

Thursby, Kim

From: Bill Parkes [BParkes@cliffberryinc.com]
Sent: Thursday, March 19, 2009 1:54 PM
To: Epost HWRS
Subject: RE: Cliff Berry, Inc.- Tampa;FLD 000 013 888;0076517-HO-005

Tim -

CBI confirms receipt of the attached document on March 19, 2009.

Thanks,

William E. Parkes, Jr.
Cliff Berry, Inc. (CBI)

From: Epost HWRS [mailto:EpostHWRS@dep.state.fl.us]
Sent: Thursday, March 19, 2009 1:01 PM
To: Bill Parkes
Cc: Dregne, James; Wick, Fred; Posner, Augusta; Martin, Lee; Bejnar, Tor; ambrose.fox@bellsouth.net; Morgan, Steve; Bahr, Tim; Kothur, Bheem; Tripp, Anthony
Subject: Cliff Berry, Inc.- Tampa;FLD 000 013 888;0076517-HO-005

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation 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.

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

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.

Tim Bahr
Environmental Administrator
Hazardous Waste Regulation
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 19, 2009

SENT VIA E-MAIL

bparkes@cliffberryinc.com

Mr. William E. Parkes, Jr.
Cliff Berry, Incorporated
Post Office Box 13079
Port Everglades Station
Fort Lauderdale, Florida 33316

RE: Cliff Berry, Inc.- Tampa
EPA I.D. No. FLD 000 013 888
Permit Number: 0076517-HO-005
Used Oil Processing Facility Permit
Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has received your permit renewal application dated February 13, 2009 and February 17, 2009 to operate a Used Oil and Material Processing facility at 5218 Saint Paul Street, Tampa, Florida, 33619.

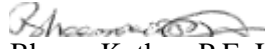
The review of the permit renewal application indicates that it is incomplete. Please provide the information requested in the enclosed attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit three copies of your written response (two copies to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southwest District office). If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Mr. William Parkes, Jr.
March 19, 2009
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Should you like to arrange a meeting or if you have any questions, please contact Bheem Kothur at 850-245-8781, or e-mail: Bheem.kothur@dep.state.fl.us

Sincerely,


Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/

Enclosure: Attachment

cc: Jim Dregne, DEP/Southwest District, james.dregne@dep.state.fl.us
Fred Wick, DEP/Tallahassee, fred.wick@dep.state.fl.us
Augusta Posner, OGC/Tallahassee, augusta.posner@dep.state.fl.us
Lee Martin, DEP/Tallahassee, lee.martin@dep.state.fl.us
Tor Bejnar, DEP/Tallahassee, tor.bejnar@dep.state.fl.us
Mike Ambrose, ambrose.fox@bellsouth.net
Steve Morgan, DEP/Southwest District, steve.morgan@dep.state.fl.us

ATTACHMENT
March 19, 2009
Cliff Berry Incorporated
Tampa, Florida
EPA I.D. Number: FLR 000 013 888
Notice of Deficiency

GENERAL COMMENTS

1. Please update the June 20, 2007 third party closure cost estimate of \$95,810.00 for the closure of tanks. If you choose to adjust the closure cost estimate using inflation factors, the inflation factor values of 1.03 and 1.025 are acceptable for 2008 and 2009, respectively. This will result in adjusted closure cost estimates of \$98,684.00 and \$101,151.00 for the years 2008 and 2009, respectively. In addition, the facility must revise the closure cost estimate for the year 2009 to include the proposed Solid Waste activities specified in this permit renewal application. However, the facility does not need to currently provide Financial Assurance for the Horizontal Tanks 11 and 12 approved through a permit modification on October 1, 2007 or the proposed new Solid Waste activities in this renewal permit application at the facility since those tanks and the solid waste activities have not been implemented at the facility due to uncertainty of expansion. But the facility must submit the revised closure cost estimates, financial assurance, and as-built drawings 30 days prior to the planned use date for those tanks and solid waste activities. Tanks 11 and 12 shall not be used and the solid waste activities shall not begin until the closure cost estimates, financial assurance, and as-built drawings have all been approved.

2. **The purpose of combining Solid Waste (SW) permit with Used Oil (UO) permit is that the company would be bringing in SW that would be associated with Oily Solid Waste such as petroleum contaminated waste and, to a limited capacity, absorbents. This does not appear to be the case with the CBI, Inc. - Tampa, UO processing facility application. Please clarify and address the following points which you mentioned in your February 17, 2009 submittal as part of the proposed solid waste permitting activities:**

- a. **The facility must specifically state what drummed solid waste will be brought in. The term "Etc." is not an acceptable description. The solid waste needs to be petroleum related. Economizer ash does not fall in that category.**
- b. **There needs to be a waste analysis plan for every waste stream accepted.**
- c. **Roll offs must always be covered.**
- d. **Specify the solidifying agent.**

- e. **The facility must specify the maximum amount of solid waste that will be brought in for any given month. The Facility cannot say that the start-up volume will be 15 tons a month. This open ended volume is not acceptable and must be specific.**
- f. **What is the maximum amount of incoming and outgoing solid waste you expect to stage on the facility?**

3. Please make a note that we will have to evaluate your responses to these items to determine whether or not a separate solid waste processing facility permit would be appropriate in this situation.