Facility Emergency:
 - (1) Requirements for Notification, page 73 of 108 (PDF): Please include Florida’s Discharge Reporting Form (DRF) and Incident Reporting Form (IRF) as attachments and reference them in this section.
 - (2) Emergency Contact Phone Numbers, page 74 of 108 (PDF): This page makes reference to the “Miami-Dade County Permitting, Environment, and Regulatory Affairs.” The current name of this agency is the Department of Environmental Resources Management – Pollution Regulation & Enforcement Division (DERM). Please review and revise appropriately.
- 9. Attachment 13, page 108 of 108 (PDF):**
- a. Please provide an electronic copy of a site map similar to the large insert provided with the hard copy application submission which is dated 1/21/15 and signed/sealed on 1/10/2017. Please ensure the figure includes the location of the four (4) new proposed tanks, as this will be inserted into the final permit as the facility diagram.
 - b. Please refer to comments 2.b., 3 and 8.c.(2), and ensure tank table is up to date.

Review Comments for Application for Renewal Material Processing Facility Permit: The renewal application for a material processing facility has been reviewed with respect to the applicable requirements in 62-701.710, F.A.C. Please submit any necessary revisions electronically for our record, unless a physical copy is otherwise noted or requested.

1. DEP Form # 62-701.900(4), Application for Operation of a Waste Processing Facility, was not submitted with the Renewal Application. DEP Form # 62-701.900(4) should be submitted, along with applicable information. The application can include references to information already submitted as part of the Used Oil Processing Permit Application, as applicable. Rule reference: 62-701.710(2), F.A.C.
2. The Used Oil Processing Permit Application contained multiple maps, including a site plan. However, several of the maps contained font that was either blurry, too small, or did not contain all of the information required in rule 62-701.710(2)(b), F.A.C. Based on review of the maps in the Used Oil Processing Permit Application, the Solid Waste Section has determined that the maps submitted thus far do not meet the requirements specified in rule 62-701.710(2)(b), F.A.C. As a result, pursuant to 62-701.710(2)(b), a site plan that shows the facility location, total acreage of the site, and other relevant features such as water bodies, or wetlands within 200 feet of the site, and potable wells within 500 feet of the site, should be submitted. The site plan should have a scale not greater than 200 feet to one inch, and be signed and sealed by a professional engineer pursuant to Chapter 471, Florida Statutes. submitted. Rule reference: 62-701.710(2)(b), F.A.C.
3. The application did not include information regarding record keeping of the materials associated with the materials processing portion of the permit. Operational records are required to be maintained to include a daily log of the quantity of solid waste received, processed, stored, and removed from the site for recycling or disposal, and the county of origin of the waste, if known. These records shall include each type of solid waste, recovered materials, residuals, and unacceptable waste which is processed, recycled, and disposed. Such records shall be compiled on a monthly basis and shall be available for inspection by the Department. Records shall be retained at the facility for three years. Additional information regarding how the record keeping requirements will be met should be submitted. Rule reference: 62-701.710(2)(e) and 62-701.710(8)(a).
4. Attachment 1, Item 6, (electronic document page 11) mentions soils as a waste stream. In addition, Attachment 9, (electronic document page 24), second paragraph indicates that “contaminated soils” are delivered to the facility. Please provide additional information regarding the characteristics and processing of soil and/or contaminated soil as a waste stream. This information should include, but not be limited to items such as types of soils received; sources; monthly quantities; how and where they are stored on-site; how long they are stored on-site; how they are tested for disposal; and final disposal information. 62-701.710(2)(a), F.A.C.