



Florida Department of
Environmental Protection
Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc - Port Everglades Facility
On-Site Inspection Start Date: 07/30/2012 **On-Site Inspection End Date:** 07/30/2012
ME ID#: 57109 **EPA ID#:** FLR000083071
Facility Street Address: 3400 SE 9th Ave, Fort Lauderdale, Florida 33316
Contact Mailing Address: PO Box 13079, Fort Lauderdale, Florida 33316-0100
County Name: Broward **Contact Phone:** (954) 763-3390

NOTIFIED AS:

CESQG (<100 kg/month)
Transporter
Used Oil

INSPECTION TYPE:

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

INSPECTION PARTICIPANTS:

Principal Inspector: Kathy R. Winston, Inspector
Other Participants: Greg Whitaker, Environmental Specialist; Larry Doyle, VP; Daniel Forehand, Operations Manager

LATITUDE / LONGITUDE: Lat 26° 5' 0.9698" / Long 80° 7' 57.7718"

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

TYPE OF OWNERSHIP: Private

Introduction:

A routine hazardous waste and used oil compliance inspection was conducted at Cliff Berry Inc. (CBI) on July 30, 2012. The facility is a permitted used oil processing facility, and is located on an approximately 8.11 acre parcel of land leased from Cliff Berry Family Limited Partnership (landlord). The facility is serviced by city water and septic tank, and employs approximately 60 to 65 people.

The facility is authorized to process used oil, oily wastewater, and used oil filters under permit number 192423 -HO-004, which was modified on May 6, 2008 and was scheduled to expire April 22, 2012. However; the facility submitted a renewal application on February 20, 2012 and is currently responding to a Notice of Deficiencies issued by the Department after review of that application. CBI is also requesting modifications to the permit at this time including the addition of five new 12,000 gallon steel tanks to the existing tank farm for storage of Used Oil/Water. They are also requesting permission to begin bulking solid waste in one of the bays of the new maintenance/truck wash building.

The last inspection of this facility was on February 22, 2011. There were no issues at the physical

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plant itself; however, due to the absence of certain employees on the day of the inspection, CBI was unable to produce the acceptance and delivery records for the facility. General facility inspection logs were unavailable for review and there were also several issues with the Contingency Plan and training records for one of their drivers. The facility resolved all violations and return to compliance without enforcement on May 24, 2011.

Process Description:

The area of the tank farm is 13,640 square feet and consists of two (2) 24,500 gallon tanks, three (6) 30,000 gallon tanks, one (1) 15,500 gallon tank, one (1) 593,570 gallon tank, and one (1) 17,700 gallon tank. All tanks are located within a secondary containment unit.

The new maintenance/truck washing building has eight bays. Three are setup for minor service of the facility's vehicles; most of the major repair work is handled by Kenworth. There is an aqueous parts washer in this area, as well as, a used oil tank. The inspector noted that the eye wash in this area was not functioning. The mechanic explained that a valve that would allow water to flow to eye wash had been shut off because of a leaking seal; however, he would be sure to address the issue promptly. The inspector checked all aerosols used in the shop and didn't find any that contained chlorinated solvents. Oily rags are purchased from an outside vendor, dried in a flammable can and then sent to the landfill. As soon as the solid waste consolidation begins, these rags will be place in the rolloff along with the solids from the truck wash and oily solid wastes that CBI will be taking from its' customers.

The operations taking place in the other five bays of the maintenance/truck wash building are as follows. Three of the bays are only being used for storage of supplies and equipment. The final two bays are where the truck wash is located and where the solid waste consolidation will be taking place. There is also an oily water collection tank in this area, which is receiving any liquids from the sloped containment area for the truck wash. Once this tank is full, the oily water will be pumped into a tanker and send to Miami for treatment. The solids that accumulate in the truck wash area will be placed in the solid waste consolidation rolloff and taken to a landfill, when the rolloff is full.

The facility's representatives and the inspectors then proceeded to the tank farm area and it was noted that the pads that would hold the five additional tanks were already present in the secondary containment surrounding the tank farm. The secondary containment for the tank farm didn't have any areas where cracks in the concrete or damage to the epoxy were evident and it was free of precipitation.

While out examining the tank farm, the inspectors noticed a blue poly drum that appeared to be hooked up to some sort of high pressure hose and nozzle. They inquired as to its content and were told it was a degreaser used to wash trucks while they are on the tank pad loading/unloading area; which slopes to a sump that is connected to O/W separator. At that point, the inspectors requested a copy of the MSDS for this product. The MSDS was provided before the end of the inspection and the product was indentified as a latex based concrete additive that could be used again when the facility installed their new tanks. Across from the tank farm containment and sitting on bare ground, was a white metal drum, which appeared to have been out in the elements for an extended period of time. The inspector inquired as to the contents of the container and was told it is a latex based additive for concrete that the facility plans to use again when they install their new tanks. Also out in the yard area, next to a red frac tank were seven empty drums. Four of the drums were lying on their sides; however, three were standing upright and were not closed, which would allow rainwater to collect inside them and possible cause discharges. All theses drums were going to be scrapped; therefore, one of the facility's representatives got a heavy equipment operator to start putting them in a rolloff that was designated for scrap metal. The inspector made a comment about the general condition of the yard; as there was old equipment, boats and vehicles scattered throughout the area.

Record Review

All required records were available and appeared to be in order including; training records,

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acceptance and delivery logs, the Contingency Plan, general facility inspection logs, the waste analysis plan, and the closure plan.

New Potential Violations and Areas of Concern:**Violations**

Type: Violation
Rule: 265.33
Question Number: 1.660
Question: Is the emergency equipment properly inspected and maintained?
Explanation: The eyewash in the truck washing bay of the new building was not working because the valve had been shut off due to a leak in a feeder valve.
Corrective Action: Please repair the leaking valve and provide supporting documentation of repair; i.e. invoices and pictures.

Areas of Concern

Type: Area Of Concern
Rule: 262.11
Question Number: 7.1
Question: Did the facility conduct a waste determination on all wastes generated?
Explanation: There was a white metal drum across from the tank farm containment and sitting on bare ground with unknown contents.
Corrective Action: The contents were identified before inspectors left site and it was product that CBI could use in the construction of their new tanks.

Type: Area Of Concern
Rule: 279.54(b)
Question Number: 28.170
Question: Are containers and tanks in good condition and not leaking?
Explanation: Next to the old red frac tank and across from the containment area, were seven metal drums in poor condition. They appear to be emptied; however, three of them were upright and had the potential to collect rainwater which could mix with the original contents and cause discharges, if not addressed.
Corrective Action: CBI indicated they were going for scrap metal; therefore, the Department asked that they be crushed and sent for recycling. Please provide the Department pictures showing the area cleaned up and the crushed drums in the rolloff designated for scrap metal.

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Conclusion:

The facility was not in compliance at the time of the inspection and was given 14 days to return to compliance.

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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. The above noted potential items of non-compliance were identified by the inspector(s).

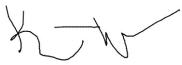
This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kathy R. Winston

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE



PRINCIPAL INSPECTOR SIGNATURE

7/30/2012

DATE

Supervisor: Karen Kantor

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.