



**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:** 11/18/2020 **On-Site Inspection End Date:** 11/18/2020  
**ME ID#:** 51668 **EPA ID#:** FLD058560699  
**Facility Street Address:** 3033 NW North River Dr, Miami, Florida 33142-6304  
**Contact Mailing Address:** PO Box 13079, Fort Lauderdale, Florida 33316-0100  
**County Name:** Miami-Dade **Contact Phone:** (954) 763-3390

**NOTIFIED AS:**

Transfer Facility, Transporter, Used Oil, VSQG

**WASTE ACTIVITIES:**

**Generator:** VSQG **Transporter:** Own Waste, Commercial Waste, Transfer Facility **Used Oil:** On-Spec, Oil Filters, Processor, Collection Center (Commercial) **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transport:** Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** 5000 kg or more; Large Quantity Handler (LQH)

**INSPECTION TYPE:**

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Justin Stark, Inspector  
Brian Gove, Environmental Specialist II; Leroy Arce, Vice President, Resource Recovery;  
**Other Participants:** Jared Titera, Lab Manager; Monica Keough

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

**NAIC:** 562219 - Other Nonhazardous Waste Treatment and Disposal

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On November 18, 2020, Justin Stark with the Florida Department of Environmental Protection ("FDEP") conducted a Compliance Evaluation Inspection ("CEI") at Cliff Berry Inc - Miami Terminal (hereinafter "CBI" or "facility"), located at 3033 NW North River Dr, Miami, Florida 33142. CBI was inspected to determine the facility's compliance with the state and Federal hazardous waste regulations described in Title 40, Code of Federal Regulations ("C.F.R.") Parts 260-268, 273, and 279, adopted and incorporated by reference in Rule 62- 710, 62-730, and Rule 62-737, Florida Administrative Code ("F.A.C.").

The inspector was escorted around the facility by Leroy Acre, Vice President, Resource Recovery. Upon arrival at the facility, the inspector presented their credentials and explained the purpose of the inspection.

CBI is located on an approximately 8.11-acre parcel of land leased from Cliff Berry Family Limited Partnership

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(landlord.) The facility is connect to city water and sewer and currently employs 16 staff.

### Notification History

CBI currently operates as a permitted facility (Permit #77628-009-HO; 77628-10-SO) for a used oil processor. This permit expires on February 12, 2023. The facility recently registered on 02/26/2020 as a hazardous waste and used oil transporter and transfer facility, a universal waste transporter, and a processor for used oil.

CBI initially notified (under Union Oil Company of California) with the FDEP as a Small Quantity Generator ("SQG") on August 1980. The facility was assigned the EPA Identification ("EPA ID") Number FLD058560699.

### Inspection History:

CBI was inspected by the FDEP on 05/21/2018 and found to be in compliance.

Personal Protective Equipment (PPE) was not required to enter the facility. Department personnel were equipped with steel-toed boots and a facial mask.

### 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).

Since the last inspection conducted in 5/10/2018, the facility has not changed its operations. 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:

In 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:

- 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

The inspectors observed approximately 1-3 inches of accumulated rainfall within the northern side of the secondary containment. The facility was aware of the accumulated rainfall. Paragraph 8 under Part II Subpart C – Tank and Container Conditions of CBI's permit states "the Permittee shall remove spilled or leaked waste and accumulated precipitation from the secondary containment areas within 24 hours of detection and manage the material in accordance with the Spill Prevention Control and Countermeasures Plan (SPCC) (also known as the Preparedness and Prevention Plan (PPP)) and the Contingency Plan of the permit application".

CBI has a total of five (5) railcars with a capacity of approximately 26,000 gallons each one. The facility has not used the rail carts since March of 2020. When operating the 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)

CBI is not longer crushing the used oil filters (UOF). 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.

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### 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:

The inspectors observed 3 trailers holding hazardous waste. Two were being prepared to ship offsite, one was a new load to be received. The inspectors observed approximately 30 containers holding hazardous waste, all were received during the inspection. All containers were properly labeled and aisle space was observed. 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.

### Office:

During the records review the inspectors observed 8 spent mercury lamps located within an office. The lamps were not in containers that are structurally sound and not labeled [40 CFR parts 273.33(d), 273.34(e), and 62-737.400(5)(b)F.A.C.]

**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 Thursday.
- >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 includes a copy of any rejected waste, and the facility keeps samples for three years.
- >Closure Plan and Cost closure estimates (last submitted on 06/04/19) for the last three (3) years.
- >Liability insurance policies (expired on 12/31/20 Policy # BAP0274662-02 \$1M)
- >Annual Report for Used Oil and Used Oil filters (last submitted on February 26, 2020) for the last three years were reviewed.

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

### New Potential Violations and Areas of Concern:

#### Violations

Type:	Violation
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Before

**Photo Attachments:**



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Before



After

**PHOTO ATTACHMENTS:**

1. Tank Farms



3. Trailers Holding Hazardous Waste



2. Tanks Farms



4. Hazardous Waste Storage Area

**Conclusion:**

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CBI was inspected as a hazardous waste and used oil transporter and transfer facility, a universal waste transporter, and a processor for used oil and found to be out of compliance for failure to remove accumulated rainfall from its secondary containment, and failure to properly contain lamps in a structurally sound container and have them labeled.

An exit interview was sent on 11/20/2020 requesting additional records and corrective actions. The facility submitted its records on 11/30/2020.

The facility has returned to 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? 262.18(a)	✓		
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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**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

Justin Stark

Environmental Specialist II

**Principal Investigator Name****Principal Investigator Title**

FDEP

01/04/2021

**Principal Investigator Signature****Organization****Date**

Brian Gove

Environmental Specialist II

**Inspector Name****Inspector Title**

FDEP

**Organization**

Leroy Arce

Vice President, Resource Recovery

**Representative Name****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.

Jared Titera

Lab Manager

**Representative Name****Representative Title**

CBI

**Organization**

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Monica Keough

**Representative Name**

CBI

**Organization**

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**Report Approvers:**



Inspection Date: 11/18/2020

**Approver:** Alannah B Irwin

**Inspection Approval Date:** 01/04/2021