Florida Department of

Environmental Protection

Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: H & J Asphalt Inc

On-Site Inspection Start Date: 07/28/2014 **On-Site Inspection End Date:** 07/28/2014

ME ID#: 7334 **EPA ID#:** FLD984205765

Facility Street Address: 4310 NW 35th Ave, Miami, Florida 33142-4323

Contact Mailing Address: 4310 NW 35th Avenue, Miami, Florida 33142

County Name: Miami-Dade **Contact Phone:** (305) 634-3342

NOTIFIED AS:

Non-Handler

INSPECTION TYPE:

Routine Inspection for Used Oil facility

Routine Inspection for Used Oil Generator facility

Routine Inspection for CESQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kathy R. Winston, Inspector

Other Participants: Jorge Lorenzo, Vice President; Norva Blandin, Environmental Specialist

LATITUDE / LONGITUDE: Lat 25° 48' 54.1" / Long 80° 15' 10.1"

SIC CODE:

TYPE OF OWNERSHIP: Private

Introduction:

H & J Asphalt Inc. (H & J) is an asphalt batch plant that also provides these services: resurfacing and overlays, asphalt sealcoating and parking lot maintenance. The facility has been located at this site for approximately 25 years and is connected to city water and sewer. The facility employs 50 people and has a fleet of ten commercial trucks for various uses and six pick-up trucks.

The facility was never visited by the Department's hazardous waste program before this inspection. This inspection stemmed from an investigation the Department was performing on an illegal used oil transporter; who was bringing their used oil to H & J. The facility appeared to be a burner of off-spec used oil; however, they have not been legally registered with the State since July of 1995. The facility is preparing to switch to burning natural gas in the near future and all the lines and transfer equipment necessary are already in place.

Before beginning a site tour, the inspectors spent some time looking at old documents the facility provided; as they were trying to see, what, if any, Department permits the facility held. It was established that the facility had permits through Miami-Dade RER for the NPDES program, Storage Tanks and Air. These are all programs that the Department has delegated to Miami-Dade RER. The inspectors also found an old document which indicated that the facility did have an EPA ID number assigned to it in the past.

Process Description:

Per the facility representative, it was indicated that the entire property was paved, which was not evident to the inspectors. It appeared to the inspectors that the ground was covered with sand and gravel; however, by kicking away at some of the ground cover the inspectors verified the facility's claim. This was an important fact because the inspectors noted more than a few areas where

actually used oil or used oil staining was evident on the ground. There were also areas where buckets containing small amounts of used oil were open to the elements or where buckets had been placed to capture leaks from equipment and hoses, which were filled to the top and running over onto the ground.

There were small areas of staining throughout the yard. The inspectors observed at least three five gallon buckets with small amounts of used oil open to the elements underneath a large piece of equipment resembling a baghouse. There was a piece of equipment that appeared to be some kind of heater and pump system with an indicator panel on one side directly across from the operator's shed. There were numerous puddles of used oil underneath it and it appeared to have been leaking for some time. On the north side of the secondary containment, for the facility's 5000 gallon used oil tank were two five gallon buckets, one of which had the top half of it cut off. Both of these buckets were overflowing onto the ground. This was the transfer area, where the trucks that came in with used oil would unload. Housekeeping was a major issue in this area.

The secondary containment for the 5000 gallon used oil tank was one third full with not just used oil but also saturated oil dry. The tank was labeled; however, the letters were barely visible. The inspectors provided a stencil and the tank was relabeled during the inspection. It was suggested that the facility get some larger lettering for that tank, as the stencil was small for a tank that size. Sitting behind and to the south of that containment, was a separate smaller containment area for the facility's diesel and gasoline tanks. This containment appeared to have product in it that needed to be addressed, as well. This entire containment area was under cover and it appeared that very little of the liquid in these containments was rainwater.

A separate area that the inspectors took note of was at the rear of the facility and to the east of the operator's shed. There were gates here, which allowed trucks to enter and exit the facility. Another interesting piece of equipment in this area appeared to have something to do with transferring the final product. Next to this apparatus were three five gallon buckets which appeared to have some asphalt in them and then had collected rainwater to the point that they were filled to capacity. Also, noted in this area was a stormdrain. Facility representatives indicated that the drainage from the site was sloped to flow to this point. They also indicated that there was some sort of filter in the stormdrain itself, which only allowed rainwater to pass through.

The next area the inspectors examined was the facility's maintenance shed, which was basically a three sided building with a roof. The facility did both minor and some major repairs of their equipment and trucks. Sitting on the ground inside the shed was what appeared to be a transmission. There was considerable staining on the concrete where the transmission was located. The shop had a thirty gallon parts washer that contained diesel fuel.

In the most northern section of the yard, was a concrete vault with a metal hatch on top. The facility representatives indicated there was a 300 gallon used oil tank inside the vault. There was no labeling on the vault. This was located here because nearby was a ramp which one could drive trucks up onto for performing oil changes. Also, on this end of the yard, and facing NW 46th St., was the facility's office building.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.22(c)(1)
Question Number:	5.40
Question:	Are containers/tanks storing used oil marked with the words "Used Oil"?
Explanation:	The facility had two used oil tanks that were not properly labeled.

Corrective Action:	The larger of the two tanks was labeled while the inspectors were still on site; however, it was an 5,000 gallon tank and the inspectors suggested the facility obtain some larger lettering for this tank. The other tank is set inside a concrete containment which has a metal top with a hatch in it; therefore, the facility will have to label the containment to make the labeling visible; please use the stencil the inspector provided for labeling this tank. Please send the Department photos documenting compliance.

Type:	Violation
Rule:	279.63(b)
Explanation:	The facility was accepting used oil without establishing the halogen content of that used oil.
Corrective Action:	Please purchase a halogen detection meter and provide the Department with pictures of the meter and receipts for the purchases.

Type:	Violation
Rule:	279.65(a)
Explanation:	At the time of the inspection, the facility could not provide records for the used oil it was accepting for burning. This information should include name and address of transporter, name of generator or processor where used oil originated, the EPA ID of the transporter, the EPA ID number of the processor or generator (if they have one), the quantity of the used oil accepted and the date of acceptance.
Corrective Action:	Please provide the Department with whatever records the facility has pertaining to the used oil that has been accepted in the last three years. Also, begin keeping a log of all used oil accepted at the facility including all the abovementioned information.

Type:	Violation
Rule:	62-710.401(6)
Question Number:	5.80
Question:	Either double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment
Explanation:	The facility's secondary containment for the 5,000 gallon used oil tank onsite is about 1/3 full of used oil and oil dry. Therefore; it is not meeting the requirement of secondary containment that would hold 110% of the volume of the largest container.
Corrective Action:	Please have the secondary containment for the large used oil tank (5,000 gal.) pumped out so that leak detection is possible and also, so the containment meets the 110% requirement. Please provide the Department with the receipts (BOLs or a manifest) provided by the company that pumps out and transports the used oil offsite.

Type:	Violation

Rule:	62-710.500
Explanation:	The facility has not been registered to burn off spec fuel since 1995.
Corrective Action:	Submit to the Department form 8700-12FL notifying of your used oil burning activities.

Areas of Concern

Type:	Area Of Concern
Rule:	279.22(d)
Question Number:	5.170
Question:	If so, did the facility stop the release, contain the oil, clean up the release and manage the contaminated material properly and repair or replace the leaking units prior to returning them to service?
Explanation:	There were several areas around the facility where used oil had impacted the ground or where containers appeared to have overflowed. However; the owner states that the entire facility is paved and that what the inspector observed is only impacted sand that has accumulated over time on top of the pavement.
Corrective Action:	Please address all areas where used oil has impacted the ground. Please get rid of any open collection containers put under equipment to collect leaks that appear to have overflowed. Also, please attempted to address areas where equipment is leaking and/or established daily facility wide inspections, where these containers are emptied to avoid similar issues.

Conclusion:

Before leaving the site, the inspectors spoke with the vice president of the company and explained their obligations as a used oil burners and a generators of used oil. It was also brought to his attention that because of the facility's storage capacity for petroleum products, they would need to have a Spill Prevention and Countermeasure Control (SPCC) Plan. The inspector indicated that when she returned to the office information concerning all of these requested items would be emailed to the facility. The facility was given 30 days to complete all requested items except the SPCC Plan.

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. The above noted potential items of non-compliance were identified by the inspector(s).

This is not a formal enforcement action and may not be a complete listing of all items of non-compliance discovered during the inspection.

Kathy R. Winston	Inspector
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**
	
PRINCIPAL INSPECTOR SIGNATURE	10/6/2014 **DATE**

Supervisor: **Karen Kantor**

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.