

Thursby, Kim

From: Bill Parkes <BParkes@cliffberryinc.com>
Sent: Wednesday, January 08, 2014 2:46 PM
To: Epost HWRS
Cc: Bahr, Tim; Goddard, Charles; Knauss, Elizabeth; McGinnis, Sean; ambrosefox@charter.net; Miller, Randy J.; Eldredge, Susan F.; Martin, Lee; Kothur, Bheem; Tripp, Anthony
Subject: RE: Cliff Berry, Inc.-Tampa;FLR 000 013 888;Notice of Deficiency

CBI has received.

From: Thursby, Kim [mailto:Kim.Thursby@dep.state.fl.us] **On Behalf Of** Epost HWRS
Sent: Thursday, December 19, 2013 2:07 PM
To: Bill Parkes
Cc: Bahr, Tim; Goddard, Charles; Knauss, Elizabeth; McGinnis, Sean; ambrosefox@charter.net; Miller, Randy J.; Eldredge, Susan F.; Martin, Lee; Kothur, Bheem; Tripp, Anthony
Subject: Cliff Berry, Inc.-Tampa;FLR 000 013 888;Notice of Deficiency

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting 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, P.G.
Environmental Administrator
Hazardous Waste Program & Permitting
Department of Environmental Protection
E-Mail Address: epost_hwrs@dep.state.fl.us



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

December 19, 2013

SENT VIA E-MAIL

bparkes@cliffberryinc.com

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

RE: Cliff Berry, Inc.-Tampa Facility
EPA I.D. No. FLR 000 013 888
Permit Numbers: 76517-HO-007 and 76517-SO-008
Used Oil and Material Processing Facility Permit Applications
Notice of Deficiency

Dear Mr. Parkes:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated November 7, 2013 and received on November 22, 2013 to operate a Used Oil and Material Processing Facility in Tampa, Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the attached Enclosure. 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 Parkes, Jr.

December 19, 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 Program & Permitting Section, and one hard copy 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.

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 Program & Permitting

BK/bk

Enclosure: Attachment

cc: Beth Knauss, FDEP/Southwest District, Elizabeth.Knauss@dep.state.fl.us
Sean McGinnis, FDEP/Southwest District, Sean.McGinnis@dep.state.fl.us
D.M. Ambrose, P.E., ambrosefox@charter.net
Randy Miller, OGC/Tallahassee, randy.j.miller@dep.state.fl.us
Susan Eldredge, FDEP/Tallahassee, susan.eldredge@dep.state.fl.us
Lee Martin, FDEP/Tallahassee, lee.martin@dep.state.fl.us

ENCLOSURE

Cliff Berry, Inc. - Tampa Facility
Used Oil and Material Facility Processing Operating Permit No.:
76517-HO-007 and 76517-SO-008
Notice of Deficiencies
December 19, 2013

GENERAL 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 provide the revision number as "1".
2. CBI Cover Letter Dated November 7, 2013, Second Paragraph, Second Sentence: The new permit application says that there is going to be an Oily Wastewater Pretreatment System (DAF) to be installed in a new building to be constructed on site. Please clarify what are your disposal options or discharging by trucking waste water to the sewer system. Since the waste water treatment tanks are not part of a RCRA exempt WWTU according to the 40 CFR 260.10 definition, and therefore CBI should clarify the treatment processes for waste water, especially petroleum contact water. The tanks would also have to operate as used oil processing tanks. Please review and revise the used oil processing application accordingly. Also, any waste water that is trucked to a POTW is subject to 40 CFR 262.11 requirements. Please see Rule 62-740.300(6), F.A.C.
3. Used Oil Processing Facility Permit Application, Part I, and Part II-Certifications: It appears that the facility used the "Used Oil Processing Facility Permit Application Form Effective Date June 9, 2005" instead the facility should use the latest Permit Application Form effective Date April 23, 2013. Please access the web to view the latest document at.

http://www.dep.state.fl.us/waste/quick_topics/forms/documents/62-710/710_6.pdf
4. Application Form for a Used Oil Processing Facility Permit, B. Site Information, Item 1. Facility location, Page 9: Please provide the degree symbols for Latitude and Longitude.
5. CBI, Inc. Cover Letter dated November 7, 2013: The facility indicates that there have been no changes in the CBI-Tampa facility since the final permit was issued on July 15, 2009. However, the submitted renewal application shows that there are going to be added four (4) new tanks in addition to the existing tanks at the facility. However, there is no tank table to determine the net effect of tank storage. Therefore, please review and revise the C 1 of 1, tank table with the proposed changes and its contents, revise the closure plan and closure cost estimates as appropriate for the facility.
6. Florida DEP Application, Form # 62-710.901(6), C.3 through C.10, Operating Information, Page 10 and 11: Certification that "on-file" documents content have been changed. Please identify or reference the Attachments on this form. Also, provide copies of all the Attachments with current updates, since some of these attachments are more than six (6) years old.

7. Letter of Transmittal for Used Oil and Material Processing Facility Permit Renewal, Third Paragraph and letter dated November 7, 2013: The letter indicates that the facility is proposing to install four (4) new above ground storage tanks. Please review the drawings and prepare the tank table with appropriate contents accordingly.
8. Used Oil Processing Facility Closure Cost Estimate, Dated April 1, 2009 and DEP received on Dated April 10, 2009, Pages 1 through 3: The facility has a total of 12 above ground storage tanks with a total capacity of 290,000 gallons quantity of used oil to dispose when the facility decides to close the facility. The approved closure cost estimate amount we need a total capacities of 340,000 gallons to disposed and close facility. The approved closure cost estimates for the facility for the year 2009 is \$102,520.00. Please revise the estimate and resubmit. Also facility submitted on January 10, 2013 for storage of used oily rags in drums. Please identify such storage location on the map and number of drums to be stored and include the additional quantities of solid waste to be disposed on final closure. Please review and revise the closure cost estimates as appropriate.
9. Revised Closure Cost Estimate dated December 11, 2013 and DEP Received on December 17, 2013: For disposal of oily solid wastes, and solid wastes in open pit and rolloffs; the facility used \$60 per ton (which would be the equivalent of \$15 per 55 gal drum) or \$600 per rolloff at the CBI Tampa facility, but at the CBI Port Everglades facility used \$500 per Rolloff and \$75 per drum or \$300 per ton. This seems to be a significant difference in the per ton and per drum cost between the two facilities, please explain this difference or adjust the closure cost estimate for the disposal of sludge/sediment/solid waste. Please indicate the number of 55 gal drums and specify the capacity of rolloffs expected for use in the operation and within the closure cost estimate.
10. Drawing C1 of 2, and Tank Table: The facility previously submitted the permit application in 2009 and the current renewal permit application appears to be a major expansion and revisions at the site including number of tanks, tank sizes, and their capacities, and additions. Therefore, the facility must recalculate the secondary containment calculations, and revise the evacuation route etc.
11. Storage Tank and Piping Inspections: Please provide the documentation forms for the required daily, monthly and annual inspections.
12. Tanks Inspection: CBI, Inc. Tampa facility is in operation since 2004 and some of the tanks were installed in 2005. The facility must provide the documentation of each Tank's last detailed inspection and certification in accordance with API 653 tank inspections to the Department. Also, the facility must specify in the application the frequency of sludge removal from the tanks.
13. 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. Miami 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.

14. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
15. 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.
16. 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).
17. CBI, Inc. Permit Application dated November 7, 2013 indicates that there have been no changes in CBI, Inc. Tampa facility concerning the Used Oil Processing facility permit since the permit was issued on July 19, 2009. However, CBI, Inc. Tampa facility is requesting to adding two (2) new tanks to the processing facility to include additional storage capacity of used oil and water. Therefore, the SPCC Plan, Contingency Plan, Emergency Response Contact Information including Phone Numbers, Training, and Evacuation Routes should be updated to reflect the proposed changes.
18. In addition to comment #4 under specific comments concerning the facility closure cost estimates: The facility proposed 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.
19. Please prepare the entire application, including all attachments, and resubmit the renewal application as a standalone document.
20. Facility must provide the electronic copy of wind load and containment calculations to the Department.
21. Closure Plan: Attach a copy of the closure plan and schedule in detail. The closure plan should also include the Solid Waste Processing facility closure. Also address how many drums of non-hazardous waste will be stored at any one time for cost estimate purpose. The closure plan should also include detailed closure information for used oil tanks, including schedules.
22. Closure Plan: All wastes need to be tested for hazardous waste characteristics. Please revise as appropriate.

Spill Prevention Control & Countermeasure Plan and Contingency Plan and Emergency Response, Tampa Facility dated September 2013, November 7, 2013 and DEP received on November 22, 2013:

23. Latitude/longitude, Section 0, Page ii, Introduction, Section 2, Page 1: Please verify Latitude and Longitude and be consistent through the document.
24. Tank Table 1, Section 2: The proposed two new tanks are not included in this table. Please review the Tank Table 1 and revise as appropriate.
25. Emergency Coordinators, Section 9, Page 6: Please review the phone numbers of Hillsborough County Fire Department, Tampa General Hospital Emergency Care Center, US EPA-Region IV, and Florida DEP/Tampa District and revise as appropriate.
26. Any additional comments we might have concerning these documents will be sent to you at a later date (waiting for District Comments), if any?
27. Used Oil Processing Facility Permit Application, Part I, B. site Information, Item 2, page 2 of 8; Spill Prevention control & Countermeasure Plan and Contingency Plan and Emergency Response, Introduction, Section 2, Page 1, Fourth Paragraph: The facility size should be “1.8-acres” instead “3.4-acres”. Please review the documents and revise as appropriate.
28. DEP Form 62-701.900(4), Application to construct, operate, or modify a waste processing facility, Part B, Items 1a-h, were not completely addressed and had conflicting operations descriptions between Attachment 2, 3, 4 of the Application Form for a Used Oil Processing Facility permit. Since this application appears to include a request expand the solidification operation/area to 250 tons per month (additional waste streams and waste quantities), please provide the details requested in Items 1a-h, in Part B, of the Solid Waste Permit Application.