

Parker, Bill

From: Parker, Bill
Sent: Tuesday, November 25, 2003 3:51 PM
To: Gephart, Albert
Cc: Tam, Stanley; Kothur, Bheem
Subject: 2nd NOD for Cliff Berry

RMC QA'ed
Initials _____ Date _____

This is going forward for signature.
Bill P.



NODLetter_2.doc



NOD_Att_2.doc

November 26, 2003

CERTIFIED – RETURN RECEIPT

Mr. William E. Parkes, Jr., Regulatory Affairs Manager
Cliff Berry, Inc.
P.O. Box 13079
Fort Lauderdale, Florida 33316

Re: Cliff Berry, Inc. / Tampa Facility FLR 000 013 888
Used Oil Processing Facility Permit Application for a
New Facility in Hillsborough County

Dear Mr. Parkes:

The Florida Department of Environmental Protection (Department) is in receipt of your application for an operating permit for the referenced facility dated June 12, 2003 and additional information dated August 27, 2003.

A review of the above submittal shows that it is incomplete. Please provide the information requested in the attached summary. 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 two (2) copies of your written response to this office and one (1) copy to:

Department of Environmental Protection
Southwest District Office
Hazardous Waste Section
3804 Coconut Palm Drive
Tampa, Florida 33619-1352

within 30 days of receipt of this notice. If you cannot submit 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 E. Parkes, Jr.
November 26, 2003
Page Two

Should you like to arrange a meeting or if you have any questions, please contact Bill Parker at 850-245-8766.

Sincerely,

Tim J. Bahr, Administrator
Hazardous Waste Regulation

DO/bpp

Attachment

cc: Al Gephart, FDEP-Tampa
D. M. Ambrose, P.E., Margate

Cliff Berry, Incorporated
EPA I.D. No. FLR 000 013 888
Permit Application No. 76517-HO-002
Second Notice of Deficiency
ATTACHMENT
November 26, 2003

1. Analysis Plan:

Procedure C, Page 3, second paragraph, does not thoroughly describe the sampling and management of tanks of processed used oil to be dispatched from the facility. The Department would like to see explicit verbiage added to the Plan that Cliff Berry will isolate each tank (batch) of processed used oil; analyze the contents (batch) of used oil, with no further addition of used oil; and, if on-spec, release the tank (batch) contents for shipment off-site. Sampling would be required for each tank (batch) of processed used oil. Please review and revise as appropriate.

Procedure C references Appendix A for a detail of sampling procedures. The sampling procedure in Appendix A, page 6, "Loading-Zone Sampling Method", is not an acceptable method for determining on-spec used oil (see discussion above regarding the isolation of tanks (batches)).

Procedure C, Page 3, fourth paragraph. The Table should include the testing for polychlorinated biphenyls (PCB).

The facility is to provide a description of the management of sludges, residues and by-products. This is to include the characterization analysis as well as the frequency of the removal of the sludge.

2. Tracking:

The facility shall submit examples of its tracking documentation. This can be in the form of a manifest or Bill of Lading that contains the required acceptance and delivery information. Also, please submit a print-out of the Wixel templates (the various screens in the software) and a sample of the data input to illustrate the tracking mechanism and recording shipments of used oil into and out of the facility. The facility's annual used oil report is not a sufficient means for the tracking requirement. Please review and revise as appropriate.

3. Attachment E:

The facility shall submit a description of the facility's unit management plans as outlined on page 5, Item #8, in Part I of the "General Instructions To Apply For A Used Oil Processing Facility Permit", including a plan for the removal of released material (within 3 days of the incident) and accumulated precipitation (within one week after a rainfall event) from secondary containment.

4. Attachment F:

The facility shall revise and submit its Closure Plan. The current Plan does not address all of the requirements listed on page 6, Item #9, in Part I of the "General Instructions To Apply For A Used Oil Processing Facility Permit". Please review and revise as appropriate.

5. Attachment G:

The facility shall submit a written training program. The training tracking documents in Appendix G is not a "stand-alone" training program. Please review and revise as appropriate.