



**Florida Department of
Environmental Protection
Hazardous Waste Inspection Report**

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc-Tampa Facility
On-Site Inspection Start Date: 03/14/2019 **On-Site Inspection End Date:** 03/14/2019
ME ID#: 13562 **EPA ID#:** FLR000013888
Facility Street Address: 5218 Saint Paul St, Tampa, FL 33619-6118
Contact Mailing Address: PO Box 13079, Fort Lauderdale, FL 33316-0100
County Name: Hillsborough **Contact Phone:** (954) 763-3390

NOTIFIED AS:

Transporter
Used Oil
VSQG

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility
Routine Inspection for Used Oil Transporter facility
Routine Inspection for VSQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Jamie Arleo, Inspector
Other Participants: Shannon Kennedy, Environmental Manager; Jon Sandora, Vice President of Regional Operations

LATITUDE / LONGITUDE: Lat 27° 55' 12.3033" / Long 82° 23' 43.3281"

NAIC 562219 - Other Nonhazardous Waste Treatment and Disposal

TYPE OF OWNERSHIP: Private

Introduction:

- Cliff Berry Inc. – Tampa facility (CBI) was inspected on March 14, 2019, to determine the facility's compliance with state and federal hazardous waste and used oil regulations.
- Jon Sandora, Vice President of Regional Operations, accompanied the inspectors throughout the inspection. This facility was last inspected by the Department on March 2017.

Process Description:

- CBI is a permitted used oil processor, used oil/used oil filter transporter, transfer facility, and an emergency response cleanup contractor. All used oil transportation activities are conducted using the facility ID number assigned to Cliff Berry Inc. – Port Everglades.
- Operations have not changed significantly since the Department's last inspection in 2017.
- CBI is permitted to bulk and process non-hazardous petroleum contaminated debris and soil in a mixing chamber. Records indicate that the facility is not accepting or processing more than 250-tons of oily soil waste per month.
- At the time of the inspection, all used oil tanks were labeled correctly, and the secondary containment structure was clean and well maintained. The solid waste solidification building was within holding capacity (less than ¼ full).
- Since CBI is an emergency response contractor, emergency equipment was readily available and in

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good working order.

- CBI is no longer analyzing the used oil on-site and all used oil is transported to CBI's Miami processing facility. The Tampa facility is not marketing used oil and is not picking up any used oil that has a halogen reading above 1000 PPM. The driver is screening the used oil at the generator's facility using a refrigerant leak detector sensitive to volatile organic and chlorinated organic vapors ("halogen meter/sniffer"). If the leak detector has a positive response during the screening process, the driver will conduct additional testing with a Clor-D-tect 1000 Kit. Used oil that contains over 1000 PPM of halogens will be rejected by the driver, and left at the generator's facility.
- Used oil, used oil filters and PCW are transported to the CBI Miami processing facility for disposal. CBI also contracts with outside transporters on a weekly basis. All hazardous waste is transported to US Ecology in Tampa for disposal. Solid waste is placed in roll-off dumpsters for storage. Waste Management transports the dumpsters to the Waste Management – Okeechobee Landfill for disposal.
- CBI maintains a storage building where minor repairs are conducted on fleet vehicles. At the time of inspection, CBI was not storing any mercury containing lamps.
- Records received after the inspection indicate that the used oil driver completed the CBI "Used Oil Driver Training 2018" module on 01/18/2019. All training records for employees at the CBI-Tampa facility were available for viewing online.
- The SPCC and contingency plan was current and appeared adequate. The facility maintains daily and weekly inspection logs of the facility which includes inspections of the safety equipment and the tank systems.
- The filter basket solids were last analyzed in March 2019 and were determined to be non-hazardous.
- During the review of manifests and used oil receipts by the Department, multiple documents were found not to be signed by the transporter. The Department's Hazardous Waste Program determined that the lack of signature by the transporter was not a violation of 40 CFR - 279.46.

PHOTO ATTACHMENTS:

Photo 1



Photo 2



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Photo 3



Photo 4



Conclusion:

- At the time of the inspection, Cliff Berry Inc – Tampa was operating in compliance with state and federal hazardous waste regulations governing Used Oil Transporters. Actions taken by the Field Administration Coordinator (Joseph Kaaa) and Corporate Compliance Officer (Kelly Brandenburg) since the inspection will insure that manifests and used oil receipts are signed by the driver for all future pickups or deliveries.

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6.0 - Transporters Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	Transporter Requirements	Yes	No	N/A
6.1	Has the transporter notified the Department as a transporter and received an EPA identification number? 62-730.150(2)(a), 263.11(a)	✓		
6.2	Does the transporter repackage wastes with different USDOT shipping descriptions?			
6.3	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.4	Does the transporter transport waste into the US from abroad?			
6.5	If YES, does the transporter comply with 40 CFR 262 Generator Standards? 263.10(c)			✓
6.6	Does the transporter obtain a signed and dated manifest prior to accepting a hazardous waste for transport?			
6.7	If NO, is the waste exempt from the manifest requirement? 263.20(a)(1) <input type="checkbox"/> Exemption Type - Tolling Agreement <input type="checkbox"/> Exemption Type - VSQG Bill-of-Lading	✓		
6.8	Does the transporter sign and date the manifest upon acceptance? 263.20(b)	✓		
6.9	Does the transporter leave a signed copy of the manifest acknowledging acceptance of the waste? 263.20(b)	✓		
6.10	Does the transporter ensure the manifest and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(c)	✓		
6.11	Does the transporter obtain the signature and date of delivery of the receiving (designated) facility or other transporter upon transferring custody of the waste? 263.20(d)(1)	✓		
6.12	Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)	✓		
6.13	Does the transporter give the remaining copies of the manifest to the designated facility or accepting transporter? 263.20(d)(3)	✓		
6.14	If the entire quantity of hazardous waste cannot be delivered, does the transporter contact the generator for further direction and revise the manifest in accordance with the generator's instructions? 263.21(b)	✓		
6.15	For a partial load rejection, while the transporter is on the facility's premises, does the transporter obtain a new manifest for the rejected material, accompanied by a copy of the original manifest that includes the manifest tracking number of the new manifest? 263.21(b)	✓		
6.16	Does the transporter retain a copy of the manifest signed by the generator, himself, and the next designated transporter or designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter? 263.22(a)	✓		
Item No.	Rail Transporters	Yes	No	N/A
6.17	If initial rail transporter, when accepting hazardous waste from a non-rail transporter does the rail transporter sign and date the manifest acknowledging receipt of the hazardous waste? 263.20(f)(1)(i)			✓
6.18	If initial rail transporter, does the rail transporter return a signed copy of the manifest to the non-rail transporter? 263.20(f)(1)(ii)			✓
6.19	If initial rail transporter, does the rail transporter forward at least three copies of the manifest to the next designated non-rail transporter or facility? 263.20(f)(1)(iii)			✓
6.20	If initial rail transporter, does the rail transporter retain one copy of the manifest and rail shipping paper? 263.20(f)(1)(iv)			✓
6.21	Does the rail transporter ensure the shipping paper and, in the case of exports the Acknowledgment of Consent, accompany the waste during transport? 263.20(f)(2)			✓
6.22	Does the final rail transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(f)(3)(i)			✓
6.23	Does the final rail transporter retain a copy of the manifest or signed shipping paper? 263.20(f)(3)(ii)			✓
6.24	When delivering hazardous waste to a non-rail transporter, does the rail transporter obtain the date of delivery and handwritten signature of the next non-rail transporter on the manifest and retain one copy of the manifest? 263.20(f)(4)			✓

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Item No.	Water (Bulk) Transporters	Yes	No	N/A
6.25	Does the water (bulk) transporter obtain the date of delivery and handwritten signature of the designated facility on the manifest or shipping paper? 263.20(e)(3)			✓
6.26	Does the water (bulk) transporter retain a copy of the manifest or signed shipping paper? 263.20(e)(5)			✓
Item No.	SQG Waste	Yes	No	N/A
6.27	For SQG waste, if a manifest is not used is the waste being transported pursuant to a recalculation (tolling) agreement per 262.20(e)? 263.20(h)(1)	✓		
6.28	Is the following information recorded on a log or shipping paper for each shipment? (Check items below that are NOT in compliance): 263.20(h)(2) <input type="checkbox"/> Name, address, and EPA identification number of the generator of the waste <input type="checkbox"/> Quantity of waste accepted <input type="checkbox"/> All DOT-required shipping information <input type="checkbox"/> The date the waste is accepted	✓		
6.29	Does the transporter carry the shipping paper/log when transporting waste to the reclamation facility? 263.20(h)(3)	✓		
6.30	Does the transporter retain shipping papers/logs for a period of at least three years after termination or expiration of the tolling agreement? 263.20(h)(4)	✓		
6.31	If hazardous waste was discharged during transport, did the transporter give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802)? 263.30(c)(1)	✓		
6.32	If hazardous waste was discharged during transport, did the transporter report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590? 263.30(c)(2)	✓		
6.33	If hazardous waste was discharged during transport, did the transporter clean up the discharge so that it no longer presents a hazard to human health or the environment? 263.31	✓		
6.34	Has the transporter demonstrated the financial responsibility required under 62-730.150(2)(a)? 62-730.150(2)(a)	✓		
6.35	Does the transporter verify the evidence of financial responsibility annually? 62-730.150(3)	✓		

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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.

Jamie Arleo	Inspector
Principal Inspector Name	Principal Inspector Title

	DEP	04/09/2019
Principal Inspector Signature	Organization	Date

Shannon Kennedy	Environmental Manager
Inspector Name	Inspector Title

	DEP
	Organization

Jon Sandora	Vice President of Regional Operations
Representative Name	Representative Title

	Cliff Berry, Inc.
	Organization

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.

Report Approvers:

Approver: Shannon Kennedy	Inspection Approval Date: 04/09/2019
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