

Thursby, Kim

From: Bill Parkes [BParkes@cliffberryinc.com]
Sent: Wednesday, January 16, 2013 3:31 PM
To: Epost HWRS
Cc: Bahr, Tim; Goddard, Charles; White, John; Kraemer, Janine; ambrosefox@charter.net; Miller, Randy J.; Bejnar, Tor; Kothur, Bheem; Tripp, Anthony
Subject: RE: CBI Inc - Canaveral, FLR000119792; Request for Additional Information

CBI has received.

From: Epost HWRS [<mailto:EpostHWRS@dep.state.fl.us>]
Sent: Tuesday, January 15, 2013 5:11 PM
To: Bill Parkes
Cc: Bahr, Tim; Goddard, Charles; White, John; Kraemer, Janine; ambrosefox@charter.net; Miller, Randy J.; Bejnar, Tor; Kothur, Bheem; Tripp, Anthony
Subject: CBI Inc - Canaveral, FLR000119792; Request for Additional Information

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

Please take a few minutes to share your comments on the service you received from the department by clicking on this link [DEP Customer Survey](#).



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

January 15, 2013

SENT VIA E-MAIL

bparkes@cliffberryinc.com

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

RE: Cliff Berry, Inc.-Canaveral Facility
EPA I.D. No. FLR 000 119 792
Permit Number: 249477-HO-002
Used Oil Processing Facility Permit Application
Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated December 12, 2012 and received on December 14, 2012 to operate a Used Oil Processing Facility in Canaveral, Florida.

The review of the permit 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.

The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

Mr. William E. Parkes, Jr.

January 15, 2013

Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit one hard copy and one electronic copy of your written response to the Tallahassee Solid and Hazardous Waste Regulation Section, and one hard copy to the Central 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.

Should you like to arrange a meeting or if you have any questions, please contact me at (850) 245-8781 or e-mail: Bheem.kothur@dep.state.fl.us

Sincerely,



Bheem Kothur, P.E. III
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: John White, FDEP/Orlando, john.white@dep.state.fl.us
Janine Kraemer, FDEP/Orlando, janine.kraemer@dep.state.fl.us
D.M. Ambrose, P.E., ambrosefox@charter.net
Randy Miller, OGC/Tallahassee, randy.j.miller@dep.state.fl.us
Tor Bejnar, FDEP/Tallahassee, tor.bejnar@dep.state.fl.us

ENCLOSURE

Cliff Berry, Inc. Canaveral Facility
Used Oil Facility Operating Permit No.: 249477-HO-002
Notice of Deficiencies
January 15, 2013

SPECIFIC COMMENTS: Application Form for a Used Oil Processing Facility Permit.

1. Application Form for a Used Oil Processing Facility Permit, Part I, A. General Information, Item 2, Page 8: Please insert the Revision Number as "1".
2. B. Site Information, 1. Facility location, Page 9: Please provide the degree symbol for Latitude and Longitude.
3. CBI, Inc. Cover Letter dated December 12, 2012: The facility indicates that there have been no changes in the CBI-Canaveral facility since the final permit was issued on February, 2008. However, the submitted renewal application shows there are three (3) new tanks added to the facility with a capacity of 25,000 gallons since February of 2008. Therefore, please review and revise the closure plan and closure cost estimates as well as all other aspects of the application appropriate for the facility.
4. Florida DEP Application, Form # 62-710.901(6), C.3 through C.10, Operating Information, Page 10: Please identify the Attachments on this form. Also, provide copies of all the Attachments with updates reflecting current operations.
5. Letter of Transmittal for Used Oil Processing Facility Permit Renewal, Second Paragraph and letter dated March 14, 2012: The letter indicates that the facility is proposing to install three (3) above ground storage tanks in addition to the existing 34,900 gallons above ground storage tanks. Please review the drawings and tanks and revise as appropriate.
6. Used Oil Processing Facility Closure Cost Estimate, Dated December 19, 2012 and DEP received on Dated January 10, 2013, Pages 1 through 3: The facility has a total of eight (8) tanks with a total capacity of 110,000 gallons of used oil to dispose when the facility decides to close the facility. The approved closure cost estimate amount for a total capacity of 34,900 gallons to dispose and close facility is \$58,605.00 for year 2012. The submitted estimates are insufficient to close the facility by a third party. Please revise the estimate and resubmit.
7. CBI, Inc. Jacksonville Facility, SPCC Plan, Page iii: The facility name should be "CBI, Inc. Cape Canaveral" not "CBI, Inc. Port Everglades Facility". Please review and revise as appropriate.
8. CBI, Inc. Canaveral Facility, SPCC Plan, Introduction, Second Paragraph, Page 2: This paragraph describes that Cliff Berry, II as the emergency contact for the facility even though he is not in

Canaveral. The facility is required to provide someone who lives in the Canaveral area for emergency response. Please review and revise as appropriate.

9. CBI, Inc. Canaveral Facility, Personnel Training And Drills, Section 8, First Paragraph, Second Paragraph and third Paragraph, Page 1: List applicable pollution control rules and regulations; List and define the spill prevention briefing “frequency”; and List and define “appropriate personnel” respectively.
10. CBI, Inc. Facility, SPCC Plan, and Emergency Contact Phone Numbers: Please correct the phone number for the FDEP Central District Office as “407-897-4100” not as “407-894-7555”.
11. CBI, Inc. Jacksonville Facility, Emergency Coordinator, Cliff Berry II as primary Emergency Responsible person: The facility primary emergency responsible person should be someone in the Canaveral area. Please make sure to revise changes in all appropriate sections of the application to include information specific to the Canaveral facility. Please review and revise as appropriate.
12. Drawing C1 of 1, and Tank Table: The facility previously submitted the permit application in 2008 and the current renewal permit application appears to be a major expansion at the site including number of tanks, tank sizes, and their capacities. Therefore, the facility must recalculate the secondary containment calculations, and revise the evacuation route etc.
13. Storage Tank and Piping Inspections: Please provide the documentation forms for the required daily, monthly and annual inspections.
14. Personnel Training and Drills, Page 1: The employee training program does not include USDOT hazardous materials training. Used oil is commonly contaminated with gasoline, and the mixture may be flammable. CBI, Inc. Canaveral used oil screening procedure from the waste analysis plan only includes halogen screening. Chlor D Tect kits will not assess the flammability of the materials CBI, Inc. may be called upon to transport. Please see that the employee training program includes USDOT hazardous materials training.

GENERAL COMMENTS:

1. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
2. The Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.
3. The facility Form 8700-12FL-Florida Notification of Regulated Waste Activity, C. Used Oil Activities: This form indicates that the facility is also a Used Oil Filter Transfer Facility. Please indicate on a site map where these activities take place. Also, revise the closure cost estimate to include such disposal activities.

4. A hazardous waste determination will be conducted on any oily wastes or sludge generated at the facility that cannot be managed for energy recovery. The materials will be managed in accordance with 40 CFR Part 279.10(c) and (e).
5. CBI, Inc. Permit Application dated December 12, 2012 indicates that there have been no changes in CBI, inc. Canaveral facility concerning the Used Oil Processing facility permit since the permit was issued on February 5, 2008. However, CBI, Inc. Canaveral facility is requesting to add additional tanks to the processing facility to include additional storage capacity of 75,000 gallons of used oil. Therefore, the SPCC Plan, Contingency Plan, Emergency Response Contact Information including Phone Numbers, The Training, and Evacuation Routes should be updated to reflect the proposed changes.
6. In addition to comment #4 under specific comments concerning the facility closure cost estimates: The facility proposes to expand the site to process solid waste activities, specifically used oil filters. Therefore, the facility must revise the closure costs to include disposal of solid waste quantities. The permit application cannot be considered complete and a permit issued until such time as financial assurance has been provided and approved. Please review the current estimate and revise as appropriate.
7. Please prepare the entire application, including all attachments, and resubmit the renewal application as a standalone document.