



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

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**FACILITY INFORMATION:**

**Facility Name:** Cliff Berry Inc - Miami Terminal

**On-Site Inspection Start Date:** 05/10/2018

**On-Site Inspection End Date:** 05/10/2018

**ME ID#:** 51668

**EPA ID#:** FLD058560699

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

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

**County Name:** Miami-Dade

**Contact Phone:** (954) 763-3390

**NOTIFIED AS:**

CESQG (<100 kg/month)

Transfer Facility

Transporter

Used Oil

**INSPECTION TYPE:**

Routine Inspection for CESQG (<100 kg/month) facility

Routine Inspection for Used Oil Transporter facility

Routine Inspection for Used Oil Transfer Facility facility

Routine Inspection for Used Oil Processor facility

Routine Inspection for Universal Waste Transporter facility

Routine Inspection for Used Oil Marketer facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Norva Blandin, Inspector

**Other Participants:** Robert Berberena, ES III; Leroy Arce, Facility Manager

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

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On May 10, 2018, a representative of the Florida Department of Environmental Protection(FDEP)conducted an used oil and hazardous waste compliance inspection at Cliff Berry Inc. (CBI)- Port Everglades Terminal. CBI currently operates as a permitted facility (Permit #77628-009-HO; 77628-10-SO) for the operation of a hazardous waste transporter and transfer facility as well for used oil activities.

These permits were recently renewed and expire on February 12, 2023. The facility is a permitted used oil processing facility and is located on an approximately 8.11-acre parcel of land leased from Cliff Berry Family Limited Partnership (landlord.) The facility is serviced by city water and septic tank and employs approximately 60 to 65 people. The operations facility is located at 3400 SE 9th Ave. Dania Beach, FL. The Department was represented by Norva Blandin, Environmental Manager and Robert Berberena, Environmental Specialist III. CBI was represented by Kelly Brandenburg, Corporate Compliance Officer and Leroy Arce, CBI Site manager.

**Notification History:**

Last notification 2/21/18

**Inspection History:**

The last inspection was conducted on 7/13/16 - the facility was in compliance. No further actions were

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required by FDEP.

PPE was required to enter the facility. Safety boots, hard hat, and a safety vest were used during the inspection.

### **Process Description:**

This facility is authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste and used oil filters. The facility is also a registered hazardous waste transporter and Transfer Facility (less than 10-days storage) hazardous waste transfer facility. The Department inspectors toured the facility with Mr. Leroy Arce, site manager and Ms. Kelly Brandeburg, Corporate compliance officer.

Since the last inspection conducted in 7/13/16, the facility did not conduct any changes to their used oil processes. The inspectors toured the following area: QA/QC Laboratory, Tanks farms, and used oil processing areas, used oil filters (UOF's) storage area, wastewater treatment plant, solid waste bulk storage area, and hazardous waste storage area.

#### **QA/QC Laboratory**

At this area, the transporters bring their samples to be analyzed by the technician prior to uploading their used oil to the processing areas. CBI conduct an additional test for halogens and % for water content. No hazardous waste was observed at this area.

#### **Tank Farms and Used Oil Processing Area:**

At this area, the facility has thirty (30) -above storage tanks for their used oil processing activities and wastewater storage areas. The inspectors observed each one of the areas where these tanks were located and observed the following:

- secondary containment was adequate and cleaned.
- fire extinguishers up to date
- unloading and loading areas were clean
- spill kits were accessible
- internal communication system
- properly identified as used oil or describing their contents

Also, Mr. Leroy described the process of receiving used oil, halogen screening or testing, and then upload the used oil to their system. The inspectors observed three (3) railcars located at this facility. CBI has a total of five (5) railcars with a capacity of approximately 26,000 gallons each one. Their destination is Vertex Energy Refinery. The facility was in compliance with the permit conditions Part II Subpart B, C, and D. No issues were noted in this area.

#### **UOF's Storage Area (East Warehouse Area)**

At this time, this building is being used for used oil filter storage. CBI is not longer crushing the used oil filters (UOF). The inspectors observed approximately eighty (80)-55 gallon drums of UOF's and one (1)- 20 cubic yards roll off properly labeled and protected from the elements. Also, this area is designated to store empty containers (from UOF's) for reuse. There is also a roll-off stationed there now for drums that have reached their lifespan. All UOF's are sent for scrap metal recycling to U.S. Foundry. Any already filled oily waste roll-offs are stored in this area until they can be transferred to the local municipal landfill. Also, CBI store at this area oily rags and solvent rags that are shipped off to Wheelabrator for incineration. No issues were noted in this area.

#### **Wastewater treatment plant**

- No issues were noted in this area. The facility did not generate any hazardous waste in this area.

#### **Solid Waste Bulking Area**

The inspectors observed 45-cubic yards roll off for any solid waste generated as a result of the activities conducted at CBI. The roll off was covered. No issues were noted in this area.

#### **Hazardous waste storage area**

Due to a recent pick up for the hazardous waste, this area has one (1)- 55 gallons drum of hazardous waste, properly labeled during the inspection. The inspectors noted that the area was fenced and kept separate from the other areas, properly labeled as "hazardous waste storage area" and spill kits near to this area.

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**Preparedness and Prevention measures:** This facility has safety showers and eyewashes within a reasonable distance of any area where exposure is likely. Spill kits and assorted types of absorbents are also available both near any generation points and around all the loading/unloading sites. Backups for all this decontamination equipment is kept in large quantities in the warehouse. CBI is also an emergency response company; therefore, these products are also stored here for the offsite services they offer, as well. The fire extinguishers and the sprinkler system in the main building are serviced yearly. The facility requires the use of Level D protection including a hard hat, ANSI approved work shoes, traffic vest, safety glass, and ear protection.

#### Record Review

All permits and documentation required by the inspectors were available for review on site. The inspectors reviewed the following:

- > Acceptance and delivery records for used oil activities - Based on our file review, the inspectors did not observe any discrepancies and/or missing information on their acceptances and delivery records. At this location, CBI receives all the bulk shipment from other CBI branches: Ft. Lauderdale, Tampa, Cañaveral, Jacksonville, and Ft. Myers.
- > Hazardous waste manifests - for hazardous waste transportation - excluding UPW (CBI did not transport any universal pharmaceutical wastes). The facility maintain a hand-writing book for each one of the shipments of hazardous wastes received by this location. In order to comply with the 10-days storage timeframe, CBI shipped off their hazardous wastes every Wednesday.
- > Daily inspection logs for tanks and secondary containment.
- > CBI facility operation logs (for used oil <35 days) for the last three years were reviewed.
- > CBI weekly inspection logs (for hazardous wastes <10 days) for the last three years were reviewed.
- > Full Contingency Plan/SPCC Plan (last revision 2/2018) including their proof of notification to the local authorities.
- > Employee Training Plan (last training was conducted 1/1/18) for the last three years were reviewed.
- > Permits and registrations were on site and displayed in a visible area in the laboratory.
- > Waste Analysis Plan was available for review and also, include a copy of any rejected waste described as rejection folder, and also, the facility kept the samples for almost three years.
- > Closure Plan and Cost closure estimates (last submitted on 1/11/18) for the last three (3) years.
- > Liability insurance policies (expired on 12/31/18 Policy # BAP0274662-00 \$1M)
- > Annual Report for Used Oil and Used Oil filters (last submitted on March 2018 on January 11, 2018) for the last three years were reviewed.

All documentation required by the inspectors appeared in order and in compliance with the RCRA regulations.

#### Process Description:

This facility is permitted to and authorized to process used oil, oily wastewater, petroleum contact water, oily solid waste and used oil filters. For the hazardous waste activities, the facility is authorized to be a HW transfer station and hazardous waste transporter.

Since the last inspection conducted on 7/13/2016, the facility did not change any of their processes conducted at this site.

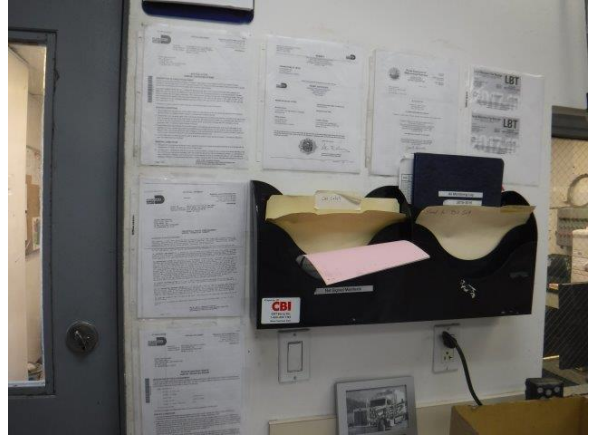
#### PHOTO ATTACHMENTS:

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### QC/QA Laboratory



### Permits and registration displayed on site



### Used Oil Processing Areas



### East Warehouse for UOF's



### UOF's storage area



### HW storage area



### Conclusion:

According to the observations of the inspector, CBI transports, transfers/stores, and markets used oil and used oil filters as transport hazardous wastes. All records required of Used Oil Processors/Transporters/Marketers/Transfer Facilities and Used Oil Filter Transporters/Transfer Facilities were reviewed by the inspectors and the facility appeared to be in compliance.

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**1.0 - Pre-Inspection Checklist**

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

**Note: Checklist items with shaded boxes are for informational purposes only.**

Item No.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.12	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

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**2.0 - CESQG Checklist****Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

**Note: Checklist items with shaded boxes are for informational purposes only.**

Item No.	Standards for Conditionally Exempt Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a CESQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 261.5	✓		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 262.33) hazardous wastes? 261.5	✓		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 261.5	✓		
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 261.5	✓		
Item No.	Hazardous Waste Determination	Yes	No	N/A
2.6	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 <ul style="list-style-type: none"> <li><input type="checkbox"/> Is it excluded under 261.4?</li> <li><input type="checkbox"/> Is it listed in subpart D of 261 or appendix IX of 261?</li> <li><input type="checkbox"/> Has the waste been analyzed?</li> <li><input type="checkbox"/> Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied?</li> </ul>	✓		
Item No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 261.5(g)(3) <ul style="list-style-type: none"> <li><input type="checkbox"/> Name and address of the generator and TSD/authorized facility.</li> <li><input type="checkbox"/> Type and amount of hazardous waste delivered.</li> <li><input type="checkbox"/> Date of shipment</li> </ul>	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(3)	✓		

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**Signed:**

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62-740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C.

Norva Blandin

**Principal Inspector Name**

Inspector

**Principal Inspector Title**  
**Principal Inspector Signature**

DEP

**Organization**

07/02/2018

**Date**

Robert Berberena

**Inspector Name**

ES III

**Inspector Title**

DEP

**Organization**

Leroy Arce

**Representative Name**

Facility Manager

**Representative Title**

Cliff Berry

**Organization**

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

**Report Approvers:****Approver:**

Norva Blandin

**Inspection Approval Date:**

07/02/2018