



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

---

**FACILITY INFORMATION:**

**Facility Name:** Cliff Berry Inc - Fort Pierce  
**On-Site Inspection Start Date:** 03/01/2023 **On-Site Inspection End Date:** 03/01/2023  
**ME ID#:** 36809 **EPA ID#:** FLR000009266  
**Facility Street Address:** 400 Angle Rd , Fort Pierce, Florida 34947-2501  
**Contact Mailing Address:** PO Box 13079, Fort Lauderdale, Florida 33316-0100  
**County Name:** St. Lucie **Contact Phone:** (954) 763-3390

**NOTIFIED AS:**

Transporter, Used Oil, VSQG

**WASTE ACTIVITIES:**

**Generator:** VSQG **Transporter:** Own Waste, Commercial Waste **Used Oil:** Oil Filters **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 Hazardous Waste Transporter Facility  
Routine Inspection for Used Oil Transfer Facility Facility  
Routine Inspection for Used Oil Transporter Facility  
Routine Inspection for Universal Waste Transporter Facility

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Johanna Polycart, Inspector  
**Other Participants:** Esther Thorne, ESII; Kaitlyn Taylor, ESII; John Katzor, Facility Manager

**LATITUDE / LONGITUDE:** Lat 27° 27' 3.234" / Long 80° 21' 33.0225"

**NAIC:** 562219 - Other Nonhazardous Waste Treatment and Disposal

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On March 01, 2023 (03/01/2023), Johanna Polycart with the Florida Department of Environmental Protection (DEP) conducted a routine Compliance Evaluation Inspection (CEI) at Cliff Berry Inc, Fort Pierce (hereinafter CBI or Facility), located at 400 Angle Rd, Fort Pierce 34946.

CBI was inspected to determine the facility's compliance with the state and Federal hazardous waste and State Used oil regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260- 268, 273, 279, adopted and incorporated by reference in Rule 62-730, 62-737, 62-710 Florida Administrative Code (F.A.C.). The inspector was accompanied by Esther Thorne, Environmental Specialist II and, Kaitlyn Taylor Environmental Specialist II from the FDEP.

The inspectors were escorted around the facility by John Katzor, Facility Manager. Upon arrival at the facility the inspectors presented their credentials and explained the purpose of the inspection.

CBI occupies 1.7 acres and is connected to public water and sewer services. The facility has been operating at its current location since the 1995 and employs approximately 13 staff. The facility operates from 8:00 a.m. to 5:00 p.m., and 24/7 for emergency response operations.

Notification History:

## Cliff Berry Inc - Fort Pierce Inspection Report

Inspection Date: 03/01/2023

CBI initially registered with the Department as a Used Oil Handler, Transporter, and Transfer Facility on 11/01/1995 and was assigned the EPAID FLR000009266.

The facility recently renewed their Used Oil Handler registration on 02/02/2023, expiring on 07/30/2024, their registration as a Hazardous Waste Transporter was renewed on 04/29/2022, expiring on 06/30/2023, and their registration as a Mercury Transporter and Handler was renewed on 03/03/2023.

### Inspection History:

03/18/2021 - Inspected as a UO/HW/UW Transporter, UO Transfer Facility, and Very Small Quantity Generator (VSQG) and was found to be in compliance at the time of inspection.

02/25/2019 - Inspected as a UO/HW/UW Transporter, UO Transfer Facility, and Very Small Quantity Generator (VSQG) and was found to be in compliance at the time of inspection.

05/08/2016 - Inspected as a UO/HW/UW Transporter, UO Transfer Facility, and Very Small Quantity Generator (VSQG) and was found to be in compliance at the time of inspection.

Personal Protective Equipment (PPE) was required to enter the facility. The Department inspectors were equipped with steel-toed boots, safety vest, safety glasses and hard hats.

### Process Description:

Cliff Berry Inc. has been offering environmental services including used oil transportation, hazardous waste transportation, and spill emergency response to a wide variety of companies nationwide.

The facility consists of two buildings, a Tank Farm and parking area. One of the buildings is now used for administrative services and for equipment storage, and the second building is in construction expecting to serve as additional office space.

CBI transports used oil, used oil filters, and oily water from generators taken to their Miami Plant for processing. The facility also transports hazardous waste, and universal waste mercury but these activities are not done frequently.

Hazardous waste and universal waste mercury were not observed on site at the time of the inspection.

### Parking Area:

CBI utilizes more than 200 vehicles for transportation, and majority of the trucks are stationed and dispatched from their Fort Lauderdale location. Two trailers, and a vacuum truck were stationed in the parking area during the inspection.

The representative informed the inspectors that one of the trailers was being loaded with used oil at the time of the inspection, and the other trailer had empty containers that are distributed to customers.

When used oil is picked up by CBI, an initial Sniffer test is conducted on the shipment. If the sniffer test fails, a halogen test is done to assess if 1,000 ppm of halogens is exceeded, and if that fails the load will be managed as hazardous waste.

The inspectors observed in the parking area:

- Three 55-gallon drums of Used Oil, ready to be loaded in the trailer, closed, with the generators information and properly labeled.
- One Trailer with more than twenty containers of Used Oil and Used Oil Filters properly labeled and closed.

### Tank Farm:

The facility maintains one 21,000 gallon tank to store used oil on site. The used oil from the tankers is transferred to the tank before it is shipped to the Miami Plan for processing. The tank was properly labeled with the words "Used Oil" and was in secondary containment. Based on the record review, the used oil from the tank is stored for less than thirty- five days on site.

A filtration tank is placed in the secondary containment to collect oily debris from the tankers before the used oil goes to the main tank, then the debris is collected in 55-gallon containers then disposed.

The inspectors observed two 55-gallon containers of oily debris from that process, one of the drum had a faded label and the other was not labeled. Compliance assistance was offered on site to properly label the drums for

## Cliff Berry Inc - Fort Pierce Inspection Report

Inspection Date: 03/01/2023

better management.

During the inspection the secondary containment was in good condition, and no spill was observed. The representative informed the inspectors that oil dry, solvent blankets, and absorbent vermiculite are available in case of any spills, and that a vacuum pump is available to clean the secondary containment if the need arise. The facility also conducts daily inspection of the tanks and the secondary containment area.

The inspectors also observed three tanks of product diesel, and one tank of non-potable water in the tank farm, and all the tanks were properly labeled and in secondary containment.

### Record Review:

- Transport, receiving, and shipping records for Used Oil activities were available for review at the time of inspection. The facility has maintained all records of transportation. The facility was using an equivalent form to DEP form 62-710.901(2). CBI documents the halogen screening test results for UO on all shipment documents. The transporter also includes the generator EPA ID on the nonhazardous waste manifest.
- Hazardous Waste manifest records were available for review on-site, and the facility complies with the 24-hour storage time. LDR's and Waste profiles for the shipments were also available for review.
- The facility could demonstrate liability insurance with Zurich American Insurance company for \$2,000,000, policy number BAP 0274662-05, expiring 12/31/2023.
- The facility provides training (40-hour HAZWOPER) to employees that handle used oil and hazardous waste. The last round of training occurred on 01/27/2023.
- The facility maintains a full SPCC/Contingency plan. The SPCC/Contingency Plan includes a facility site map, tank list, inspection records, specifications of the oily waste water and UO storage tank farm, security information, spill response measures, materials and equipment listing, and personnel training. The most recent revision occurred in January 2017.
- The facility's Annual Report for Used Oil and Used Oil Filters activities was sent to the Department on 02/2023.
- The facility's current registration was not posted at the time of the inspection and was requested to be updated onsite.

### PHOTO ATTACHMENTS:

Tank Farm



Used Oil Drums



# Cliff Berry Inc - Fort Pierce Inspection Report

Inspection Date: 03/01/2023

## Trailers Loading



## Hazardous Waste Manifest

## Used Oil Manifest

## Conclusion:

Cliff Berry Inc.- Fort Pierce was inspected as a hazardous waste/used oil/used oil filter/universal waste transporter and used oil transfer facility and was found to be in compliance with the state and Federal requirements at the time of inspection.

The facility was requested to update their registration that is displayed in the office area, and on 03/14/2023 photo documentation of the current registration displayed was sent to the Department.

Inspection Date: 03/01/2023

**1.0: Pre-Inspection 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.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11	✓		

Inspection Date: 03/01/2023

**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

Johanna Polycart**Principal Investigator Name**Inspector**Principal Investigator Title****Principal Investigator Signature**DEP**Organization**03/20/2023**Date**Esther Thorne**Inspector Name**ESII**Inspector Title**FDEP**Organization**Kaitlyn Taylor**Inspector Name**ESII**Inspector Title**FDEP**Organization**John Katzor**Representative Name**Facility Manager**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:** Alannah B Irwin**Inspection Approval Date:**03/21/2023