From:	Kelly Brandenburg
To:	Heyns, Jared
Cc:	Jon Hines; Steve Collins
Subject:	RE: Cliff Berry Port Everglades (EPAID FLR000083071) Exit Interview
Date:	Wednesday, April 1, 2020 2:05:19 PM
Attachments:	Sample Transporter Manifest.pdf RE CBI Outreach Training.msg 20200312_DISPATCH TICKET.pdf Documentation of stain cleanup - CBI Port Everglades Tank Farm Laydown Yard.pdf

---

Jared,

Please see responses:

- 40 CFR 263.20(d)(1) – manifest requirements – I could not find anything written, but on April 28, 2016, Karen Kantor and Kathy Winston came to our facility and did an outreach program where they spent the day presenting and answering our questions. We did discuss this issue in that outreach and from my understanding from that guidance, we were assured that using our corporate headquarters transporter EPA number was appropriate as a hauler across the state. For example, I will attach a sample manifest from another firm who we often use to transport waste when the waste is destined to one of their facilities. As you can see in the attachment named "Sample Transporter Manifest" Clean Harbors uses the same EPA ID number for their transportation no matter where the truck and driver are domiciled as the waste finds its way across the country. Since this seems to be a sticking point for FDEP at this time, I would be happy to have you run this one up to Tallahassee for clarification. Specifically we would like to know if and where the statute requires a Hazardous Waste Transporter to list the EPA ID number of the closest CBI facility to the generator's waste location in the Transporter Section of the Manifest. Since our trucks are constantly shifting throughout the state based upon need and all our trucks are registered under our DOT number 506796, we do not have home domiciles for trucks. There are employees who are domiciled in certain locations, but it is common that a Fort Lauderdale employee be sent to Jacksonville for a month to work a certain project. Would his EPA number travel with him from Fort Lauderdale or would he be now required to transport under Jacksonville's ID number?
- Rule 62-710.510(1)(a) F.A.C. – used oil record keeping – we have corrected this issue and I attached proof of the correction, see "20200312_DISPATCH TICKET"
- Rule 62-780.560(1) F.A.C. – petroleum or petroleum product de minimis discharges – please see attachment "Documentation of stain cleanup – CBI Port Everglades Tank Farm Laydown Yard" which is a report that provides full closure on this item

Thank you for your work on this and I look forward to your final report and guidance on item 1.

Respectfully submitted,

Kelly Brandenburg | Corporate Compliance | Cliff Berry, Inc.
| Compliance@cliffberryinc.com | (954) 763-3390 Ext 1005

From: Heyns, Jared <Jared.Heyns@FloridaDEP.gov>

Sent: Tuesday, March 17, 2020 1:25 PM
To: Kelly Brandenburg <compliance@cliffberryinc.com>
Cc: Jon Hines <JHines@cliffberryinc.com>; Steve Collins <SCollins@cliffberryinc.com>
Subject: Cliff Berry Port Everglades (EPAID FLR000083071) Exit Interview

CAUTION - EXTERNAL EMAIL

Kelly,

This email serves as an exit interview to the routine Compliance Evaluation Inspection (CEI) conducted by the Florida Department of Environmental Protection (DEP) on Wednesday, March 11, 2020 to determine your facility's compliance with Federal and state hazardous waste regulations. Thank you again for your time and assistance throughout the inspection. The following potential non-compliance items were observed during the inspection:

- 40 CFR 263.20(d)(1) – manifest requirements – The Department inspectors observed several manifests which did not list a second Transporter when the shipment went to Cliff Berry's Miami facility (EPAID FLD058560699). Though it was understood the shipment was not being held longer than 24 hours at the Port Everglades facility, the manifest (#018145724JJK, for example) was incomplete and therefore the Department inspectors were unable to determine the amount of time the shipment was on-site at each facility. Per discussion during the inspection, Cliff Berry may have received prior guidance from the Department regarding this issue. Please provide information or evidence relating to this guidance so that this issue can be addressed fully.
- Rule 62-710.510(1)(a) F.A.C. – used oil record keeping – The Department inspectors observed several used oil shipment records which incorrectly listed the Cliff Berry Miami facility (EPAID FLD058560699) as the used oil generator, as opposed to the Port Everglades facility. Please correct this issue in your system, and provide a used oil shipment record to the Department showing that the correction has been made.
- Rule 62-780.560(1) F.A.C. – petroleum or petroleum product de minimis discharges – The Department inspectors observed a de minimis discharge of petroleum product which appeared to not be properly treated or properly disposed of at the time of the inspection. Facility staff had already begun cleanup before the inspectors finished conducting the inspection. Please provide all documentation relating to this cleanup (total amount, disposal records, photos, etc.).

Please provide a response and evidence of your facility's corrective actions by close-of-business Wednesday, April 1, 2020. Feel free to reach out if there are any questions or concerns. Thank you for your help with these matters.

Regards,

Jared Heyns
Environmental Specialist II
Florida Department of Environmental Protection
Southeast District – West Palm Beach

3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Jared.Heyns@floridadep.gov
Office: 561.681.6616

The Department of Environmental Protection values your feedback as a customer. Please take a few minutes to comment on the quality of service you received by completing the DEP Customer Survey.