



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

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc - Fort Pierce Facility
On-Site Inspection Start Date: 02/25/2019 **On-Site Inspection End Date:** 02/25/2019
ME ID#: 36809 **EPA ID#:** FLR000009266
Facility Street Address: 400 Angle Rd, Fort Pierce, FL 34946
Contact Mailing Address: PO Box 13079, Fort Lauderdale, FL 33316-0100
County Name: St. Lucie **Contact Phone:** (954) 763-3390

NOTIFIED AS:

Transporter
Used Oil
VSQG

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter facility
Routine Inspection for Hazardous Waste Transporter facility
Routine Inspection for VSQG (<100 kg/month) facility
Routine Inspection for Used Oil Transfer Facility facility
Routine Inspection for Universal Waste Transporter facility

INSPECTION PARTICIPANTS:

Principal Inspector: Alannah Irwin, Inspector
Other Participants: Kayla Acosta, Environmental Specialist II; John Katzor, Assistant Facility Manager

LATITUDE / LONGITUDE: Lat 27° 27' 3.234" / Long 80° 21' 33.0225"

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

TYPE OF OWNERSHIP: Private

Introduction:

On February 25, 2019, a compliance evaluation inspection (CEI) was conducted for Cliff Berry Inc - Fort Pierce Facility (CBI) by Alannah Irwin, Environmental Specialist III, with the Florida Department of Environmental Protection (DEP). The inspector was accompanied by Kayla Acosta, Environmental Specialist II from DEP and John Katzor, Assistant Facility Manager, from CBI Fort Pierce.

CBI is a registered Used Oil Transporter, Used Oil Transfer facility, Used Oil Filter Transporter, and Used Oil Filter Transfer Facility. CBI is also a Hazardous Waste (HW) and Universal Waste Transporter, a Very Small Quantity Generator (VSQG) of Hazardous Waste, a Small Quantity Handler Universal Waste, and a Transfer facility for Universal Waste lamps and devices. The facility is situated on 1.5 acres in Saint Lucie County and is connected to both city water and septic. CBI commenced operations at this location in 1995 and has ten (10) employees.

Notification History:

11/1/1995 - Initially registered as a Used Oil Handler, Transporter, and Transfer Facility
1/8/2018 - registered as a Hazardous Waste/Used Oil Transporter

The current registrations are active: HW Transporter, Universal Waste Transporter (received 3/8/2019 and expires 6/30/2020); Used Oil and Used Oil Filter Transporter and Transfer Facility (received 2/8/2019 and expires 6/30/2020).

Inspection History:

5/8/2016 - Inspected as a Used Oil/Hazardous Waste/Universal Waste Transporter, Transfer Facility, and

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Conditional Exempt Small Quantity Generator (CESQG, now VSQG) was found to be in compliance at the time of inspection.

Steel toe boots, safety glasses, and hard hats are the only personal protective equipment (PPE) required to enter the facility.

Process Description:

The facility is completely surrounded by security fencing and consists of a building that serves as their main office and warehouse. All used oil, oily water, used oil filters, and antifreeze brought to this facility will be transported by tanker trucks or tractor trailers to either CBI's Miami Facility (EPAID FLD058560699) or Canaveral Facility (EPAID FLR000119792). Used oil filters, solids, and oily water collected by CBI are remanifested prior to shipment. CBI Fort Pierce has two (2) box trucks designated for transport of hazardous waste; however, the trucks will directly transport the waste to the 10-day transfer facility in Miami. No hazardous wastes or universal wastes were observed during the inspection.

The facility has the following tanks on-site:

- > One (1) 23,000 gallon tank used for storage of used oil. This tank was observed to be in secondary containment and labeled with the words "Used Oil," as required per 40 CFR 279.45.
- > Four (4) 12,000 gallon tanks used to store fuel. These tanks were have not been used since 2017 and were observed to be in secondary containment. These tanks were empty during the inspection.
- > One (1) 6,000 gallon tank used to store non-potable water.

No leaks or deficiencies were observed with the Used Oil storage tank.

During the inspection, the following drums were observed:

- > One (1) 55-gallon drum labeled as "Oily Water"
- > One (1) 55-gallon drum labeled as "Oily Debris"
- > One (1) 55-gallon drum labeled as "Oily Pad/Rags"

These drums originate from the facility due to weekly cleaning and inspection of the secondary containment area. All drums were observed to be closed, in good condition, and in secondary containment. Spill kits, fire extinguishers, eye wash stations, and absorbents for hazardous waste, mercury, and used oil spills were observed on-site.

One (1) empty 10 cubic yard roll-top dumpster was observed on-site during the inspection. The drum is not used for in-house operations; CBI will use this dumpster on an as-needed basis for off-site spill or incident response. The dumpster was observed to be covered and in good condition. CBI also has one (1) trailer for emergency response equipment.

Record Review:

Used Oil:

> Transport, receiving and shipping records were available for review at the time of inspection. The facility has maintained all records of transportation and training for 3 years.

>> The facility was using an equivalent form to 62-710.901(2). CBI documents the halogen screening test results for used oil on all shipment documents. The transporter also includes the generator EPA ID on the non-hazardous waste manifest.

>> Non-hazardous waste manifests were available for used oil and used oil filters. Used oil stored at CBI Fort Pierce does not remain on-site for more than 35 days and will be sent to one of the CBI used oil processing facilities in Miami, Canaveral, Fort Lauderdale, or Tampa. No used oil processing is conducted at this facility.

> Manifest Records

Hazardous waste manifest records were available for review for hazardous waste.

>> Hazardous waste is transported by CBI to EQ of Florida (EPAID FLD981932494). The most recent transport had occurred on 1/25/2019. Generator EPA ID numbers, Land Disposal Restriction (LDR) forms, and waste analyses were included with the manifests.

A review of the manifest records confirmed that this facility does not operate as a HW Transfer facility.

> Insurance Liability

>> The facility provided the Department a certificate of liability insurance for hazardous waste and used oil. The name of the insurers are Steadfast Insurance Company (Policy No. GPL 0274654-01, expires 12/31/2019) and Zurich American Insurance Company (Policy No. BAP 0274662-01, expires 12/31/2019) for

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the amount of \$1,000,000, which includes a Pollution Prevention bond.

> Employee Training

>> Employees receive annual training that covers laws and regulations pertaining to used oil transporters under the Florida Administrative Code and the Federal Regulations, spill avoidance and emergency response procedures, and halogen testing. The most recent training occurred on 1/29/2019.

>> All employees receive an annual 8-hour HAZWOPER refresher training for hazardous waste site workers. The most recent training occurred on 1/1/2019.

> Halogen Screening Procedure

>> The used oil truck drivers used halogen screening meters and then, if necessary, Dexisil kits when picking up used oil to ensure that it does not exceed 1,000ppm. If used oil is in excess of 1000 ppm, it is managed as hazardous waste. All used oil meets the less than 1,000ppm criteria.

> SPCC/Contingency Plan

>> The facility has a full SPCC and Contingency Plan that outlines the procedures for spill response and spill avoidance. The SPCC/Contingency Plan includes a facility site map, tank list, inspection records, specifications of the oily waste water and used oil storage tank farm, security information, spill response measures, materials and equipment listing, and personnel training. The most recent revision occurred on 1/1/2017. No changes have occurred since this revision.

> Registrations

>> All registrations were available for review and posted.

>> FLDEP HW Transporter Certificate of Approval and HW Transporter Registration Exp. 06/30/2019. The HW transporter renewal registration was received following the inspection on 3/8/2019; this registration expires on 6/30/2020.

>> FLDEP UO Transporter, UO Filter Transporter Exp. 06/30/2020.

> Annual Report

>> The facility submitted the 2018 UO Annual Report on 2/5/2019. Records are maintained on-site for at least three (3) years.

PHOTO ATTACHMENTS:

Facility Overview



Manifest

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Used Oil Shipment w/Halogen Record

Cliff Berry, Incorporated
Environmental Services

NON-HAZARDOUS WASTE MANIFEST

Manifest Number: 145085

Site Location/Generator: 2856 C

Destination: 2856 C

Quantity: 1000

Weight: 1000

Volume: 1000

Price per Gallon: 1.00

Total Amount Due: 1000.00

Signature: [Signature]

HAZWOPER Training



SPCC and Contingency Plan

Cliff Berry, Inc. 2018

SPILL PREVENTION CONTROL & CONTINGENCY PLANNING PLAN (SPCC)

CONTINGENCY PLAN AND EMERGENCY PROCEDURES

SPILL PREVENTION FACILITY

2856 C, 10th Avenue, Suite 200, Fort Pierce, Florida 34946

Cliff Berry, Inc. 2018

24 Hour Emergency Response: (888) 888-7745

Fort Lauderdale: (954) 763-3300

Fort Myers: (941) 336-1111

Responsible Person: Cliff Berry, Inc. President and CEO, and Qualified Individual (QI)

Paul Shilling - Facility Manager (407) 523-0015

Used Oil Storage Tank



Used Oil Spill Kit



Fire Extinguisher



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HW/UO Certificate of Liability Insurance

Multi-Original completed form for:

Department of Environmental Protection
3000 West Tower Road, Suite 5000
Orlando, Florida 32819-2000

For use by: **02/25/2019**
Department of Environmental Protection
DEC 25 2018

STATE OF FLORIDA
CERTIFICATE OF LIABILITY INSURANCE
HAZARDOUS WASTE TRANSPORTER AND USED OIL HANDLER

Permitting & Compliance
Assurance Program

1. **Insurance Company**
(Name of Insurer)
The "Insurer's" of: **1299 Zurich Way, Schaumburg, IL 60196-3556**
(Address of Insurer)
hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental operations to make incidental occurrences to:
Cliff Berry, Inc.
(Name of Insured)
The "Insured's" of: **851 Elder Street, P.O. Box 13079, Ft. Lauderdale, FL 33316**
(Physical Address of Insured)

In accordance with the hazard abatement or abatement financial responsibility under Florida Administrative Code Rule 62-710.000(2) and 62-710.179, the coverage applies to:

FLA 121210 No. **1201250299** **Cliff Berry, Inc. - Miami** **3022 NW 36th Street Dr., Miami, FL 33142-8904**
FL0000000271 **Cliff Berry, Inc. - Fort Lauderdale** **3028 SW 9th Ave., Fort Lauderdale, FL 33314**
FL0000000168 **Cliff Berry, Inc. - Ft. Pierce** **4000 Angell Rd., Ft. Pierce, FL 34947-3101**
FL0000119792 **Cliff Berry, Inc. - Gainesville** **1800 Industrial Cir., Correll, FL 32622-4046**
FL0000119784 **Cliff Berry, Inc. - Jacksonville** **1518 Tallmadge Ave., Jacksonville, FL 32206-5416**
FL0000118888 **Cliff Berry, Inc.** **5418 Saint Paul St., Tampa, FL 33619-6118**
(Coverage is for multiple locations, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of **\$ 1,000,000**
for each occurrence, including off-site defense costs. The coverage is provided under contract number **GPL 02196026.02** issued on **12/21/2018**
(Contract Number)

The effective date of said policy is **12/21/2018** and the expiration date of said policy is **12/21/2019**
(Effective Date)

This insurance is subject to the company's policy and the company shall not be liable for amounts in excess of **\$** **0** for each occurrence, including off-site defense costs.
for each occurrence, including off-site defense costs. The coverage is provided under policy number **0000000000** and the effective date of said policy is **0000** and the expiration date of said policy is **0000**
(Policy Number)

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EHP FORM 62-710.000(2)(a) incorporated by Rule 62-710.000(2)(a), F.A.C., Effective Date 12/1/11

Conclusion:

CBI operates as a hazardous waste/used oil/used oil filter/universal waste transporter and transfer facility and was found to be in compliance with the state and federal requirements at the time of inspection.

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6.0 - Transporters 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.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)	✓		
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)	✓		
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading	✓		
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)	✓		
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)	✓		
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)	✓		
Item No.	Rail Transporters	Yes	No	N/A
6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)	✓		
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)	✓		
6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)	✓		
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)	✓		
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)	✓		
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)	✓		
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)	✓		
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)	✓		

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Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)	✓		
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)	✓		
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)	✓		
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted	✓		
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)	✓		
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)	✓		
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)	✓		
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)	✓		
6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31	✓		
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)	✓		
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(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.

Alannah Irwin

Principal Inspector Name

Inspector

Principal Inspector Title**Principal Inspector Signature**

DEP

Organization

03/15/2019

Date

Kayla Acosta

Inspector Name

Environmental Specialist II

Inspector Title

DEP

Organization

John Katzor

Representative Name

Assistant Facility Manager

Representative Title

CBI

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:

03/15/2019