



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

FACILITY INFORMATION:

Facility Name: Cliff Berry Inc-Tampa Facility
On-Site Inspection Start Date: 11/30/2022 **On-Site Inspection End Date:** 11/30/2022
ME ID#: 13562 **EPA ID#:** FLR000013888
Facility Street Address: 5218 Saint Paul St , Tampa, Florida 33619-6118
Contact Mailing Address: PO Box 13079, Fort Lauderdale, Florida 33316-0100
County Name: Hillsborough **Contact Phone:** (954) 763-3390

NOTIFIED AS:

Transporter, Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Own Waste, Commercial Waste **Used Oil:** On-Spec, Oil Filters, Processor, Collection Center (Commercial) **Universal Waste: Indicate types of UW generated and/or accumulated at the facility: Generate/Accumulate:** Batteries, Mercury Containing Lamps, Mercury Containing Devices **Transport:** Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** 5000 kg or more; Large Quantity Handler (LQH)

INSPECTION TYPE:

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

INSPECTION PARTICIPANTS:

Principal Inspector: Robert Denoux, Inspector
Warren McNelley, Environmental Specialist II; Jon Sandora, Vice President of Regional
Other Participants: 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 ("Cliff Berry") was inspected by the Florida Department of Environmental Protection ("Department") on November 30, 2022 to determine the facility's compliance with state and federal regulations of hazardous waste and universal waste transporters. The facility was initially notified as a non-handler of hazardous waste under the name of Florida Waste Environmental Services, Inc. on February 19, 1996 and was registered as a Used Oil Transporter and Transfer facility on April 16, 1996. The facility updated their status to a Small Quantity Generator (SQG) of hazardous waste on April 18, 1997. The facility was purchased and the name was updated to Cliff Berry, Inc., on December 1, 2022. The facility generator status was changed to a Conditionally Exempt Small Generator (now Very Small Quantity Generator of hazardous waste or VSQG) on April 15, 2009. The facility last notified on March 17, 2022 as a Very Small Quantity Generator ("VSQG") of hazardous waste, as well as a transporter of universal waste, hazardous waste, and used oil. Cliff Berry was last inspected by the Department on June 3, 2021. Inspectors were assisted by Jon Sandora, Vice President of Regional Operations, during the inspection.

Process Description:

Cliff Berry is permitted used oil processor and a registered hazardous waste/used oil/used oil filter transporter and transfer facility, and an emergency response and cleanup contractor; the current registrations expire on

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June 30, 2023. As of 2019, the facility no longer picks up used oil or used oil filters from customers; currently the primary focus of this facility is emergency response and industrial maintenance (PCW pickups from tank cleanouts). No other major changes to the business or operations have been made since the last inspection. The facility has seven employees (four drivers, one technician, one administrative professional and one manager). The City of Tampa provides sewer and water services.

Cliff Berry 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.

Cliff Berry does business out of two properties for their Tampa Facility. The 4314 Raleigh Street, Tampa location houses the administrative offices and is used for vehicle storage.

The 5218 Saint Paul St location is used for waste storage and is typically unmanned. Drivers off-load waste from their customers into the on-site tank farm for temporary storage prior to these wastes being sent to other facilities for processing and/or disposal. The tank farm contains (10) tanks ranging from 15,000-gallons to 30,000-gallons containing petroleum contact water, non-hazardous liquid oily water (halogen <1,000 ppm), or used oil (halogen < 1,000 ppm). The tanks sit in a large concrete secondary containment unit that was clean and dry, with no cracks or damage observed. All tanks were labeled with their appropriate contents and appeared to be in good condition. The only other waste on site at the time of the inspection were two 55-gallon containers of oily rags located near the pumping station and these containers were properly labeled.

Since Cliff Berry is an emergency response contractor, emergency equipment was readily available and appeared to be in good working order.

RECORDS

All administrative work is conducted at the 4314 Raleigh St location. A record review was performed at this location during the inspection. The facility has a number of permits/registrations issued:

- Used Oil/Filters Transporter, Transfer facility, Processor, Collection Center registration; the current registration was issued March 21, 2022 and expires June 30, 2023.
- Used Oil and Material Processing Facility (Operating Permit Number: 76517-009-HO & 76517-010-SO); the current permit was issued on May 22, 2019 and expires April 12, 2024.
- Hazardous Waste Transporter registration; the current registration was issued April 29, 2022 and expires June 30, 2023.
- NPDES Stormwater permit (FLR05B570-005); the current permit was issued on August 1, 2021 and expires July 31, 2026.
- The ten aboveground storage tanks are registered with the Department's Storage Tank Program under facility ID #9802425 and had their placard available for review.

Other records reviewed during the inspection include:

- Used oil training and driver records.
- Spill Prevention, Control, and Countermeasure (SPCC) Plan.
- Dispatch tickets for used oil/filters/debris from generator to designated facility.
- Daily tank farm inventory log (in feet and gallons).
- Universal waste shipping manifests (Most recent: October 19, 2022 for oily debris).

All records were found to be complete and in order at the time of the inspection.

PHOTO ATTACHMENTS:

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Tank Farm



Secondary Containment at Tank Farm



Pumping Station at Tank Farm



Conclusion:

At the time of the inspection, Cliff Berry Inc-Tampa facility was operating in compliance with state and federal regulations for very small quantity generators of hazardous waste and transporters of universal waste, hazardous waste, and used oil.

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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)			✓

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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)			✓
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

Robert Denoux

Inspector

Principal Investigator Name**Principal Investigator Title**

DEP

12/16/2022

Principal Investigator Signature**Organization****Date**

Warren McNelley

Environmental Specialist II

Representative Name**Representative Title**

DEP

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.

Jon Sandora

Vice President of Regional Operations

Representative Name**Representative Title**

Cliff Berry, Inc.

Organization

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Report Approvers:**Approver:** Michael Miller**Inspection Approval Date:**

12/19/2022