



E.M.C.
OIL CORP.
Licensed & Insured

RECEIVED

SEP 01 2006

DEPT OF ENV PROTECTION
WEST PALM BEACH

Via Federal Express

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

August 31, 2006

Department of Environmental Protection
Michelle Matejka
400 N. Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: **E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Florida 33166**

Dear Ms. Matejka:

In response to your visit on August 16, 2006, the following is an explanation of each item you have requested revision:

1. Halogen Screening – Enclosed are copies of some of our manifests marked accordingly. (the reminder meeting was done again on 8/17/06).
2. Training documentation – Enclosed you will find a worksheet with dates of examination/training of the used oil collectors exams. (This will be our new format for documentation of training).
3. Batteries – Batteries go for recycling to AARC Plant.

We have been using the halogen leak detectors for many years. Mostly when our drivers suspect of hazardous waste commingling or oil commingling with other liquids.

Please be advised documentation of halogens screening has been addressed since last year and our manifests have been changed accordingly. (see enclosed meetings of 2005 & 2006). We have been addressing the drivers to check-mark the box accordingly. In addition, we have created an incentive program for our drivers so that they follow this procedure.

I hope this will answer your concerns to your satisfaction. Should you have additional questions or comments, please contact me.

Sincerely,

Maria E. Perez Leon
E.M.C. Oil Corp

Enclosures

Dade
(305) 477-7497

EMC Oil Corporation
P.O. Box 520882 - Miami, FL 33152

Toll Free
(800) 344-8688



UNIFORM WASTE TRANSPORTERS MANIFEST

NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address PREFERRED FREEZER of S. A. Medley Jr		A. Manifest Document # 115108				
2. Generator's Phone (305) 455-2725		B. Generator's ID #s EPA _____ STATE _____				
3. Transporter 1 Company Name EMC Oil Corporation		C. State Transporter's ID FLR000000166				
4. US EPA ID Number FLR000000166		D. Transporter's Phone (305) 477-7497				
5. Designated Facility Name and Site Address		E. Dade County ID SW-01124 LW-00227 LW-00233				
6. Facility's Phone						
7. Waste shipping & name description		8. Containers	9. Total Quantity	10. Unit Wt./Vol	11. Price	G
HM		No. Type				CHARGES
PETROLEUM OIL 3 NA 1270 PGIII (USED OIL)		2 DM	100 G			
USED OIL FILTERS						
PETROLEUM OIL 3 NA 1270 PGIII (OILY WATER)						
OTHER: SPECIFY						
H. Additional Descriptions for Materials Listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1 1/2% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due Please pay on this invoice within 15 days. Thank you.		
12. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name, and are classified, packed, marked, and labeled, and are all in respects in proper condition for transport by highway according to applicable international and national government regulations. I also confirm that the contents of this consignment contains no hazardous materials. (In the event that these products/material are found to be hazardous, I accept the responsibility for its proper disposal under Federal and State Regulations, including any contamination caused through commingling.)						
Printed Typed Name		Signature		Month Day Year		
13. Transporter 1 Acknowledgment of Receipt of Materials		Signature		Month Day Year		
14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.		Signature		Month Day Year		
Printed Typed Name		Signature		Month Day Year		
Below 1000 ppm		Halogen Levels		Above 1000 ppm		

Dear Generator: The following chemicals contain hazardous substances which when mixed with used oil reduces the recycling potential and can cause harmful effects to the environment.

DO NOT MIX WITH USED OIL

Antifreeze - Freon - Solvents - Thinner - Degreasers - Detergents - Cleaners - Radiator Fluid - Leaded Gasoline - Cutting Oil

CAN MIX WITH USED OIL

Motor Oil - Diesel Fuel - Grease - Brake Fluids - Hydraulic Fluids - Transmission Fluids

These lists are based on current information and may be expanded as more data becomes available. THANK YOU

WHITE - Original YELLOW - Transporter PINK - Transporter GOLDENROD - Generator

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UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address SOUTH FLA WATER MANAGEMENT 801 SAND BERY WAY, WEST PALM BEACH FL 3341		PO#		A. Manifest Document # 16915	
2. Generator's Phone (561) 791-4100		County of Origin (PALM BEACH)		B. Generator's ID #'s EPA STATE	
3. Transporter 1 Company Name EMC Oil Corporation 8470 N.W. 68th Street, Miami, FL 33166		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166	
5. Designated Facility Name and Site Address		6.		D. Transporter's Phone (305) 477-7497	
				E. Dade County ID SW-01124 LW-00227 LW-00233	
				F. Facility's Phone	
7. Waste shipping & name description HM	8. Containers No. Type 1 DAY 1 DAY	9. Total Quantity 300	10. Unit Wt./Vol G	11. Price 0.00	G CHARGES
H. Additional Descriptions for Materials Listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1 1/2% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due Please pay on this invoice within 15 days. Thank you.	
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GENERATOR	Printed Typed Name DANNY DUNHAM		Signature <i>[Signature]</i>		Month Day Year 8 13 00
	13. Transporter 1 Acknowledgment of Receipt of Materials				
	Printed Typed Name ADOLFO CARRERA		Signature <i>[Signature]</i>		Month Day Year 8 13 00
FACILITY	14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.				
	Printed Typed Name		Signature		Month Day Year
Below 1000 ppm		Halogen Levels		Above 1000 ppm	

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UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address SEA MARKET INC. 600 OLD SHRIMP ROAD, KEY WEST FL 33040 2. Generator's Phone (305) 296-6022 County of Origin (MONROE)		A. Manifest Document # 16765	
		B. Generator's ID #'s EPA _____ STATE _____	
3. Transporter 1 Company Name EMC Oil Corporation 8470 N.W. 68th Street, Miami, FL 33166		4. US EPA ID Number FLR000000166	
5. Designated Facility Name and Site Address _____		C. State Transporter's ID FLR000000166	
		D. Transporter's Phone (305) 477-7497	
6. _____		E. Dade County ID SW-01124 LW-00227 LW-00233	
		F. Facility's Phone	
GENERATOR	7. Waste shipping & name description HM		8. Containers No. Type
			9. Total Quantity
			10. Unit Wt./Vol
			11. Price
			G CHARGES
PETROLEUM OIL NA 1270 PGH (USED OIL)			150 0.10 15.00
NON REG USED OIL FILTERS			45.00
PETROLEUM OIL NA 1270 PGH (OILY WATER)			100 0.65 65.00
H. Additional Descriptions for Materials Listed Above <i>[Signature]</i>		I. Total Due 80.00 Please pay on this invoice within 15 days. Thank you.	
12. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. I also confirm that the contents of this consignment contains no hazardous materials. (In the event that these products/material are found to be Hazardous, I accept the responsibility for its proper disposal under Federal and State Regulations, including any contamination caused through commingling.)			
TRANSPORT	13. Transporter 1 Acknowledgment of Receipt of Materials Printed Typed Name: <i>X Larry Folke</i> Signature: <i>[Signature]</i> Month Day Year: 08/16/06		
	Printed Typed Name: GEORGE I VICENTE Signature: <i>[Signature]</i> Month Day Year: 08/16/06		
	14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest. Printed Typed Name: _____ Signature: _____ Month Day Year: _____		
FACILITY	<input checked="" type="checkbox"/> Below 1000 ppm Halogen Levels Above 1000 ppm		

Dear Generator: The following chemicals contain hazardous substances which when mixed with used oil reduces the recycling potential and can cause harmful effects to the environment.

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Antifreeze - Freon - Solvents - Thinner - Degreasers - Detergents - Cleaners - Radiator Fluid - Lead Gasoline - Cutting Oil

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Dade
(305) 477-7497

EMC Oil Corporation
P.O. Box 520882 - Miami, FL 33152

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UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address <i>Palmyra, 12300 OIS Hwy, Marathon, FL</i>		PO#		A. Manifest Document # 115224	
2. Generator's Phone <i>(305) 289-7238</i>		3. County of Origin <i>Monroe</i>		B. Generator's ID # EPA STATE	
3. Transporter 1 Company Name EMC Oil Corporation		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166	
5. Designated Facility Name and Site Address		6.		D. Transporter's Phone (305) 477-7497	
				E. Dade County ID SW-01124 LW-00227 LV-00233	
				F. Facility's Phone	
7. Waste shipping & name description		8. Containers		9. Total Quantity	10. Unit Wt./Vol
HM		No. Type			
COMBUSTIBLE LIQUID, N.O.S. 3. NA 1993 PGIII (USED OIL)				275	
USED OIL FILTERS		1 Drum		55	
COMBUSTIBLE LIQUID, N.O.S. 3. NA 1993 PGIII (OILY WATER)					
OTHER: SPECIFY					
H. Additional Descriptions for Materials listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1 1/2% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due <i>\$72.50</i>	
12. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are all in respects in proper condition for transport by highway according to applicable international and national government regulations. I also confirm that the contents of this consignment contains no hazardous materials. (In the event that these products/material are found to be hazardous, I accept the responsibility for its proper disposal under Federal and State Regulations, including any contamination caused through commingling.)		Signature <i>Samuel...</i>		Month Day Year <i>08 28 06</i>	
13. Transporter 1 Acknowledgment of Receipt of Materials		Signature <i>George L. V...</i>		Month Day Year <i>08 28 06</i>	
14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest		Signature		Month Day Year	
Printed Typed Name		Signature		Month Day Year	
Below 1000 ppm		Halogen Levels		Above 1000 ppm	

Dear Generator: The following chemicals contain hazardous substances which when mixed with used oil reduces the recycling potential and can cause harmful effects to the environment.

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Motor Oil - Diesel Fuel - Grease - Brake Fluids - Hydraulic Fluids - Transmission Fluids

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WHITE - Original YELLOW - Transporter PINK - Transporter GOLDENROD - Generator

ade
477-7497

EMC Oil Corporation
P.O. Box 520882 - Miami, FL 33186

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UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address MOTO VALLE CAR REPAIR		PO#		A. Manifest Document # 115170		
2. Generator's Phone (305) 354-1754		County of Origin (DADE)		B. Generator's ID #'s EPA _____ STATE _____		
3. Transporter 1 Company Name EMC Oil Corporation		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166		
5. Designated Facility Name and Site Address 8470 N.W. 68th Street, Miami, FL 33166		6.		D. Transporter's Phone (305) 477-7497		
				E. Dade County ID SW-01124 LW-00227 LW-00233		
				F. Facility's Phone		
7. Waste shipping & name description		8. Containers		9. Total Quantity	10. Unit Wt./Vol	
HM		No. Type			11. Price	
					G	
					CHARGES	
GENERATOR	X COMBUSTIBLE LIQUID, N.O.S. 3, NA 1993 PGII (USED OIL)		1	SSSSSC		N/C
	USED OIL FILTERS					
	COMBUSTIBLE LIQUID, N.O.S. 3, NA 1993 PGII (OILY WATER)					
	OTHER: SPECIFY					
H. Additional Descriptions for Materials Listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1 1/4% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due Please pay on this invoice within 15 days. Thank you.		
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TRANSPORT	Printed Typed Name X FERNANDO VALETO		Signature <i>[Signature]</i>		Month Day Year 8 24 06	
	13. Transporter 1 Acknowledgment of Receipt of Materials					
	Printed Typed Name PEDRO L. LEON		Signature <i>[Signature]</i>		Month Day Year 8 24 06	
FACILITY	14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.					
	Printed Typed Name <i>[Signature]</i>		Signature <i>[Signature]</i>		Month Day Year 8 24 06	
Below 1000 ppm		Halogen Levels		Above 1000 ppm		

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WHITE - Original YELLOW - Transporter PINK - Transporter GOLDENROD - Generator

Jade
(305) 477-7497

EMC Oil Corporation
P.O. Box 520882 - Miami, FL 33153

Toll Free
(800) 344-8688



UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address STONEYS GARAGE 5856 COMMERCE CANE, S. MIAMI, FL 33143		PO#		A. Manifest Document # 115215	
2. Generator's Phone (305) 666-8172		County of Origin (DADE)		B. Generator's ID #'s EPA _____ STATE _____	
3. Transporter 1 Company Name EMC Oil Corporation 8470 N.W. 68th Street, Miami, FL 33166		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166	
5. Designated Facility Name and Site Address		6.		D. Transporter's Phone (305) 477-7497	
				E. Dade County ID SW-01124 LW-00227 LW-00233	
				F. Facility's Phone	
7. Waste shipping & name description		8. Containers		9. Total Quantity	10. Unit Wt./Vol
HM		No. Type			
X COMBUSTIBLE LIQUID, N.O.S. 3, NA 1993 PGIII (USED OIL)		1 00		2009L	
USED OIL FILTERS					
COMBUSTIBLE LIQUID, N.O.S. 3, NA 1993 PGIII (OILY WATER)					
OTHER: SPECIFY					
H. Additional Descriptions for Materials Listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1 1/2% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due Please pay on this invoice within 15 days. Thank you.	
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Printed Typed Name X		Signature X		Month Day Year 8 25 06	
13. Transporter 1 Acknowledgment of Receipt of Materials					
Printed Typed Name PEDRO L. LEON		Signature <i>[Signature]</i>		Month Day Year 8 25 06	
14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.					
Printed Typed Name		Signature		Month Day Year	
Below 1000 ppm		Halogen Levels		Above 1000 ppm	

Dear Generator: The following chemicals contain hazardous substances which when mixed with used oil reduces the recycling potential and can cause harmful effects to the environment.

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WHITE - Original **YELLOW** - Transporter **PINK** - Transporter **GOLDENROD** - Generator

Page
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UNIFORM WASTE TRANSPORTERS MANIFEST

NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address ORSENIGO FARM STATE RD 827 BROWN FARM RD, BELLE GLADE F		PO#		A. Manifest Document # 16621			
2. Generator's Phone (561) 996-6469		County of Origin (PALM BEACH)		B. Generator's ID #'s EPA _____ STATE _____			
3. Transporter 1 Company Name EMC Oil Corporation		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166			
5. Designated Facility Name and Site Address		6.		D. Transporter's Phone (305) 477-7497			
				E. Dade County ID SW-01124 LW-00227 LW-00233			
				F. Facility's Phone			
7. Waste shipping & name description		8. Containers		9. Total Quantity	10. Unit Wt./Vol	11. Price	G
HM		No. Type					CHARGES
PETROLEUM OIL NA 1270 PGH (USED OIL)				100g		0.00	nk
PETROLEUM OIL NA 1270 PGH (OILY WATER)						0.65	
PETROLEUM OIL NA 1270 PGH (RADIATOR FLUID)						0.65	
H. Additional Descriptions for Materials Listed Above		I. Total Due					
WAIT FOR MONGO TO GO 1 ST nk		nk		Please pay on this invoice within 15 days. Thank you.			
12. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are all in respects in proper condition for transport by highway according to applicable international and national government regulations. I also confirm that the contents of this consignment contains no hazardous materials. (In the event that these products/material are found to be Hazardous, I accept the responsibility for its proper disposal under Federal and State Regulations, including any contamination caused through commingling.)							
Printed Typed Name Steven Abard		Signature [Signature]		Month 8		Day 17	
13. Transporter 1 Acknowledgment of Receipt of Materials		Signature [Signature]		Month 8		Day 17	
Printed Typed Name SEGUNDO PEREZ		Signature [Signature]		Month 8		Day 17	
14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.		Signature [Signature]		Month 8		Day 17	
Printed Typed Name		Signature		Month 8		Day 17	
Below 1000 ppm		Halogen Levels		Above 1000 ppm			

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WHITE - Original YELLOW - Transporter PINK - Transporter GOLDENROD - Generator

E.M.C. OIL CORPORATION

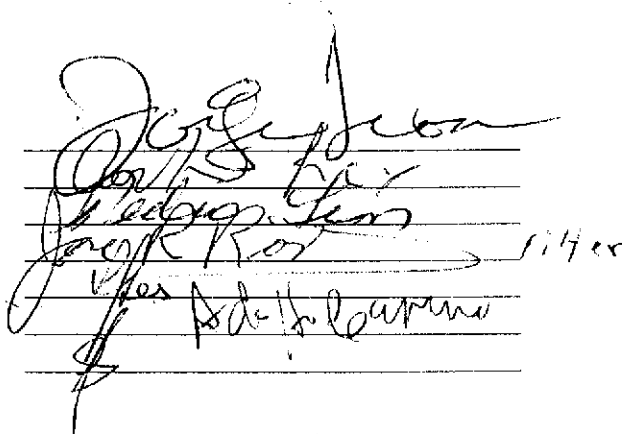
SAFETY MEETING ATTENDANCE SHEET

Date: August 17, 2006

Topic (s): Holgers

DRIVERS:

Jorge E. Leon
Carlos J. Leon
Pedro Leon
Jose R. Rodriguez
Segundo Perez
Adolfo Carrera
Hector Diaz



The handwritten signatures are written over horizontal lines. The names are: Jorge E. Leon, Carlos J. Leon, Pedro Leon, Jose R. Rodriguez, Segundo Perez, Adolfo Carrera, and Hector Diaz. The signature for Hector Diaz is written as 'Hector'.

**WAREHOUSE
PERSONNEL:**

Jose P. Perez
Jose I. Diaz
Alfredo Garcia
Leandro Diaz
Daniel Fernandez

**OFFICE
PERSONNEL:**

Maria E. Leon
Nancy Otero
Helys J. Solana
Evelyn Leon
Dagmary Tejera



SAFETY MEETING ATTENDANCE SHEET

Date: July 14, 2005
Topic: Labelling, Trans of Haz, Non Haz Prof, Pexil Test

JORGE LEON

Jorge Leon - driver

CARLOS LEON

Carlos Leon - driver

PEDRO LEON

Pedro Leon - driver

JOSE R. RODRIGUEZ

Jose R. Rodriguez - Filler truck

HECTOR DIAZ

Hector Diaz - delivery tractor trailer

JOSE I. DIAZ

Jose I. Diaz - warehouse

ALFREDO GARCIA

Alfredo Garcia - warehouse

LEANDRO DIAZ

Leandro Diaz - warehouse

ADOLFO CABRERA

Adolfo Cabrera - driver

SEGUNDO PEREZ

Segundo Perez - driver

~~ANDREZ ALVAREZ~~

~~Not employed - deleted~~

DAGMARYS TEJERA

N/A

NANCY OTERO

N/A

MARIA LEON

Maria Leon

HELYS J. SOLANA

N/A

TOPICS TO DISCUSS AT MEETING

A. CARELESS DRIVING

- Be Alert
- Always work in teams
- Be extra careful when backing out of a customer's business look back for pedestrians, automobiles, etc.
- Insurance rates are super high due to careless driving

B. DEXTEL TESTINGS ON CUSTOMERS

- Customer needs profile for non haz waste oil on file.
- A one time Dex test needs to be performed and documented.
- A one time testing fee, if applies \$20.00 needs to be charged to customers.
- Drivers need to make sure they carry various Dex Test Kits in their trucks at all times.
- Properly document each test.
- Train new drivers about Dex Testing Kits.

C. DRUM LABELLING

- Labelling drums is of great importance.
- Before the drums are unloaded at EMC, they need to be properly labeled with their contents.
- Violations are outrageous for failure to do so.

D. HAZARDOUS WASTE TRANSPORTATION AND STORAGE

- We do not store hazardous waste for more than 24 hours
- Drivers before they pick up hazardous waste needs to communicate with George that that waste will be immediately taken (within 24 hours) to the haz waste disposal facility.
- If you know that it will not be taken within 24 hours, haz waste needs to be rescheduled
- Violations are outrageous for failure to do so.

AS ALWAYS, SAFETY IS OUR #1 PRIORITY!

E.M.C. OIL CORPORATION

SAFETY MEETING ATTENDANCE SHEET

Date: 8-3-06
Topic: Driver Training

JORGE LEON

Angel Leon

CARLOS LEON

PEDRO LEON

Pedro Leon

JOSE R. RODRIGUEZ

Jose R Rodriguez (Fitter truck)

HECTOR DIAZ

JOSE L. DIAZ

warehouse

ALFREDO DIAZ

warehouse

LEANDRO DIAZ

warehouse

ADOLFO CABRERA

Adolfo Cabrera

SEGUNDO PEREZ

Segundo

DAGMARYS TEJERA

office

NANCY OTERO

office

MARIA E. LEON

Maria E. Leon

HELYS J. SOLANA

office

DANIEL FERNANDEZ

warehouse

EVELYN LEON

office

JOSE P. PEREZ

warehouse

RENE RODRIGUEZ

N/A

TOPICS TO DISCUSS AT MEETING

1. **Snifers:** Snifers must be used on all pick ups. You need to make sure that you mark the manifests before you sign them and give a copy to our customers.
2. **Dexsil Testing:** Dexsil testing must be done when there is suspicion of bad waste. If there is a suspicion of bad waste. Drivers need to know about the "comments" box regarding halogen testing.

One of the examples of visual suspicion of "bad waste" is when you arrive at the customer and you see containers labeled "haz waste" or your knowledge tells you that those said containers contained paint, mineral spirits, gasoline, etc.

3. **Manifests:** It is required that you mark your manifests "below 1000 ppm or above 1000 ppm" before you load the waste into the truck and give a copy to the customer.

If it is above 1000 ppm remember you do not pick it up as it indicates a hazardous waste.

4. **Residue Papers:** Drivers need to have residue papers on the trucks at all times on the last pick up. This is very important.
5. **Responsibility:** You as the driver are responsible for what materials you pick up. Therefore, it is very important to assure yourselves of what it is you are transporting.



Jeb Bush
Governor

Department of Environmental Protection

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

SEP 13 2006

Ms. Maria Perez-Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152

Miami-Dade County
HW- E.M.C. Oil Corp.

RE: Hazardous Waste Compliance Evaluation Inspection at E.M.C. Oil Corp.,
8470 NW 68th St., Miami, Florida, EPA ID# FLR000000166

Dear Ms. Perez-Leon:

On August 16, 2006, the Department conducted a hazardous waste and used oil compliance evaluation inspection at your facility. The facility appears to be a Transporter of hazardous waste and used oil and a Transfer Facility for used oil. The inspection also found possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730 and 62-710 Florida Administrative Code (F.A.C.) regarding management of hazardous waste and used oil. Enclosed, please find the Transporter checklist used to determine compliance at your facility. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 263 and 279 as adopted in Chapter 62-730 and 62-710, F.A.C.

The Department has reviewed the documents received on September 1, 2006, in response to our exit interview. It appears that your facility has returned to compliance. Please note that next time there are any violations pertaining to halogen screening there will be penalties associated.

This will conclude the Department's investigation into this matter, however, please be advised that the State will continue to conduct random and unannounced compliance evaluation inspections in the future.

If you have any questions about the inspection or any other compliance related issues, please contact Ms. Michelle Matejka at 561/681-6718. Thank you for your cooperation.

Sincerely,

Steve Brown
Supervisor
Hazardous Waste Compliance/Enforcement Section

cc: West Palm Beach DEP Files

Roberto Abrahante, Miami-Dade County Department of Environmental Resources
Management (DERM)

"More Protection, Less Process"

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Jeb Bush
Governor

SEP 13 2006

Department of Environmental Protection

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. Inspection Report: ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting

Facility Name: E.M.C Oil Corp. DEP/EPA ID#: FLR000000166

Address: 8470 NW 68th St., Miami, FL 33166

County: Miami-Dade Phone: (305)477-7497 Date: 7/13/2006 Time: 10:15am

Type of Facility:

Generator

☐ Conditionally Exempt

☐ Small

☐ Large

☐ Non-Handler

☒ Used Oil

Storage

☐ Container

☐ Tank

☐ Waste Pile

☐ Surface Impoundment

Treatment

☐ Tank

☐ Land Treatment

☐ Thermal

☐ Chem/Phys/Bio.

☐ Incinerator

☐ Surface

Transporter

☒ Transporter

☒ Transfer Station

Disposal

☐ Landfill

☐ Surface Impoundment

☐ Waste Pile

2. Applicable Regulations:

☐ 40 CFR 261.5 ☐ 40 CFR 262 ☒ 40 CFR 263 ☐ 40 CFR 264

☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official:

Ms. Maria Perez-Leon, President

4. Survey Participants & Principal Inspector:

E.M.C Oil Corp.: Ms. Perez-Leon

DEP: Michelle Matejka, Debbie House

5. Facility Latitude: 25° 52' 00.36" ?? Longitude: 80° 18' 49.26"??

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No

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USED OIL TRANSPORTER CHECKLIST

Facility Name: E.M.C. Oil Corp.

Date: 8/16/06

Facility Representative: Maria Perez-Leon

Facility ID : FLR000000166

Inspector: M. Mateika, D. House

40 CFR 279 Subpart E -- Transporter Standards

1. Is the facility exempt under any of the following? (279.40(a)) Y N X
- On site transport?
- Generator transporting < 55 g /time to a collection center?
- Transporter of < 55 g /time from generator to aggregation point owned by same generator ?
2. If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous) N/A X Y N
3. Does the transporter process used oil incidental to transport? (279.41) Y N X
- Are any residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? N/A Y N
- If not, has the transporter conducted a hazardous waste determination? (279.10(e)) N/A Y N
4. Has the facility notified of used oil activities? Check EPA form 8700-12 Y X N
5. Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID Numbers, or to on-specification oil burners? (279.43(a)) Y X N
6. Does the transporter comply with DOT requirements? (279.43(b)) Y X N
7. If any oil is discharged during transport, does the transporter: (279.43(c))
- Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable? Y X N
- Report to DOT in writing per 49 CFR 171.16? Y X N
- Clean up any discharges until the discharge poses no threat? Y X N
8. Does the facility also transport used oil filters? Y X N
- If so, are the filters stored in above ground containers which are: (62-710.850(6))
- In good condition? Y X N
- Closed or otherwise protected from weather? Y X N
- Labeled "Used Oil Filters"? Y X N
- Stored on an oil impervious surface? Y X N

Facility Name: E.M.C. Oil Corp.

Date: 8/16/06

Transporter Recordkeeping - 279.46

1. Do used oil acceptance records include: (279.46(a))

Name & Address of facility providing the oil for transport?

Y X N

EPA ID # of oil provider (if applicable)?

Y X N

Quantity of oil shipped?

Y X N

Date of shipment?

Y X N

Signature of oil provider, dated upon receipt?

Y X N

2. Do used oil delivery records include: (279.46(b))

Name & Address of receiving facility or transporter?

Y X N

EPA ID # of receiving facility or transporter?

Y X N

Quantity of oil delivered?

Y X N

Date of delivery?

Y X N

Signature of oil receiver, dated upon receipt?

Y X N

3. Do the above records also include state required information on the type of oil and destination or end use? (62-710.510(1)(c & e))

Y X N

4. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1))

Y X N

5. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520)

Y X N

If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)?

Y N

7. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2))

Y X N

Transporter Certification (62-710 F.A.C.)

1. Is the transporter certified? (local governments, and < 55g/time transporters are exempt) (62-710.600)

Y X N

2. Does the facility maintain training records? (62-710.600(2)(c))

Y N X

(A compiled list of training records missing, violation corrected 9/1/06)

3. Does the facility maintain insurance or financial assurance of \$100,000 combined single limit? (62-710.600(2)(d))

Y X N

4. Is the facility registration form and ID number displayed? (62-710.500)

Y X N

Facility Name: E.M.C. Oil Corp.

Date: 8/16/06

Transfer Facility Standards - 279.45

- 1 Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F

N/A Y X N

Is the transfer facility registered per 62-710.500(1)(a) F. A. C.?

Y X N

- 2 Does the transporter determine whether used oil stored at a transfer facility has a total halogen content above or below 1,000 ppm?

Y X N

Is this done by testing?

Y X N

Is this done by process knowledge? Describe basis in narrative.

Y N X

Are test records or copies of records providing basis for determination kept for 3 years?

Y N X

(Halogen screening not being recorded on delivery records, corrected 9/1/06)

- 3 Have any analyses showed exceedances of the 1,000 ppm level?

Y N X

If so, was the oil managed as hazardous waste?

Y N

If not, was the oil exempt? Describe in narrative.

N/A Y N

- 4 Is used oil stored only in tanks or containers? (Circle applicable units)

Y X N

- 5 If the facility has tanks, do they comply with 62-761 and 62.762 F. A. C rules? (Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)

Y X N

Is secondary containment provided and adequate?

Y X N

- 6 Are containers, and tank trailers in good condition and not leaking?

Y X N

- 7 Are containers provided with secondary containment consisting of walls and floor at a minimum?

Y X N

Is the containment system impervious to oil so as to prevent migration?

Y X N

- 8 Are ASTs, UST tank fill lines and containers labeled "used oil?"

Y X N

- 9 Are used oil filters stored more than 10 days?

If so, is the facility a registered used oil filter transfer facility? (62-710.850) N/A Y N X

- 10 Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?

Y X N



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Date: 305-477-7497

Toll Free: 1-800-344-8688

Via Facsimile #561-681-6770

August 28, 2006

Department of Environmental Protection
Michelle Matejka
400 N. Congress Ave.
Suite 200
West Palm Beach, FL 33401

Re: E.M.C. Oil Corp. 8470 NW 68th Street, Miami, FL 33166

Dear Ms. Matejka:

Please be advised I am requesting to be provided with a 5 day extension to respond to your Notice of Potential Hazardous Waste Non-Compliance letter, because of hurricane Ernesto preparedness as stated in a telephone message left to you on 08/28/06 am.

Thanking you in advance I remain,

Sincerely,

Maria E. Leon
E.M.C. Oil Corp.

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME <i>Environmental Management</i>		TYPE OF INSPECTION: <i>Conservation</i>	
ADDRESS <i>8470 NW 68th St</i>		CITY <i>Miami</i>	STATE <i>FL</i>
EPA ID NUMBER <i>FLR000000166</i>		DATE OF INSPECTION <i>8-14-06</i>	PAGE <i>1</i>
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input type="checkbox"/> NO		ZIP CODE <i>33164</i>	

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☒ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|--|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA <i>Managing Used Oil</i> | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA <i>Understanding the Hazardous Waste Rules</i> | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA <i>Notification of Regulated Waste Activity</i> | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS
Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- 1) Halogen screening must be documented on used oil acceptance records
- 2) provide training documentation showing who was trained + when
- 3) Batteries sent for disposal should be collected using a hazardous waste manifest


OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 14 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as **"INSPECTOR"**, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Michelle Matejka at (561) 681-~~6800~~⁶⁷¹⁸

"INSPECTOR" (signature): Michelle Matejka Date: 8-16-06

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: 	PRINTED NAME: <u>Maria E. Leon</u>
TITLE: <u>Pres</u>	DATE: <u>8-16-06</u>



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

RECEIVED

OCT 3 - 2005

**DEPT OF ENV PROTECTION
WEST PALM BEACH**

September 30, 2005

Department of Environmental Protection
~~Kathy Winston~~, Environmental Manager
Southeast District
400 N. Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Florida 33166

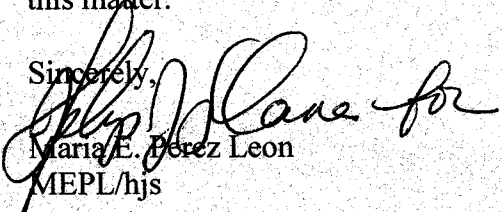
Dear Ms. Winston:

As per your letter dated September 9, 2005, enclosed please find the following:

1. A copy of our new manifest documenting halogen screening; and
2. A photograph of our board where we write our hazardous waste pickups and which is a procedure we use to prevent hazardous waste from being stored for longer than allowed.

Should you have any questions, kindly contact me. Thank you for your cooperation in this matter.

Sincerely,


Maria E. Perez Leon
MEPL/hjs

Enclosures

cc: Mr. Steven Brown

Mango N.W./Hiialeah/N.E.

- ✓ Rubio Truck Repair
- ✓ Ideal Tree Service
- ✓ BJ Auto Repair
- ✓ Performance Tree
- ✓ Grove Key Marina
- ✓ Key Colony H.O.A. — FRIDAY
- ✓ Southwest Marine
- ✓ Maradone Collision
- ✓ M.D. County G.S. (9101 N.W. 25 ST)
- ✓ Lehman Buick
- ✓ I.B.C. Airways

TOYS FOR CARS

S.W. Homestead

- ✓ Auto Electric Service
- ✓ Amaro Landscaping
- ✓ M + F Cabrera
- ✓ Carl Pelt + Son
- ✓ Ornamental Nursery
- ✓ Speedy Transmission
- ✓ Panama Automotive
- ✓ M.D. Transit 2775 S.W. 74 Ave
- ✓ Shell (7748 Coral Way)
- ✓ Everglades Lumber

Hazardous Waste Pickups

Broward

- ✓ MK Brakes
- ✓ Dolphin Auto
- ✓ Alex Auto Repair
- ✓ Shell Kipio Lube (TWO PMS)
- ✓ Shell (3425 S. St. Rd 7)
- ✓ Sample Sunoco

Belle Glade

West Coast

- ✓ So. Fl. Excavation
- ✓ Marco Island Equip
- ✓ George + Sons

Key West

Dade
(305) 477-7497

EMC Oil Corporation
P.O. Box 520882 - Miami, FL 33152

RECEIVED
OCT 3 - 2005
Toll Free
(800) 344-8688
DEPT OF ENV PROTECTION
WEST PALM BEACH



UNIFORM WASTE TRANSPORTERS MANIFEST
NO HAZARDOUS MIXTURES ACCEPTED - READ BOTTOM OF MANIFEST



1. Generator's Name and Mailing Address		PO#		A. Manifest Document #	
2. Generator's Phone ()		County of Origin ()		B. Generator's ID #'s EPA STATE	
3. Transporter 1 Company Name EMC Oil Corporation		4. US EPA ID Number FLR000000166		C. State Transporter's ID FLR000000166	
5. Designated Facility Name and Site Address		6.		D. Transporter's Phone (305) 477-7497	
				E. Dade County ID SW-01124 LW-00227 LW-00233	
				F. Facility's Phone	
GENERATOR	7. Waste shipping & name description		8. Containers		9. Total Quantity
	HM		No. Type		10. Unit Wt/Vol
					11. Price
					G
					CHARGES
H. Additional Descriptions for Materials Listed Above		IMPORTANT: Payment due upon receipt of invoice. A service charge of 1.5% (18% per annum) will be charged on over 30 days past due balance in the event it shall become necessary to collect the herein above sums or any part thereof, the purchaser agrees to pay all the replaceable cost thereof.		I. Total Due Please pay on this invoice within 15 days. Thank you.	
12. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in respect to in proper condition for transport by highway according to applicable international and national government regulations. I also confirm that the contents of this consignment contains no hazardous materials.					
Printed Typed Name		Signature		Month Day Year	
TRANSPORTER	13. Transporter 1 Acknowledgment of Receipt of Materials				
	Printed Typed Name		Signature		Month Day Year
FACILITY	14. Facility Owner or Operator: Certification of receipt of waste material covered by this manifest.				
	Printed Typed Name		Signature		Month Day Year
Below 1000 ppm		Halogen Levels		Above 1000 ppm	

Dear Generator: The following chemicals contain hazardous substances which when mixed with used oil reduces the recycling potential and can cause harmful effects to the environment.

DO NOT MIX WITH USED OIL

Antifreeze - Freon - Solvents - Thinner - Degreasers - Detergents - Cleaners - Radiator Fluid - Lead Gasoline - Cutting Oil

CAN MIX WITH USED OIL

Motor Oil - Diesel Fuel - Grease - Brake Fluids - Hydraulic Fluids - Transmission Fluids

These lists are based on current information and may be expanded as more data becomes available. THANK YOU

WHITE - Original **YELLOW** - Transporter **PINK** - Transporter **GOLDENROD** - Generator



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RECEIVED
OCT 3 - 2005
DEPT OF ENV PROTECTION
WEST PALM BEACH

September 30, 2005

Department of Environmental Protection
Kathy Winston, Environmental Manager
Southeast District
400 N. Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Florida 33166

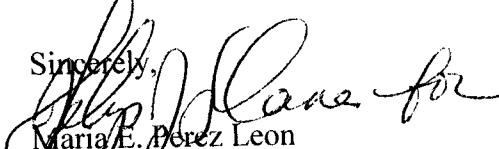
Dear Ms. Winston:

As per your letter dated September 9, 2005, enclosed please find the following:

1. A copy of our new manifest documenting halogen screening; and
2. A photograph of our board where we write our hazardous waste pickups and which is a procedure we use to prevent hazardous waste from being stored for longer than allowed.

Should you have any questions, kindly contact me. Thank you for your cooperation in this matter.

Sincerely,


Maria E. Perez Leon
MEPL/hjs

Enclosures

cc: Mr. Steven Brown



Department of Environmental Protection

Jeb Bush
Governor

SEP 9 - 2005

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Maria Perez Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152

Miami-Dade County
HW- E.M.C. Oil Corp.

Re: E.M.C. Oil Corp., 14760 NW 22nd Street, Miami, Florida, EPA ID Number: FLR000000166

Dear Ms. Leon:

The Department has received your letter dated August 29, 2005 in response to the July 19, 2005 Enforcement Meeting. The letter is not sufficient to document corrective actions. Please provide the following documentation within 7 days of receipt of this letter:

1. An example, such as a copy, of the new manifest to be used to document the halogen screening. If you do not have an example of the new manifest yet, please demonstrate how E.M.C. Oil Corp. is currently meeting the requirement to document the screening.
2. Tracking hazardous waste containers transported on your tracking board in red is acceptable to the Department provided E.M.C. Oil Corp. is confident this procedure will prevent hazardous waste from being stored for longer than allowed. However, please provide documentation, such as a photograph, of the board to document compliance.
3. The contingency plan you have provided appears to meet the requirements for your facility.

Additionally, the Department agrees to allow for a monthly payment plan for up to six months for the amount of \$10,000.00 plus \$500.00 for costs and expenses. If E.M.C. Oil Corp. finds this unacceptable, judicial enforcement remains an option. Thank you in advance for your cooperation. If you have any questions, Please contact Stephen Brown at (561) 681-6722.

Sincerely,

Kathy Winston
Environmental Manager, Hazardous Waste C&E
Florida Department of Environmental Protection
Southeast District Office

KW/sb

cc: West Palm Beach, DEP File
Mike Redig, DEP Tallahassee, MS # 4560
Laurie DiGaetano, EPA Region IV
Roberto Abrahante, Miami-Dade DERM

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Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED

AUG 30 2005

DEPT OF ENV PROTECTION
WEST PALM BEACH

August 29, 2005

Mr. Steven Brown
Department of Environmental Protection
400 N. Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Florida

Dear Mr. Brown:

Enclosed please find a copy of the original letter that was initially going to be sent to Mr. Jeff Curtis after the Consent Order was received.

Should you have any questions, please feel free to contact me.

Sincerely,

Maria E. Perez Leon
MEPL/hjs



E.M.C.
OIL CORP.
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P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

July 25, 2005

Mr. Jeff Curtis
Department of Environmental Protection
400 N. Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Florida

Dear Mr. Curtis:

In accordance with our meeting on Tuesday, July 19, the following is a list of the items we will be implementing within the next couple of months:

1. Used Oil Screening – We will immediately begin stating in our current manifest that the generator's used oil was either less than 1000 PPM or above 1000 PPM. Our printing company has already been notified as to what to add to our new manifests as soon as we run out of our recently ordered manifests.
2. As stated in our Contingency Plan, before a hazardous waste pick up takes place, the generator must fill out a Hazardous Waste Profile detailing what type of hazardous waste is contained in the drum. Once approved by the disposal facility and given an approval number for that particular waste, it is then scheduled for E.M.C. to transport the drum from the generator to the disposal facility. Hazardous Waste pick ups are always accompanied by a Hazardous Waste Manifest signed by the generator and our driver specifying the approval number for that waste. E.M.C.'s hazardous waste pick ups are arranged Monday through Thursday. Effective immediately we will closely track our hazardous waste pick ups by putting them on our board (in red) and our Environmental Department has been trained to follow closely on these pick ups to assure proper transportation and disposal within 24 hour period.
3. Our Contingency Plan is being reviewed by your department and changes to the plan will be implemented within a 60 day period. As soon as the Plan is completed, we will mail you a copy for your review and/or suggestions.

In addition, after careful consideration of the violations imposed regarding the inspection on May 10, 2005 and review of our finances, \$8,000.00 is a fair offer and will not be a burden on our company's financial status and therefore should suffice the fines imposed.

I am requesting that this \$8,000.00 fine be acceptable in two monthly installments. On August 20, 2005 you will receive the first payment of \$4,000.00 and on September 20, 2005 final payment of \$4,000.00.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maria E. Perez Leon', with a stylized flourish at the end.

Maria E. Perez Leon
MEPL/hjs



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

MEMORANDUM

Date: May 12, 2005

To: George, Jose Rodriguez, Dagmarys & Helys
(Hazardous Waste Department)

From: Maria E. Perez Leon

Re: Reminder of Hazardous Waste regulations

Please be reminded that we have a Hazardous Waste Transporter License that allows us to transport hazardous waste from our customers to a disposal facility within 24 hours. Therefore, these hazardous waste pick ups, under no circumstances, can be allowed to stay at our facility for more than 24 hours. With this in mind, our hazardous waste pick ups are only Monday through Thursday. There are no Friday pick ups.

This will be strictly enforced.

Should you have any questions, please feel free to see me.

Thank you.

Maria E. Perez Leon



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

MEMORANDUM

Date: May 12, 2005

To: Our Drivers & Warehouse Personnel

From: Maria E. Perez Leon

Re: Proper Labeling

Please be reminded that it is imperative that all drums you pick up must be labeled properly before it gets picked up. In addition, all drums at our facility must have its label on it with its content at all times.

Thank you.

Maria E. Perez Leon

Es muy importante que ustedes preparen un "label" a todos los tanques antes de recojerlo del cliente. Tambien los tanques en nuestra compania tienen que tener su label y lo que contienen todo el tiempo.

Gracias.

Maria E. Perez Leon

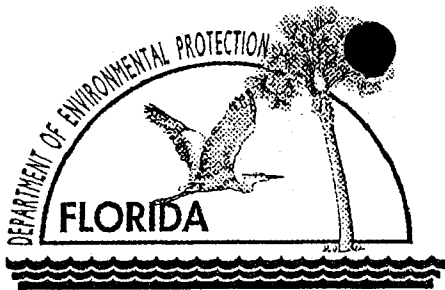


PROGRAM: Hazardous Waste
Card

Hazardous Waste

VOICE POINT:

[illegible]



MEETING DOCUMENTATION

Attendees: (see attached sheet)	Location: FDEP Southeast District	Date/Time: 7/19/05 10:00 a.m.
------------------------------------	--------------------------------------	----------------------------------

Meeting Requested by: Maria Leon E.M.C Oil Corp.

Meeting Objectives: TO discuss compliance issues and
warning letter resulting from may 10, 2005 inspection of
the facility. Also, to obtain a schedule relating to these
issues being settled.

Notes:

Department personnel informed Mrs. Leon & Mr. Vincent that
this action was being taken due mainly to the fact that EMC had stored HW
longer than allowable 24 hrs. at its' facility. EMC agreed and stated it was because of
employee oversight. Also, EMC did not document halogen screening on acceptance records
for used oil pick ups. Dept. informed EMC that new used oil rules came on line in June
requiring SOP & training documentation for halogen screening, notation on acceptance records,
insurance liability and a copy of these rules were provided to EMC.

Agreements/conclusions: Agreed that HW was stored longer than allowable period -
EMC has put a person in charge of oversight on this matter. Dept. suggested a los of HW
pick ups to ensure delivery to PermaFix within 24 hrs. - EMC agreed to institute one.
EMC agreed to present an offer to settle penalties within 7 days of meeting.
EMC also agreed to submit plans for SOP's on halogen screening, training, HW los
at this time also. EMC stated that already has liability coverage complying with
new rules

Follow-up Actions/Dates: By 7/26/05 EMC will present offer to settle
and provide plans to comply with (62-710.606), used oil halogen
screening rules.

Prepared by: Jeff Curtis

mtdocnot



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

JUN 24 2005

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

WARNING LETTER #WL05-0137HW13SED

Ms. Maria Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152-0882

Miami-Dade County
HW- E.M.C. Oil Corp.

RE: Hazardous Waste Compliance Evaluation Inspection at E.M.C. Oil Corp., 8470 NW 68th St., Miami, FL. EPA ID#FLR000000166.

Dear Ms. Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste inspection was conducted at your facility on May 10, 2005. During the inspection, possible violations of Chapter 403, Florida Statutes (F.S.), Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, and Part 279, as adopted in Chapter 62-730, F.A.C., and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. Jeff Curtis of this office at 561/681-6756 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the Department's January 24, 2002 "Settlement Guidelines for Civil and Administrative Penalties" and the RCRA Civil Penalty Policy of June

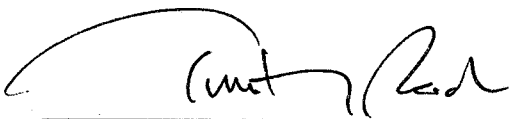
"More Protection, Less Process"

Printed on recycled paper.

2003, the penalty which would be proposed in this case is \$42,475.00 plus \$500.00 for administrative costs and expenses.

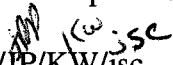
Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(5), F.S. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach cooperative settlement. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Kevin Neal
District Director
Southeast District
Florida Department of Environmental Protection

Date


KN/JP/KW/jsc

cc: West Palm Beach, DEP File
Michael Redig, DEP Tallahassee, MS # 4560
Laurie DiGaetano, EPA Region IV
Robert Abrahante, MDCDERM

BACKGROUND

On May 10, 2005, a compliance evaluation inspection was conducted at E.M.C. Oil Corporation, (EMC), 8470 NW 68th St., Miami, Florida. Mr. George Vicente, Manager, hosted the site inspection. Mr. George Vicente and Ms. Maria Leon, President; hosted the record review. Department personnel participating in the inspection were Mr. Jeff Curtis, and Mr. Stephen Brown of the Hazardous Waste Compliance/Enforcement Section.

EMC is a registered transporter of used oil, used oil filters, oily wastewater, absorbent material and hazardous waste. EMC has been operating at this location for approximately ten years, and has approximately 12 employees. The facility, where EMC is located, is owned by MEL Property Inc., 8470 NW 68 St., Miami, Florida, and appears to be connected to the city sewer system.

SITE INSPECTION

The property on which EMC is located has one building. The building is divided into offices with an attached garage, which is used for maintenance and small repairs. Located behind the main building is a work yard where the used oil, used oil filters, soiled rags are stored. The used oil is stored in a 8000 gallon storage tank; used oil filters, and soiled rags are stored in 55 gallon drums. Mr. George Vicente greeted the inspectors and escorted them through the facility. Upon entering the work yard, inspectors noted that there were 7 drums sitting next to an EMC truck that appeared to have recently been unloaded. One of these drums had a used oil filter label on it while the other 6 were unlabeled. Mr. Vicente stated that the labels had come off and that personnel were in the process of putting new labels on the drums. Inspectors inquired about EMC's procedure related to screening pick ups for halogens. Mr. Vicente stated that all trucks carry a sniffer, and a dexsil testing kit in them. He then proceeded to a truck and produced a sniffer along with a dexsil kit from the inside of this truck. All other drums in the yard were correctly labeled and covered. The 8000 gallon used oil tank was correctly labeled as "used oil", and there were a 3 more large storage tanks that were labeled "empty". The storage tank area is completely surrounded with secondary containment. Mr. Vicente told inspectors that used oil is taken to Rinker and various other asphalt plants. Used oil filters are completely drained and taken to U.S. Foundry.

RECORD REVIEW

The following records were requested for review: hazardous waste transport manifests, used oil transport manifests, and used oil filter transport manifests. Although primarily a used oil transporter, Mr. Vicente informed inspectors that EMC transports hazardous waste for some of their customers, and that the hazardous waste shipments are taken directly to Perma-Fix. While reviewing used oil manifests inspectors noted the lack of an area on the manifest for drivers to indicate that a halogen screening had taken place for that load, otherwise all used oil and used oil filter manifests reviewed were in order. While reviewing hazardous waste transport manifests inspectors noted that on 3 manifests there was a significant lapse in time between the pick up from the generator and the delivery to Perma-Fix. These were: manifest #05-010-pick up 2/17/05, deliver to Perma-Fix 3/4/05, manifest #04-075-pick up 10/14/04, deliver to Perma-Fix 11/3/04, manifest #04-043-pick up 10/1/04, deliver to Perma-Fix 10/11/04. Mr. Vicente stated that it was

possible that the driver was late and was not able to make the delivery to Perma-Fix. Inspectors asked where the hazardous waste was stored in these instances and Mr. Vicente stated that it was probably stored on the truck.

DEPARTMENT FINDINGS

EMC notified as a registered used oil transporter, and a hazardous waste transporter. However, during the normal course of business EMC held hazardous waste at its' facility beyond the allowable 24 hour period on three separate occasions. On two of these occasions hazardous waste was held in excess of the 10 day period allowable by a transfer facility. Therefore, EMC is subject to full regulation as a hazardous waste storage facility set forth under 40 CFR 264.

An exit interview was conducted during the inspection and the following areas of concern and potential violations were discussed:

- 1) Containers of used oil filters should be labeled with the words "used oil filters" at all times.
- 2) Used oil screening should be documented on acceptance records.
- 3) Hazardous waste should not be stored in trucks, or on-site for more than 24 hours according to the regulations pertaining to a hazardous waste transporter.

EMC responded to the exit interview on May 16, 2005 with a letter from Maria E. Perez Leon. It stated that containers of used oil filters are labeled with "Used Oil Filters" label as they are picked up, or are labeled by EMC personnel as soon as they arrive at the facility. Also, that their drivers carry halogen detectors, and a Dexsil testing kit in their trucks at all times. Regarding hazardous waste, the letter states that EMC will schedule hazardous waste shipments to be taken to the disposal facility within 24 hours after it is picked up.

Used oil and hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's' capabilities, limitations, time constraints, and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 264.11

Failure to Notify

EMC failed to notify proper authorities about hazardous waste activities.

Ch. 62-730.240(1), F.A.C.

Storage of Hazardous Waste Without a Permit

EMC stored hazardous waste at its' facility without the proper permit.

40 CFR 264.51

Failure to Have a Contingency Plan

EMC failed to have a contingency plan on-site.

40 CFR 264.37

Failure to Make Arrangements With Local Authorities

EMC failed to make arrangements with local authorities regarding hazardous waste being stored at its' facility.

40 CFR 279.44

Failure to Follow the Rebuttal Presumption Procedures

EMC failed to follow the rebuttal presumption procedures for used oil.

CORRECTIVE ACTIONS

40 CFR 264.11

Failure to Notify

Effective immediately, EMC should notify the Department as a hazardous waste storage facility, or cease storing hazardous waste at its' facility for more than the allowable 24 hour period.

Ch. 62-730.240(1), F.A.C.

Storage of Hazardous Waste Without a Permit

Effective immediately, EMC should obtain the proper permit for storage of hazardous waste, or cease storing hazardous at its' facility.

40 CFR 264.51

Failure to Have a Contingency Plan

Effective immediately, EMC should implement a contingency plan, or cease storing hazardous waste at its' facility for more than the allowable 24 hour period.

40 CFR 264.37

Failure to Make Arrangements With Local Authorities

Effective immediately, EMC should make arrangements with local authorities regarding hazardous waste being stored at its' facility.

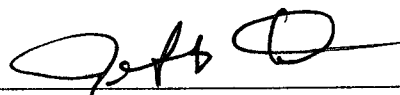
40 CFR 279.44

Failure to Follow the Rebuttal Presumption Procedures

Effective immediately, EMC should document used oil screening for every pick up on the acceptance records.

Please be advised that the findings in this report are based on the information available to the Department to date. Future information provided to the Department may affect the applicability of the citations referenced above and any pending agency action in accordance with Section 120.57(5), F.S.

Report prepared by:



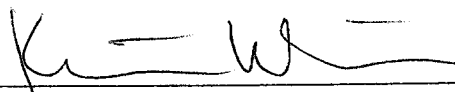
Date:

6/01/05

Jeff Curtis

Environmental Specialist

Report approved by:



Date:

6/11/05

Kathy Winston

Environmental Manager

Hazardous Waste Compliance/Enforcement Section

E.M.C. Oil Corporation
PENALTY JUSTIFICATION

Based upon Guidelines for Characterizing
RCRA Violations dated January 1999.

1. Regulation: 40 CFR 264.11

Failure to notify the proper authorities about hazardous waste activities.

Violation: E.M.C. failed to notify the Department as a Hazardous Waste Storage Facility.

Characterization of Violation:

Potential for Harm - Major

The potential for harm for failing to notify the proper authorities about hazardous waste activities is major.

Extent of Deviation - Major

The extent of deviation for failing to notify the proper authorities about hazardous waste activities is major.

Multi-day – Not Calculated
Economic Benefit – N/A
Adjustments - N/A

2. Regulation: Ch. 62-730.240(1), F.A.C.

Storage of hazardous waste without a permit.

Violation: E.M.C. stored hazardous waste at its' facility without having a permit.

Characterization of Violation:

Potential for Harm - Minor

The potential for harm for storing hazardous waste without a permit is minor.

Extent of Deviation - Major

The extent of deviation for storing hazardous waste without a permit is major.

Multi-day – Not Calculated
Economic Benefit – N/A

Adjustments - N/A

3. **Regulation:** 40 CFR 264.51

Failure to have a contingency plan.

Violation: E.M.C. failed to have a contingency plan on-site.

Characterization of Violation:

Potential for Harm - Moderate

The potential for harm for a storage facility failing to have a contingency plan is moderate.

Extent of Deviation – Major

The extent of deviation for failing to have a contingency plan is always major.

Multi-day – Not Calculated

Economic Benefit – N/A

Adjustments – N/A

4. **Regulation:** 40 CFR 264.37

Failure to make arrangements with local authorities.

Violation: E.M.C. failed to make arrangements with local authorities.

Characterization of Violation:

Potential for Harm – Minor

The potential for harm for failing to make arrangements with local authorities is always minor.

Extent of Deviation – Major

The extent of deviation for a permitted facility failing to make arrangements with local authorities is major.

Multi-day – Not Calculated

Economic Benefit – N/A

Adjustments – N/A

5. Regulation: 40 CFR 279.44

Failure of used oil handler to follow the rebuttal presumption procedures.

Violation: E.M.C. failed to follow the rebuttal presumption procedures to ensure that used oil is not a hazardous waste.

Characterization of Violation:

Potential for Harm – Moderate

The potential for harm for failing to follow the rebuttal presumption procedures is moderate.

Extent of Deviation – Major

The extent of deviation for failing to follow the rebuttal presumption procedures is always major.

Multi-day – Not Calculated

Economic Benefit – N/A

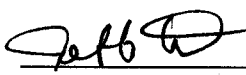
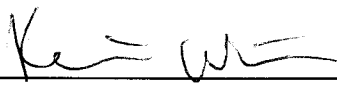
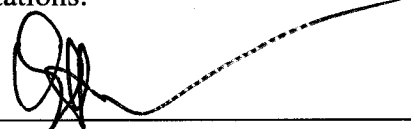
Adjustments – N/A

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Penalty Computation Worksheet

Company Name: E.M.C. Oil Corporation

Department Staff Responsible for the Penalty Computations:

  
Jeff Curtis Kathy Winston Stephen Brown

Date: May 31, 2005

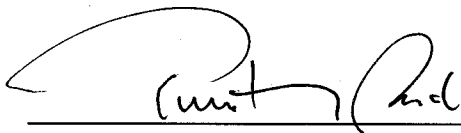
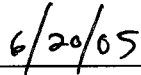
PART I - Class A Penalty Determinations*

<u>Alleged Violation Type</u>	<u>Potential for Harm</u>	<u>Extent of Dev.</u>	<u>Matrix Amount</u>	<u>Multi- day</u>	<u>Economic Benefit</u>
1. 40 CFR 264.11 Failure to Notify	Major	Major	\$24,750	N/A	N/A
2. Ch.62-730.240(1), F.A.C. Storage without permit	Minor	Major	\$900	N/A	N/A
3. 40 CFR 264.51 Contingency Plan	Moderate	Major	\$10,450	N/A	N/A
4. 40 CFR 264.37 Arrangements with authorities	Minor	Major	\$2,475	N/A	N/A
5. 40 CFR 279.44 Rebuttal presumption procedures	Moderate	Major	\$3,900	N/A	N/A

Total: \$42,475

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* All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Regulation Section's "Guidelines for Characterizing RCRA Violations" revised as of 4/18/95 and "Guidelines for Characterizing Used Oil Violations" revised as of 8/96. Certain violations require Potential for Harm Ranking System characterization and have been utilized where applicable. See Part III for each violation for which an adjustment or multi-day penalty is determined. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach a cooperative settlement.

 
for _____
Kevin Neal
District Director
Southeast District
Florida Department of Environmental Protection

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PENALTY COMPUTATION WORKSHEET

Part II - Multi-day Penalties and Adjustments

ADJUSTMENTS
Amount

Dollar

Good faith/lack of good faith prior to discovery:

Justification: _____

Good faith/lack of good faith after discovery:

Justification: _____

History of non-compliance:

Justification: _____

Economic Benefit of non-compliance:

Justification: _____

Ability to pay:

Justification: _____

Total Adjustments: _____

MULTI-DAY PENALTIES

DOLLAR AMOUNT

\$ _____

Number of days adjustment factor(s) to be applied:

EMC Oil Corp

PENALTY CALCULATION WORKSHEET

Part III - Other Adjustments Made After Meeting with the
Responsible Party

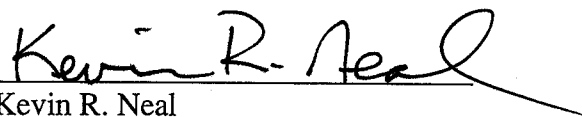
ADJUSTMENTS

Dollar Amount: 32,475.00

Relative merits of the case: _____

Resource considerations: _____

Other justification: In the interest of case resolution, District staff recommends penalty of \$10,000.00 plus \$500.00 in costs and expenses for a total of \$10,500.00



Kevin R. Neal
District Director
Southeast District



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

May 13, 2005

Florida Department of Environmental Protection
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401

RECEIVED
MAY 16 2005
DEPT OF ENV PROTECTION
WEST PALM BEACH

Re: Hazardous Waste inspection exit interview

Attn: Jeff Curtis

Dear Mr. Curtis:

The following is a description of all items that have been corrected:

1. Containers of used oil filters are labeled with "USED OIL FILTERS" label as soon as we pick up the drums. Otherwise, our personnel have been instructed to label the drums as soon as they arrive. As was the case with the ones mentioned in the report.
2. We will schedule the hazardous waste to be taken to the disposal facility within 24 hours after it is picked up.
3. Our drivers carry a Dexsil testing kit in their trucks at all times and Halogen Detectors.

Should you have any questions, please feel free to contact us.

Sincerely,

Maria E. Perez Leon

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME EMC Oil Corp		TYPE OF INSPECTION: CAV: <input type="checkbox"/> CEI: <input checked="" type="checkbox"/> CI: <input type="checkbox"/> OTHER: <input type="checkbox"/>	
ADDRESS 8470 NW 68th Street		CITY FL	STATE FL
EPA ID NUMBER FLR 000000166		DATE OF INSPECTION 5-10-05	PAGE 1 OF 2
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input type="checkbox"/> NO			

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☒ Training records § 262.34
- ☒ Contingency Plan § 262.34
- ☒ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|---|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA Managing Used Oil | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA Understanding the Hazardous Waste Rules | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA Notification of Regulated Waste Activity | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS

Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- Containers of used oil filters should be labeled with the words "used oil filters"
- Hazardous waste should not be stored in trucks unless EPA 913 or on-site unless Transfer Facility requirements are met.
- Used oil screening should be documented on acceptance records

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 7 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as "**INSPECTOR**", Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within 7 days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Jeff Curtis at (561) 681-~~6000~~ ⁶⁷⁵⁶

"INSPECTOR" (signature): Jeff JD Date: 5/10/05

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: <u>[Signature]</u>	PRINTED NAME: <u>Maria Leon</u>
TITLE: <u>Pres.</u>	DATE: <u>5-10-05</u>

E.M.C. OIL CORPORATION
P.O. Box 520882
Miami, Florida 33152-0882
Tel (305) 477-7497
Fax (305) 477-9410
Toll Free (800) 344-8688



FACSIMILE TRANSMISSION
Privileged & Confidential

DATE

2-5-04

TO

Stephen Brown

COMPANY

DFP

FAX NUMBER

561-681-6770

FROM

George Maria ✓Ernie Dagmarys Lupe

OUR FAX NO.

(305) 477-9410

RE

analytical

COMMENTS

No. of Pages

12

(If all pages are not received, please contact us)

Time Sent



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0802

Dade: 305-477-7497

Toll Free: 1-800-344-8688

2-4-04

DEPT. OF ENVIRONMENTAL PROTECTION
ATTN: MR. STEPHEN BROWN
VIA FAX: 561-681-6770

DEAR MR. BROWN,

IN REFERENCE TO OUR PHONE CONVERSATION ON THE DETERMINATION
OF THE OIL SHIPPED TO H.R. PAVING. I HAD MENTIONED IT WAS BY LOAD,
WHEN IN FACT IS BY TANK LOAD.

THE ANALYTICAL FOR THE MONTH OF FEBRUARY WENT OUT ON THE 3RD
AND WE WON'T HAVE IT BACK UNTIL SOMETIME NEXT WEEK.

ENCLOSED, PLEASE FIND THE LAST 5 RESULTS WE HAVE RECEIVED.
SHOULD YOU HAVE ANY FURTHER QUESTIONS, PLEASE CALL GEORGE
LEON VICENTE AT 305-345-1371. THANK YOU.

SINCERELY,

MARIA E. LEON



EMCWAS000358
 Dagmarys Tejera
 EMC Waste Oil
 P.O. Box 520882
 Miami, FL 33152

Page 1
 January 26, 2004
 Submission # 401000794
 Order # 4395
 FDEP CompQAP# 990102
 FL-DOH Certification# E86349, E86616

Site Location/Project
 8470 NW 68th Street, Miami, FL 33166
 H&R Paving

Sample I.D.: H&R Paving
 Collected: 01/19/04 00:00
 Received: 01/19/04 16:00
 Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-RQL	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total	BDL	mg/Kg	5050/9252A	2.0	01/23/2004	01/23/2004	RG
Flashpoint (40 CFR 261.21)	>200	Degree F	EPA1010	70	01/23/2004	01/23/2004	RG
Arsenic	BDL	mg/Kg	3050/6010	0.70	01/19/2004	01/20/2004	MG
Cadmium	BDL	mg/Kg	3050/6010	1.0	01/19/2004	01/20/2004	MG
Chromium	BDL	mg/Kg	3050/6010B	1.0	01/19/2004	01/20/2004	MG
Lead	2.4	mg/Kg	3050/6010	1.0	01/19/2004	01/20/2004	MG
8082 PCBs Only (Aroclors) in Solids/Solids			MEDF	1			
Aroclor 1016	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1221	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1232	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1242	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1248	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1254	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1260	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1262	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT
Aroclor 1268	BDL	ug/Kg	3550/8082	20.000	01/20/2004	01/20/2004	JT

EMCWA5000358
Dagmarys Tejera
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 2
January 26, 2004
Submission # 401000794
Order # 4395
FDEP CompQAP# 990102
FL-DOH Certification# E86349,E86616

Site Location/Project
8470 NW 68th Street, Miami, FL 33166
H&R Paving

Sample I.D.: H&R Paving
Collected: 01/19/04 00:00
Received: 01/19/04 16:00
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-RQL	DATE EXT.	DATE ANALY.	ANALYST
Surrogate: Decachlorobiphenyl	0.00	X					

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***

Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160-Table 7**Unless otherwise noted, mg/Kg denotes wet weight***

***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.

Certs: FL=E86349, AL=41180, CT=PH0217, MD.=#271, MA.=#M-FL535, PR=FL00535 SC=96023, TN=TN02836

*Tests results meet all the requirements of NELAC, unless identified as "certification in-process" coded by (01). Tests coded (02) we are not currently seeking certification by NELAC for.

For any inquiries, please contact the representative who signed this report, or the QA department.

■ SAMPLE PREPPED BY DILUTION, NO SURROGATES ADDED

Maria E. Castellano
Laboratory Manager

STL

EMCWA8000358
Degmarys Telford
EMC Waste Oil
P.O. Box 520852
Miami, FL 33162

Page 1
December 16, 2003
Submission # 312000464
Order # 102684
FDEP CompQAP# 590102
FL-DOH Certification# E86349, E86616

Site Location/Project
8470 NW 68th Street, Miami, FL 33166
H&R Paving

Sample I.D.: H&R Paving
Collected: 12/04/03 09:00
Received: 12/08/03 15:00
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-EQL	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total	BDL	mg/Kg	3050/9232A	2.0	12/12/2003	12/12/2003	RO
Flashpoint (40 CFR 261.21)	188	Degree F	EPA1010	70	12/12/2003	12/12/2003	EP
Arsenic	2.4	mg/Kg	3130/6010	0.70	12/08/2003	12/11/2003	MAH/MG
Cadmium	BDL	mg/Kg	3050/6010	1.0	12/08/2003	12/11/2003	MAH/MG
Chromium	BDL	mg/Kg	3050/6010B	1.0	12/08/2003	12/11/2003	MAH/MG
Lead	BDL	mg/Kg	3050/6010	1.0	12/08/2003	12/11/2003	MAH/MG
8082 PCBs Only (Aroclors) in Soils/Solids			MEDP	1			
Aroclor 1016	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1221	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1232	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1242	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1248	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1254	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1260	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1262	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV
Aroclor 1268	BDL	ug/Kg	3350/8082	20.000	12/09/2003	12/12/2003	JRV

EMCWA5000368
 Dagmar's Tejera
 EMC Waste Oil
 P.O. Box 520052
 Miami, FL 33162

Page 2
 December 16, 2003
 Submission # 312000464
 Order # 102694
 FDEP CompQAP# 990103
 FL-DOH Certification# E86349, E86616

Site Location/Project
 9470 NW 62nd Street, Miami, FL 33166
 H&R Paving

Sample I.D.: H&R Paving
 Collected: 12/04/03 00:00
 Received: 12/08/03 15:08
 Collected by: Client

PARAMETER	RESULT	UNIT	METHOD	DETECTION LIMIT-SQL	DATE EXT.	DATE ANALY.	ANALYST
Surrogate: Decachlorobiphenyl	0.00	X					

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***
 Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field
 Qualifier following result conforms to FAC 62-160 Table 7Unless otherwise noted, mg/Kg denotes wet weight***
 ***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion,
 the POL shall be used.
 Certs: FL-E86349, AL-41180, CT=PH0217, MD.=#271, MA.=#M-FL535, PR=FL00535 SC=96023, TN=TN02836
 *Tests results meet all the requirements of NELAC, unless identified as "certification in-process"
 coded by (01). Tests coded (02) we are not currently seeking certification by NELAC for.
 For any inquiries, please contact the representative who signed this report, or the QA department.

* NO SURROGATE DUE TO SAMPLE PREPPED BY DILUTION.

Wayne Khan
 Project Manager.

STL

EMCWA8000248
 Degmar's Tutors
 EMC Waste Oil
 P.O. Box 820882
 Miami, FL 33182

Page 1

December 30, 2003

Submission # 312001162

Order # 106602

FDEP CompQAP# 990102

FL-DOH Certification# E86349, E86616

Site Location/Project
 8470 NW 68th Street, Miami, Florida 33166
 H & R Paving

Sample ID.: H & R Paving

Collected: 12/18/03 00:00

Received: 12/18/03 18:00

Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-RQL	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total	BDL	mg/Kg	3050/0252A	2.0	12/26/2003	12/26/2003	RO
Flashpoint (40 CFR 261.31)	167	Degree F	EPA1010	70	12/26/2003	12/26/2003	SP
Arsenic	BDL	mg/Kg	3050/6010	0.70	12/18/2003	12/27/2003	SB
Cadmium	1.8	mg/Kg	3050/6010	1.0	12/18/2003	12/27/2003	SB
Chromium	BDL	mg/Kg	3050/6010B	1.0	12/18/2003	12/30/2003	MAH/SP
Lead	BDL	mg/Kg	3050/6010	1.0	12/18/2003	12/27/2003	SB
8082 PCBs Only (Aroclors) in Soils/Slimes			MEBPF	1			
Aroclor 1016	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1221	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1232	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1242	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1248	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1254	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1260	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1262	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV
Aroclor 1268	BDL	ug/Kg	3550/8082	20.000	12/19/2003	12/19/2003	JRV

EMCWA8000304
Dagmaris Tejara
EMC Waste Oil
P.O. Box 420882
Miami, FL 33182

Page 2
December 30, 2003
Submission # 312001162
Order # 104603
FDEP CompQA# 990102
FL-DOH Certification# E86349, E86616

Site Location/Project
8470 NW 68th Street, Miami, Florida 33166
H & E Paving

Sample I.D.: H & E Paving
Collected: 12/18/03 00:00
Received: 12/18/03 10:00
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-RQL	DATE EXT.	DATE ANALY.	ANALYST
Surrogate: Dechlorobiphenyl	0.00	X					

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***

Work Subcontracted to Outside Lab Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160 Table 7**Unless otherwise noted, mg/Kg denotes wet weight***

***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.

Certs: FL-E86349, AL-41180, CT-PH0217, MD-#271, MA-#M-FL535, PR-FL00535, SC-96023, TN-TN02836

*Tests results meet all the requirements of NELAC, unless identified as "certification in-process" coded by (01). Tests coded (02) we are not currently seeking certification by NELAC for.
For any inquiries, please contact the representative who signed this report, or the QA department.

* SAMPLE PREPPED BY DILUTION, NO SURROGATES ADDED

Maria E. Castellano
Laboratory Manager

STL

EMCWA8000358
 Dagmaris Tijera
 EMC Waste Oil
 P.O. Box 53082
 Miami, FL 33152

Page 1
 November 19, 2003
 Submission # 311000487
 Order # 96283
 FDEP Comp QAPW 990102
 FL-DOH Certification# E86349, E86616

Site Location/Project
 8470 NW 68th Street, Miami, FL 33166
 H&R Paving

Sample I.D.: H&R Paving
 Collected: 11/10/03 09:00
 Received: 11/11/03 13:11
 Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-EQL	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total	BDL	mg/Kg	3050/8252A	2.0	11/18/2003	11/18/2003	RG
Flashpoint (40 CFR 261.21)	>200	Degree F	EPA101D	70	11/14/2003	11/14/2003	PR
Arsenic	BDL	mg/Kg	3050/8010	0.70	11/11/2003	11/13/2003	MAH/RP
Cadmium	BDL	mg/Kg	3050/8010	1.0	11/11/2003	11/13/2003	MAH/RP
Chromium	BDL	mg/Kg	3050/8010B	1.0	11/11/2003	11/13/2003	MAH/RP
Lead	1.3	mg/Kg	3050/8010	1.0	11/11/2003	11/13/2003	MAH/RP
8082 PCBs Only (Aroclors) in Soils/Solids			MEDF	1			
Aroclor 1016	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1221	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1232	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1242	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1248	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1254	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1260	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1262	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT
Aroclor 1268	BDL	ug/Kg	3550/8082	20.000	11/12/2003	11/12/2003	JT

EMCWA000348
Dagmaris Tejera
EMC Waste OH
P.O. Box 53082
Miami, FL 33142

Page 2
November 19, 2003
Submission # 311000487
Order # 95283
FDEP CompQAP# 990102
FL-DOH Certification# E86349, E86516

Site Location/Project
8470 NW 68th Street, Miami, FL 33166
H&R Paving

Sample I.D.: H&R Paving
Collected: 11/10/03 00:00
Received: 11/11/03 13:11
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-BQL	DATE EXT.	DATE ANALY.	ANALYST
Surrogate: D,dechlorobiphenyl	0.00	%					

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***

Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160 Table 7**Unless otherwise noted, mg/Kg denotes wet weight***

***62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.

Certs: FL=E86349, AL=41180, CT=PH0217, MD.=#271, MA.=#M-FL535, PR=FL00535 SC=96023, TN=TN02836

*Tests results meet all the requirements of NELAC, unless identified as "certification in-process" coded by (01). Tests coded (02) we are not currently seeking certification by NELAC for.

For any inquiries, please contact the representative who signed this report, or the QA department.

* SAMPLE PREPPED BY DILUTION, NO SURROGATE ADDED

Imaris E. Castellano
Laboratory Manager

STL

EMCWA8000363
Dagmar's Telex
EMC Waste Oil
P.O. Box 52082
Miami, FL 33152

Page 1
September 17, 2003
Submission # 309000349
Order # 76863
FDEF Comp QAPW 990102
FL-DOH Certification# E46349, E86616

Site Location/Project
8470 NW 68 Street, Miami, FL 33166
H & R Paving

Sample I.D.: H & R Paving
Collected: 09/08/03 00:00
Received: 09/08/03 16:00
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-SQL	DATE EXT.	DATE ANALY.	ANALYST
Halogen, Total	BDL	mg/Kg	5050/9252A	2.0	09/16/2003	09/16/2003	PR
Flashpoint (40 CFR 261.21)	>200	Degree F	HPA1010	70	09/14/2003	09/14/2003	BP
Arsenic	BDL	mg/Kg	3050/6010B	0.70	09/08/2003	09/11/2003	MG
Cadmium	BDL	mg/Kg	3050/6010B	1.0	09/08/2003	09/11/2003	MG
Chromium	BDL	mg/Kg	3050/6010B	1.0	09/08/2003	09/11/2003	MG
Lead	BDL	mg/Kg	3050/6010B	1.0	09/08/2003	09/11/2003	MG
8082 PCBs Only (Aroclors) in Solids/Solids			MEDP	1			
Aroclor 1016	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1221	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1233	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1242	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1248	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1254	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1260	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1262	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV
Aroclor 1268	BDL	ug/Kg	3550/8082	20.000	09/09/2003	09/10/2003	JRV

EMCWA5000388
Dagmar's Tejera
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 2
September 17, 2003
Submission # 389000343
Order # 76082
FDEP CompQAP# 990102
FL-DOH Certification# E86349, E86616

Site Location/Project
8470 NW 68 Street, Miami, FL 33166
H & R Paving

Sample I.D.: H & R Paving
Collected: 09/08/03 00:00
Received: 09/09/03 16:00
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT-RQL	DATE EXT.	DATE ANALY.	ANALYST
Surrogate: Decachlorobiphenyl	0.00	X					

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***

Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160 Table 7Unless otherwise noted, mg/Kg denotes wet weight***

62-770: If the MDL using the most sensitive and currently available technology is higher than a specific criterion, the PQL shall be used.

Certs: FL = E86349, AL = 41180, CT = PH0217, MD. = #271, MA. = #M-FL535, PR = FL00535 SC = 96023, TN = TN02836

*Tests results meet all the requirements of NELAC, unless identified as "certification in-process" coded by (01). Tests coded (02) we are not currently seeking certification by NELAC for.

For any inquiries, please contact the representative who signed this report, or the QA department.

* MATRIX INTERFERENCE WITH SURROGATE RECOVERY.

Wayne Khan
Project Manager.

Transmit report

P.1

02/05/2004 10:57

26WEO0557

TC:197207

REMOTE STATION	START	TIME	Pages	RESULT	REMARKS
813058760376	02-05 10:56	00:00 56	000/013	No ans	

REMARKS TMR:Timer, POL:Poll, TRN:Turn around, 2IN:2in1 Tx, ORG:Original size set, DPG:Book Tx
FME:Frame erase Tx, MIX:Mixed original, CALL:Manual-Com, KRDS:KRDS, FWD:FORWARD
FLP:Flip Side 2, SP:Special Original
FCODE:Fcode, MBX:Confidential, BUL:Bulletin, RLY:Relay, RTX:Re-Tx, PC:PC-FAX
S-OK:Stop communication, Busy:Busy, Cont.:Continue, No ans:No answer
M-full:Memory full, PW-OFF:Power switch OFF, TEL:Rx from TEL

Facsimile

Florida Department of
Environmental Protection

TO: John Jones, P.E.
MDAD Engineer
(305)876-0376

FROM: Allen Rainey
Environmental Specialist II
Storage Tank Section
Southeast District FDEP
(561)681-6770

DATE: 2/5/04

SUBJECT: STCM Printouts for MDAD Dike Field Areas 1 - 5 & 7

of Pages: 13

Attached are the printouts as requested.

In order that you may receive assistance with printing these reports from the Internet, please e-mail me the message you and Rod receive when you click on the Submit button. Are you able to retrieve database information when you enter ID #s other than those for the dike fields? What type of server are you and Rod using? Please provide as much information as possible regarding the problem. I may need additional information depending on the questions I received from the Enterprise Technology Services Desk (ETSD).

Please call me at 561-681-6733 if you have any questions.

DEPARTMENT OF ENVIRONMENTAL PROTECTION-SOUTHEAST DISTRICT
400 North Congress Ave., Suite 200, West Palm Beach, Florida 33401

Complaint Investigation Report Form

I. Initial Contact

Complaint Received by: Paul Wierzbicki Date: 12/17/2003 Time: 03:20

County: Miami-Dade Program: Used Oil Handling Facility

Complainant Name: Thru Agusta Posner at OGC. Anonymous.

Address: _____

Phone: _____ Recontact? Yes ___ No ___

Location and Nature of Complaint: Concerned used oil handler sends used oil to EMC Oil Corp., 8470 NW 68th Street, Miami-Dade, 33166 and it may not be managed appropriately there. Agusta emphasises the need to review the available data bases in order to determine facility handling status for oils. There is a need to schedule an inspection of this facility.

Date of Referral to Complaint Coordinator: 12/17/2003

II. Complaint Referral

Coordinator _____ Date Received: _____

Recommended Priority : Emergency Response ___ Priority ___ Routine ___

Referred To: ___ DERM ___ BCDNRP ___ PBCERM ___ PBCPHD ___ MCPHU ___ SLCPHU

___ OCPHU ___ Other _____
☒ DEP Compliance Section ___ IW _____

Date of Referral: 12/17/03 ___ Mailed ___ Phone Contact _____

III. Investigation

Investigated by: Stephen Brown Date: 1-13-04

Description of

Resolution Inspected Facility. No major violations observed.
No impact to environment observed

NA Date Coordinator Recontacted NA ___ Mailed ___ Phoned

IV. Final Disposition by Coordinator

Complainant Recontacted (if requested) ___ Yes ___ No

☒ Matter Closed

___ Local Program to Handle

___ DEP Enforcement Action Required

___ Further Investigation _____

___ Other _____



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS – Page 1 of 2

FACILITY NAME EMC Oil Corp		TYPE OF INSPECTION: CAV: <input type="checkbox"/> CEI: <input type="checkbox"/> CI: <input checked="" type="checkbox"/> FOLLOW-UP: <input type="checkbox"/>	
ADDRESS 8470 NW 68th Street	CITY Miami	STATE Florida	ZIP CODE
EPA ID NUMBER OF FACILITY (9 digit #) FLR0000000166		DATE & TIME OF INSPECTION 1-13-04 1:38 pm	
Compliance Assistance Visit (CAV) Inspection: A Follow Up Inspection Will be conducted within 120 DAYS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

A hazardous waste/used oil compliance inspection was completed on the date listed above, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-710, 62-730, 62-737, and 62-740, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-710, 62-730, 62-737 and 62-740, F.A.C. The following potential violations were identified by the inspector(s). **This is not a formal enforcement action and may not be a complete listing of all violations which exist at the time of this inspection. You are advised to immediately begin correcting these potential violations noted below:**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

CONTAINER MANAGEMENT VIOLATIONS:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS VIOLATIONS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

MATERIALS PROVIDED BY INSPECTORS: To assist in accomplishing corrective actions:

- | | | |
|---|---|---|
| <input type="checkbox"/> FDEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA Managing Used Oil | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA Understanding the Hazardous Waste Rules | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA Notification of Regulated Waste Activity | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

FLORIDA FACT SHEETS:

- | | |
|--|--------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS

Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- Should deliver used oil only to other transporters, oil processors, off-specification used oil burners with EPA ID #'s or to on-specification used oil burners per 40 CFR 279.43(a)
- acceptance records should have EPA ID #'s where applicable

OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 14 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as **"INSPECTOR"**, Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within 14 days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Stephen Brown at (561) 681-6600.

"INSPECTOR" (signature): [Signature] Date: 1-13-04

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: <u>[Signature]</u>	PRINTED NAME: <u>Dagmarys Tejera</u>
TITLE:	DATE: <u>1-13-04</u>

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 1 of 2

FACILITY NAME EMC		TYPE OF INSPECTION: CAV: <input type="checkbox"/> CEI: <input checked="" type="checkbox"/> CI: <input type="checkbox"/> OTHER: <input type="checkbox"/>	
ADDRESS 8470 NW 68th St.	CITY Miami	STATE FL	ZIP CODE 33152-0882
EPA ID NUMBER	DATE OF INSPECTION 11-15-02	PAGE	OF
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-710, 62-730, 62-737, and 62-740, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-710, 62-730, 62-737 and 62-740, F.A.C. The following 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 which exist at the time of this inspection. You are advised to immediately begin correcting these potential violations noted below:**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

USED OIL VIOLATIONS:

- ☐ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|---|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA Managing Used Oil | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA Understanding the Hazardous Waste Rules | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA Notification of Regulated Waste Activity | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY – Page 2 of 2

OTHER: _____

ITEMS REQUESTED BY INSPECTOR: _____

OWNER/OPERATOR COMMENTS: _____

The owner/operator is hereby requested to submit in writing, within __ days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as "INSPECTOR", Florida Department of Environmental Protection, P.O. Box 15425, West Palm Beach, FL 33416. The actions taken within __ days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: Ken Troisi at (561) 681-⁶⁷²⁰~~6600~~.

INSPECTOR (signature): [Signature] Date: 11-15-02

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands same.

SIGNATURE: <u>[Signature]</u>	PRINTED NAME: <u>ERNESTO S. PEREZ</u>
TITLE: <u>SAFETY COORDINATOR.</u>	DATE: <u>11/15/02</u>



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

RECEIVED

APR 13 2000

**DEPT OF ENV PROTECTION
WEST PALM BEACH**

Via Fax 561-681-6770
and regular mail

April 11, 2000.

Mr. Jeffrey A. Smith
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Fl. 33416


Dear Mr. Smith,

E.M.C. Oil will not pick up samples as long as we do not have the Quality Assurance plan to do so.

Also, that is the only sludge sample we have, We do not clean out the tank trucks.

If you have any other questions, please call me.

Sincerely,


Maria E. Perez Leon
E.M.C. Oil Co.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil Corporation

DATE: April 12, 2000

TIME: 10:00 AM

CONTACT: Maria Perez-Leon

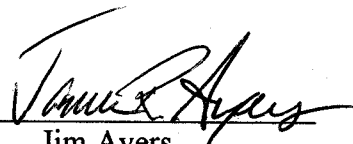
OF: EMC Oil Corp.

PHONE #: 305/477-7497

DISCUSSION:

I contacted Ms. Perez-Leon to clarify the response she sent the Department regarding EMC's sampling of its oil filter sludge/grit before disposing of it. I wanted her to understand that EMC must first obtain a Comprehensive Quality Assurance Plan (ComQuAP) before taking any samples of their own (or anyone else's) sludge/grit media. She confirmed that EMC would have Precision Laboratory perform the determination of any potential hazardous material (including metals) before disposing of it in any manner. She also stated that EMC does not clean out their tank bottom sludge on their trucks, therefore the only sludge/grit media that would need to be analyzed is that of the used oil filter process.

PREPARED BY:


Jim Ayers
Engineer II



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

Via Fax No. (561) 661-6770
and regular mail

April 3, 2000

Mr. Jeffery A. Smith
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Florida 33416

RECEIVED

APR - 6 2000

DEPT OF ENV PROTECTION
WEST PALM BEACH

Re: E.M.C. Oil Corporation / Hazardous Waste Inspection Exit Interview dated March 23, 2000

Dear Mr. Smith:

Pursuant to your request on your Hazardous Waste Inspection Exit Interview dated march 23, 2000, I am providing you with the following:

1. Enclosed are the training records for Alfred Garcia and George Vincent.
2. All drums have been labeled.
3. Enclosed is a TOX result on E.M.C. 's sludge.

Should you have any comments or questions, please feel free to contact me. Thank you

Sincerely,

Maria E Perez Leon
E.M.C. Oil Corporation

PRECISION ENVIRONMENTAL LABORATORY, INC.

first in quality • first in service

EMCWAS000358
Ellys Solana
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 1
August 19, 1997
Submission # 9708000537
Order # 241763
FDER CompQAP# 920323G
HRS Certification# E86349, 86413

Site Location/Project
EMC Tank Bottom Sludge
EMC Tank Bottom Sludge

Sample I.D.: EMC Tank Bottom Sludge
Collected: 08/15/97 00:00
Received: 08/18/97 16:38
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Halogens, Total Organic	BDL	mg/Kg	5050/9252A	10.0	08/19/97	08/19/97	GCMS

BDL: Indicates Analyte is Below Detection LimitMEDF: Matrix Effect Dilution Factor***

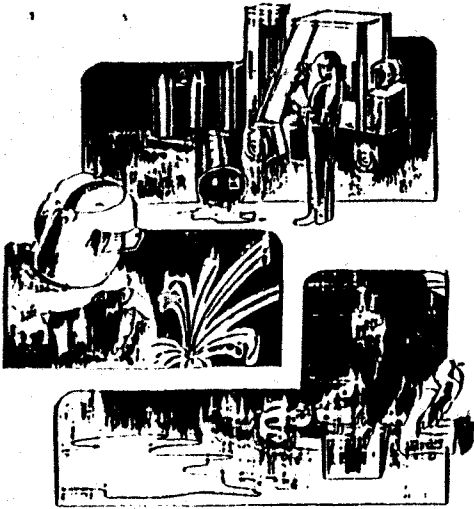
Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160 Table 7

Unless otherwise noted, mg/Kg denotes wet weight


Michael A. Spitzer, Laboratory Director

LEONARDO GARCIA



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520802 • Miami, FL 33152-0802
Dade: 305-477-7497
Toll Free: 1-800-344-8688

SAFETY MEETING AGENDA

*Office Personnel Meeting
& Warehouse Personnel*

Date: 1-7-99

Speakers: Ernesto Perez

Topic (s): See Attached Topics *Below in additional comments.*

Additional Comments: *1. MSDS needed for white out purchased
2. Office personnel needs to wear safety glasses
when stepping outside. 3. Filter crusher operator
needs to wear earplugs when operating machine.
4. No throwing of any kind of office supplies.
5. Trash can for cigarette buds provided
outside.*

I was present at this meeting and have verbally received the information attached to this safety meeting agenda.

Present:

Heliz Solano
Guadalupe
[Signature]
[Signature]

k:lsafety



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

alfred

MEMORANDUM

TO: All Our Used Oil Customers

FROM: George L. Vincente, Manager

DATE: August 27, 1998

**RE: Keeping Used Oil Separate From Parts Cleaner/Mineral Spirits/
Paint Thinners or any Paint Related Material**

REMINDER!

Dear Customers:

It is imperative that you keep used oil separate from any and all parts cleaner/Mineral Spirits, etc. Mineral Spirits, paints and other parts cleaner are **HAZARDOUS** waste and need to be transported and manifested accordingly. Should you need an additional drum set up for your Mineral Spirits, paints or other parts cleaners, please contact our facility.

Again, please keep these products separately. DO NOT MIX!!!

Should you have any questions or need additional documentation regarding the management and/or disposal of this product or any other parts cleaner, please contact us.

Thank you.

Sincerely,

George L. Vincente

George L. Vincente
GLV/hjs

cc: Management practice binder
EPA file

MEMORANDUM

To: All Drivers and Warehouse Employees

Date: August 24, 1998

Re: Safety Equipment

From: Maria

As always, **SAFETY** is #1 at E.M.C. Oil and that is why I want to remind you that it is necessary that your safety equipment is being used at all times. Please make sure you wear your ear plugs, gloves, back support, safety glasses and any other equipment accordingly.

Should you have any questions or comments, please let me know immediately.

Thank you.

Maria

Como costumbre, LA SEGURIDAD is #1 en E.M.C. Oil y por eso, quiero recordarles que es necesario que ustedes usen los equipos de seguridad apropiadamente.

Si tienen alguna pregunta o comentario, dejenme saber pronto.

Gracias.

Maria



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

Alfred

M E M O R A N D U M

TO: ALL DRIVERS AND WAREHOUSE EMPLOYEES
FROM: MARIA E. LEON

DATE: OCTOBER 16, 1997
RE: SAFETY EQUIPMENT

I want to emphasize that you must wear your safety equipment at all times, when necessary and appropriate. It is very important that you do so for your safety and peace of mind.

We have handed out ear plugs, gloves, back support and safety glasses to all of our employees. Please make sure you wear them.

Should you have any questions or comments, please let me know immediately. Thank you.

Maria *Maria*

Quiero recordarles que es muy importante que ustedes usen los equipos de seguridad todo el tiempo cuando apropiado y necesario. Es muy importante para la salud de ustedes y tranquilidad.

A ustedes se le han entregado guantes, espejuelos de seguridad, soporte para la espalda y seguridad para los oídos. Por favor usen estas cosas cuando sea necesario.

Si tienen alguna pregunta o comentario, por favor dejenme saber pronto. Gracias:

Maria *Maria*

I have received gloves, safety glasses, back support and ear plugs from E.M.C. and will use them when appropriate and necessary.

DRIVERS SIGNATURE

DATE:

Yo e recibí guantes, espejuelos de seguridad, soporte para la espalda y seguridad para los oídos. Yo usare estas cosas a todo tiempo cuando necesario y apropiado.

Alfred
FIRMA DE EMPLEADO/CHOFER

10-27-97
FECHA:

OSHA - SAFETY MEETING

DATE: August , 1996

TRAINER OR SPEAKER: Ernesto Perez

MINUTES: Ernie spoke about filling out daily log. Use the

52 weeker. Make copies of manifest or copy of absorbent programs.

Get ID for airport. Alfred will check truck for amount of inches.

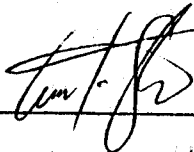
PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS

[Handwritten signatures and initials]
George S. Vign
Cork J. Hill

OSHA - SAFETY MEETING


DATE: June 17, 1996




TRAINER OR SPEAKER: Ernesto Perez




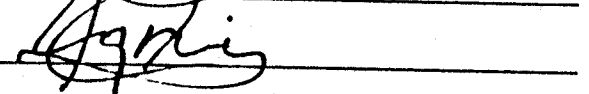


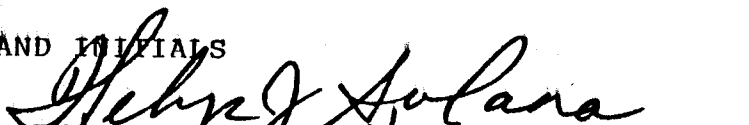

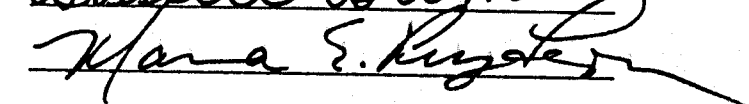
MINUTES: The meeting commenced by Ernesto Perez directing the drivers
to their inspection booklet. Each driver received an inspection
booklet for their proper entry of pre and post inspections daily.
All personnel present also were advised as to the exits in case of
a fire emergency and each personnel were directed to a designated
area for head count. Meeting was concluded.

PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS


R. L. O. S. (101)


Andy

Pedro

Luis


Jose

E. Lopez

J. P.

Aguirre


George J. Solana

Michelle

Maria E. Ruyter

Alfred

USED OIL FILTERS STORAGE

Used oil filters must be stored in above ground containers which are clearly labeled "Used Oil Filters", and which are in good condition. The storage containers must be protected from weather and stored on an oil impermeable surface.

Any leak or spill must be stopped, contained, managed and the tank repaired or replaced.
<Rule 62-710.850(6)>

FILTROS DE ACEITE USADOS ALMACENAMIENTO

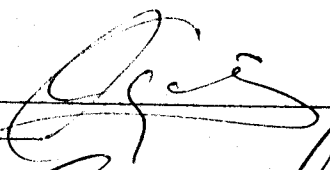
Filtros usados tienen que estar almacenados en contenedores (tanque) con una etiqueta clara que diga "Used Oil Filters" y el tanque tiene que estar en buenas condiciones. Los tanques tienen que estar protegidos del tiempo y estar almacenados en una superficie impermeable.

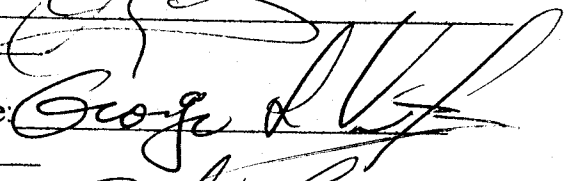
Cualquier escape o derrame tiene que estar detenido, contenido y manejado. El tanque tiene que estar reparado o reemplazado inmediatamente. <Rule 62-710.850 (6)>


Alfred Garcia

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been given a copy of the Emergency Response Action Plan, I have read and understood it and I accept the plan as a working document which I will support and follow in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: 
Date: 7-15-94

Supervisor's Signature: 
Date: 7-15-94

Safety Manager's Signature: 
Date: 7-15-94

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been trained on and been informed how to get access to an Emergency Response Action Plan, I have understood this training, and I will support and follow this plan in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: _____

Date: 7-15-94

Supervisor's Signature: _____

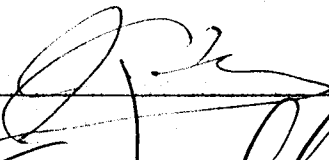
Date: 7-15-94

Safety Manager: _____

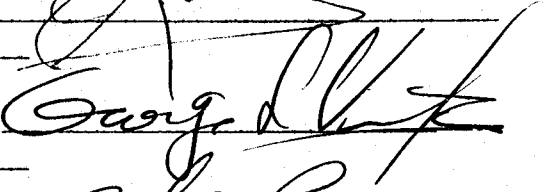
Date: 7-15-94

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been given a copy of the safety measure literature, I have read and understood it and I accept it as a working document which I will support and follow in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: 

Date: 7-15-94

Supervisor's Signature: 

Date: 7-15-94

Safety Manager's Signature: 

Date: 7-15-94

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been trained on and been informed how to get access to the safety measure document, I have understood this training, and I will support and follow this plan in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: _____

Date: 7-15-96

Supervisor's Signature: _____

Date: 7-15-96

Safety Manager: _____

Date: 7-15-96

GEORGE L. VINCENT

FLORIDA USED OIL COLLECTORS CERTIFICATION EXAM

NAME: George L. Vincente
DATE: 3-16-96 TEST ADMINISTRATOR: Maria Leon

1. TRUE OR FALSE: IT IS ALLOWABLE TO MIX CHLORINATED SOLVENTS IN USED OIL.
2. USED OIL TRANSPORTERS MUST
 - ☒ A. BELONG TO A TRADE UNION.
 - B. REGISTER WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION.
 - C. REGISTER WITH THE DEPT. OF COMMERCE.
 - D. REGISTER AS A HAZARDOUS WASTE TRANSPORTER WITH THE IRS.
3. USED OIL MAY BE DISCHARGED TO THE GROUND:
 - A. IF SPECIFICATIONS FOR USED IN ABATEMENT
 - B. IF IT IS USED FOR WEED ABATEMENT
 - C. IT DOES NOT CONTAIN CHLORINATED SOLVENTS
 - ☒ D. NEVER
4. A DEXSIL KIT SHOULD BE USED WHEN CHECKING FOR:
 - A. LEAD CONTENT
 - B. WATER
 - C. FLASH POINT
 - ☒ D. HALOGENS
5. USED OIL IS:
 - A. WASTE FROM GARAGES AND FILLING STATIONS.
 - ☒ B. ANY REFINED CRUDE OIL WHICH HAS BECOME UNSUITABLE FOR ITS ORIGINAL PURPOSE.
 - C. OF NO COMMERCIAL VALUE.
 - D. TO BE STORED IN ABOVE GROUND TANKS ONLY.
6. IT IS ALRIGHT TO DISCHARGE OILY WASTE WATERS FROM WASTE OIL TRUCKS PROVIDING:
 - A. IT CONTAINS NO ANTI-FREEZE
 - B. IT APPEARS CLEAR TO THE EYE
 - C. IT CARRIES NO ODOR
 - ☒ D. UNDER NO CONDITIONS
7. NO LATER THAN JULY 1 OF EACH YEAR
 - A. ALL WASTE OIL TRUCKS MUST BE INSPECTED BY DOT
 - ☒ B. REGISTERED COLLECTORS AND TRANSPORTERS MUST FILE AN ANNUAL REPORT OF THE PROCEEDING YEAR.
 - C. ALL MANIFEST TAXES MUST BE PAID
 - D. WASTE OIL GENERATORS MUST HAVE THEIR TANKS INSPECTED.
8. A PERSON MAY MARKET OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY ONLY IF:
 - A. IT HAS UNDER 1000 PPM OF CHLORIDES
 - B. HE SIGNED A CONTRACT WITH HIS CUSTOMER.
 - C. HE HAS RECEIPTS FOR ALL OIL COLLECTED
 - ☒ D. THE BURNER OF OTHER MARKETEEER HAS NOTIFIED EPA OF THEIR USED OIL ACTIVITIES AND HAVE AN EPA IDENTIFICATION NUMBER.

9. SELECT THE FEDERAL US OIL SPECIFICATION DESCRIBED IN FR 266.43

A. ARSENIC 5 PPM
CADMIUM 2 PPM
LEAD 100 PPM
CHROMIUM 10 PPM
FLASH POINT 100°F
TOTAL HALOGENS 4000 PPM

B. MERCURY 4 PPM
SOLIDS 2%
SILVER 45 PPM
GLUCOSE 10 PPM
LEAD 10 PPM
FLASH POINT 75°F

C. ARSENIC 50 PPM
CADMIUM 10 PPM
LEAD 200 PPM
CHROMIUM 50 PPM
FLASH POINT 200°F
TOTAL HALOGENS 100 PPM

10. FINANCIAL RESPONSIBILITY MEANS

- A. YOU ALWAYS HAVE AT LEAST \$100.00 ON YOUR VEHICLE.
- B. YOUR CUSTOMERS PAY NET 10 DAYS.
- C. YOU HAVE FILED A PROPER TAX RETURN WITH IRS.
- D. YOUR TRUCKS ARE PROPERLY INSURED.

11. WHEN PUMPING:

- A. NEVER LEAVE YOUR TRUCK.
- B. YOU MAY SMOKE IF YOU ARE 12 INCHES AWAY FROM SOURCE.
- C. YOU SHOULD OPEN DISCHARGE VALVES TO RELEASE PRESSURE.
- D. ALLOW CUSTOMER TO CLEAN ANY DRIPS.

12. WASTE OIL DRIVERS MUST

- A. HAVE A VALID FLORIDA CHAUFFEURS PERMIT
- B. BE CERTIFIED BY THEIR COMPANY
- C. BE FAMILIAR WITH ENVIRONMENTAL LAWS
- D. ALL OF THE ABOVE.

13. WHEN TRANSPORTING LIQUID LOADS:

- A. NO EXTRA BRAKING DISTANCE IS REQUIRED BECAUSE THE WEIGHT OF THE LOAD WILL HELP TO STOP THE TRUCK.
- B. DRIVING AROUND CURVES AT 55 MPH IS ACCEPTABLE.
- C. EXERCISE EXTREME CAUTION ON RAMPS AND INCLINES DUE TO THE WEIGHT OF THE LOAD.
- D. ADD 5 MILES TO THE POSTED SPEED LIMIT IN ORDER TO ALLOW EXTRA TIME TO EVALUATE EACH SITE TO BE PUMPED.

14. USED OIL WHEN MIXED WITH GASOLINE OR OTHER FLAMMABLE MATERIAL WILL:

- A. RAISE THE FLASH POINT ABOVE 280 DEGREES.
- B. LOWER THE FLASH POINT OF THE USED OIL.
- C. IMPROVE THE OIL FOR THE END USER.
- D. INCREASE THE BTU VALUE OF THE OIL.

15. WHICH OF THE FOLLOWING IS A PROPER METHOD FOR DISPOSITIONS OF USED OIL:
- A. ROAD OILING FOR DUST CONTROL.
 - B. AS AN ASPHALT SEALANT ON ROADS.
 - ☒ C. FOR USE AS A FUEL IN PERMITTED INDUSTRIAL CORNERS.
 - D. ON THE GROUND FOR WEED ABATEMENT AND PEST CONTROL.
16. WHICH OF THE FOLLOWING AGENCIES REGULATE OUR INDUSTRY.
- A. THE DEPARTMENT OF TRANSPORTATION.
 - B. THE FEDERAL EPA.
 - C. THE FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION.
 - ☒ D. ALL OF THE ABOVE.
17. WHO MUST FILE AN ANNUAL REPORT WITH THE D.E.R.
- A. ANY PERSON WHO TRANSPORTS LESS THAN 500 GALLONS OF USED OIL ANNUALLY
 - B. ANY PERSON WHO OPERATES A FACILITY WHICH RECEIVES MORE THAN 8,000 GALLONS OF USED OIL ANNUALLY.
 - C. ANY PERSON WHO TRANSPORT MORE THAN 500 GALLONS ANNUALLY
 - D. ALL OF THE ABOVE
 - ☒ E. ITEMS B & C
18. WHICH OF THE FOLLOWING WOULD BE FUND ON THE ANNUAL REPORT IN D.E.R.
- ☒ A. SOURCE, TYPE AND DESTINATION OF USED OIL.
 - B. GENERATOR NAMES AND ADDRESSES.
 - C. BIU, FLASH POINT AND SSO OF USED OIL.
 - D. COMPANY FINANCIAL STATEMENT.
19. IT IS UNDESIRABLE FOR USED OIL TO CONTAIN HIGH EFFECTS OF HALOGENS FOR THE FOLLOWING REASONS:
- A. THE SOLVENTS CAN BURN YOUR SKIN.
 - ☒ B. IN THE BURNING PROCESS IT CREATES ADVERSE EFFECTS ON THE ATMOSPHERE.
 - C. THEY ROB THE OIL OF ITS LUBRICATED POTENTIAL.
 - D. NONE OF THE ABOVE.
20. THE D.E.R. REGISTRATION NUMBER SHOULD BE:
- A. KEPT IN YOUR WALLET.
 - B. POSTED ON THE WALL NEAR A PHONE FOR EMERGENCY USE.
 - ☒ C. DISPLAYED PROMINENTLY ON TH BACK OF YOUR TRUCK.
 - D. KEPT CONFIDENTIAL.

OSHA - SAFETY MEETING

DATE: June 17, 1996

TRAINER OR SPEAKER: Ernesto Perez *Em/P*

MINUTES: The meeting commenced by Ernesto Perez directing the drivers
to their inspection booklet. Each driver received an inspection
booklet for their proper entry of pre and post inspections daily.
All personnel present also were advised as to the exits in case of
a fire emergency and each personnel were directed to a designated
area for head count. Meeting was concluded.

PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS

Ernesto Perez
R. Los (101)
Rocky
Chad
Walter
John
Joe
John

George Solana
Misselle Gorman
Maria E. Ryzek

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been given a copy of the safety measure literature, I have read and understood it and I accept it as a working document which I will support and follow in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: George R. Carter

Date: 7-15-94

Supervisor's Signature: _____

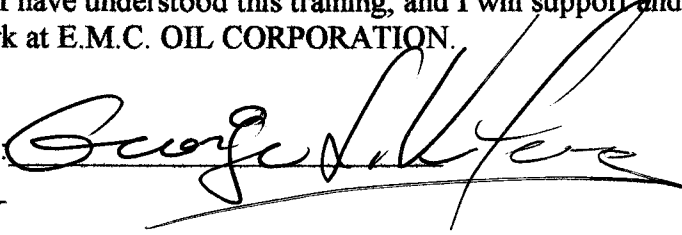
Date: 7-15

Safety Manager's Signature: James E. Byrd

Date: 7-15-94

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been trained on and been informed how to get access to the safety measure document, I have understood this training, and I will support and follow this plan in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: 

Date: _____

Supervisor's Signature: _____

Date: _____

Safety Manager: 

Date: _____

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been given a copy of the Emergency Response Action Plan, I have read and understood it and I accept the plan as a working document which I will support and follow in my daily work at E.M.C. OIL CORPORATION.

Employee Signature: 

Date: 7-15-94

Supervisor's Signature: _____

Date: _____

Safety Manager's Signature: 

Date: 7-15-94

EMPLOYEE SIGN OFF SHEET

I acknowledge I have been trained on and been informed how to get access to an Emergency Response Action Plan, I have understood this training, and I will support and follow this plan in my daily work at E.M.C. OIL CORPORATION

Employee Signature: George R. Vukobratovic

Date: _____

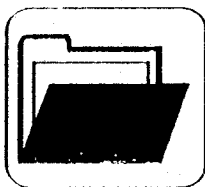
Supervisor's Signature: _____

Date: _____

Safety Manager: W. L.

Date: _____

WRITTEN SAFETY PLANS



Employee Sign-Off Sheet

HAZWOPER Emergency Response Plan

I acknowledge I have been given a copy of the HAZWOPER Emergency Response Plan, I have read and understood it, and I accept the plan as a working document which I will support and follow in my daily work at EMC Oil Corp. (company name).

George S. Vincent
Employee Signature

09-23-96
Date

EMC Oil Corp.

Supervisor's Signature

Company Name

[Signature]
Safety & Security Manager's Signature

----- (Use the form above and/or below to document employee training/information) -----

I acknowledge I have been trained on and been informed how to get access to a copy of the HAZWOPER Emergency Response Plan, I have understood this training, and I will support and follow this plan in my daily work at EMC Oil Corp. (company name).

George S. Vincent
Employee Signature

09-23-96
Date

EMC Oil corp

Supervisor's Signature

Company Name

[Signature]
Safety & Security Manager's Signature

OSHA - SAFETY MEETING

DATE:

7/2/96

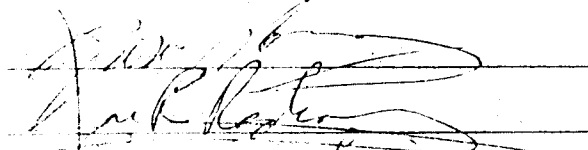
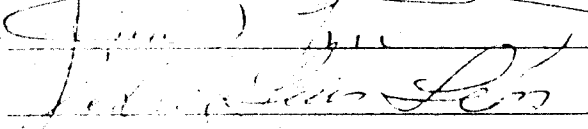
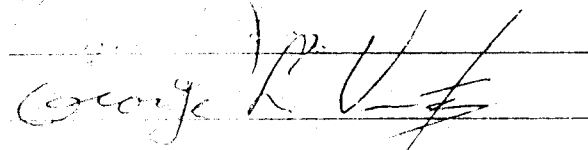
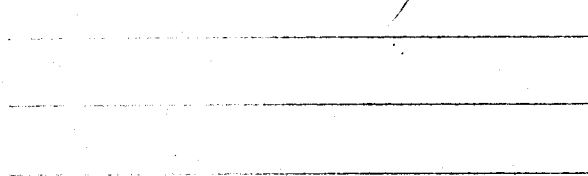
TRAINER OR SPEAKER:

MINUTES:

• Drain Drums for filter every time.

MSDS Proper chemical shipping what to
do in case of spill. What we can P/U call Eric
with MSDS. Drums with liquid in Box Truck.
Empty Drums Must Be Empty

PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS

OSHA - SAFETY MEETING

DATE: July 15, 1996

TRAINER OR SPEAKER: Meeting commences at approximately 8:00 a.m.

MINUTES: Meeting commenced at approximately 8:00 a.m. Meeting
commenced with George Vincent giving specific instructions to the drivers
regarding arriving on time (7:00 a.m.), which should include getting
their uniforms ready. All drivers were asked to begin unloading their
trucks before going home and to stay by their trucks while it is being un-
loading. Other drivers must work for the drivers who call in sick.
Back supports must be worn for safety protection. An extra uniform
must be kept in truck. And all drivers must maintain the interior of
their trucks clean.

PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS

Carl J. Jern
Jack R. Rodriguez
John L. Lera
George Vincent
Frank
Rob

OSHA - SAFETY MEETING

DATE: August 7, 1996

TRAINER OR SPEAKER: Ernesto Perez, Maria Elena Leon, George Vincent

MINUTES: All truck drivers attended. They were advised about water
proof ticket for extinguisher. Ground wheel. Absorbent booms
for trucks back in use guide. Trucks needing cone chocks. Residue
stamp for last pick up. Tire gauges in all vehicle. The use of
credit card customers.

PERSONNEL ATTENDANCE: MUST PRINT NAME AND INITIALS

[Handwritten signatures and initials]



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

M E M O R A N D U M

TO: ALL DRIVERS AND WAREHOUSE EMPLOYEES
FROM: MARIA E. LEON

DATE: OCTOBER 16, 1997
RE: SAFETY EQUIPMENT

I want to emphasize that you must wear your safety equipment at all times, when necessary and appropriate. It is very important that you do so for your safety and peace of mind.

We have handed out ear plugs, gloves, back support and safety glasses to all of our employees. Please make sure you wear them.

Should you have any questions or comments, please let me know immediately.
Thank you.

Maria *Maria*

Quiero recordarles que es muy importante que ustedes usen los equipos de seguridad todo el tiempo cuando apropiado y necesario. Es muy importante para la salud de ustedes y tranquilidad.

A ustedes se le an entregado guantes, espejuelos de seguridad, soporte para la espalda y seguridad para los oidos. Por favor usen estas cosas cuando sea necesario.

Si tienen alguna pregunta o comentario, porfavor dejenme saber pronto.
Gracias.

Maria *Maria*

I have received gloves, safety glasses, back support and ear plugs from E.M.C. and will use them when appropriate and necessary.

DRIVERS SIGNATURE DATE:

Yo e recibidõ guantes, espejuelos de seguridad, soporte para la espalda y seguridad para los oidos. Yo usare estas cosas a todo tiempo cuando necessario y apropiado.

FIRMA DE EMPLEADO/CHOFER FECHA:

MEMORANDUM

To: All Drivers and Warehouse Employees

Date: August 24, 1998

Re: Safety Equipment

From: Maria

As always, **SAFETY** is #1 at E.M.C. Oil and that is why I want to remind you that it is necessary that your safety equipment is being used at all times. Please make sure you wear your ear plugs, gloves, back support, safety glasses and any other equipment accordingly.

Should you have any questions or comments, please let me know immediately.

Thank you.

Maria

Como costumbre, LA SEGURIDAD is #1 en E.M.C. Oil y por eso, quiero recordarles que es necesario que ustedes usen los equipos de seguridad apropiadamente.

Si tienen alguna pregunta o comentario, dejenme saber pronto.

Gracias.

Maria



George
E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

MEMORANDUM

TO: All Our Used Oil Customers

FROM: George L. Vincente, Manager

DATE: August 27, 1998

**RE: Keeping Used Oil Separate From Parts Cleaner/Mineral Spirits/
Paint Thinners or any Paint Related Material**

REMINDER!

Dear Customers:

It is imperative that you keep used oil separate from any and all parts cleaner/Mineral Spirits, etc. Mineral Spirits, paints and other parts cleaner are **HAZARDOUS** waste and need to be transported and manifested accordingly. Should you need an additional drum set up for your Mineral Spirits, paints or other parts cleaners, please contact our facility.

Again, please keep these products separately. DO NOT MIX!!!

Should you have any questions or need additional documentation regarding the management and/or disposal of this product or any other parts cleaner, please contact us.

Thank you.

Sincerely,

George L. Vincente

George L. Vincente
GLV/hjs

cc: Management practice binder
EPA file

George

USED OIL FILTERS STORAGE

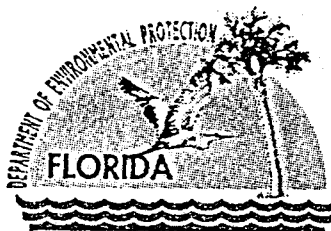
Used oil filters must be stored in above ground containers which are clearly labeled "Used Oil Filters", and which are in good condition. The storage containers must be protected from weather and stored on an oil impermeable surface.

**Any leak or spill must be stopped, contained, managed and the tank repaired or replaced.
<Rule 62-710.850(6)>**

FILTROS DE ACEITE USADOS ALMACENAMIENTO

Filtros usados tienen que estar almacenados en contenedores (tanque) con una etiqueta clara que diga "Used Oil Filters" y el tanque tiene que estar en buenas condiciones. Los tanques tienen que estar protegidos del tiempo y estar almacenados en una superficie impermeable.

Cualquier escape o derrame tiene que estar detenido, contenido y manejado. El tanque tiene que estar reparado o reemplazado inmediatamente. <Rule 62-710.850 (6)>



Jeb Bush
Governor

Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: EMC Oil Corp DATE: 3/23/00 TIME: _____

INTERVIEW PARTICIPANTS: Jeff Smith, Jim Ayers, Maria Perez-Lee

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ___ 1. Hazardous Waste Determination [262.11].
- ___ 2. Notification as a generator [262.12].
- ___ 3. Manifest Deficiencies [262 Subpart B].
- ___ 4. Recordkeeping [test results, manifest, biennial report].
- ___ 5. Personnel Training [265.16; 262.34(d)].
- ___ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ___ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ___ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ___ 9. Tank requirements [265 Subpart J].
- ___ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ___ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ___ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ___ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ___ 14. Notification as a TSD facility [264.11].
- ___ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ___ 16. Ground water monitoring [265 Subpart F].
- ___ 17. Security Requirements [265.14].
- ___ 18. Storing HW less than 50 feet from the property line [265.176].
- ___ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ___ 20. Closure/Post-closure [265 Subpart G].
- ___ 21. Financial Responsibility [264 Subpart H].
- ___ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- / 23. Other Ch. 62-160, FAC - Need Quality Assurance Plan in order to take
33 samples.

REMARKS: Please provide the following w/in 10 days: 1) Training records
2) George Vincent & Alfred Garcia, 3) Label drums in yard (25) (over ->)

PT ACKNOWLEDGED BY [Signature]

INVESTIGATOR [Signature]

- 3) Department will review secondary containment for tank.
- 4) Provide analysis on tank sludge for the last 3 years.

P.O. Box 15425, West Palm Beach, Florida 33416

Complaint Investigation Report Form

I. Initial Contact

Complaint Received by: Stephen Brown Date: 4/10/00 Time: 3 :30pm

County: Dade Program: Tanks Date: Time:

Complainant Name: Jeffery Smith

Address: DEP/SED

Phone: (561) 681-6670 Recontact? Yes ^X No

Location and Nature of Complaint: The DEP Hazardous Waste Section has inspected Environmental Management Conservation Oil Company located at 8470 NW 68th Street (see attached STCM printout) in Miami. Based on the inspection, the facility may be in violation of Rule 62-761.510(3)(d), F.A.C. Table AST, for failure to upgrade the dike field area in accordance with Rule 62-761.500(1)(e) & (3)(c)3.b., F.A.C. Please perform a routine inspection and verify any upgrading issues as mentioned above for the 8000 gallon waste oil AST.

Date of Referral to Complaint Coordinator: 4/10/00

II. Complaint Referral

Coordinator: Stephen Brown Date Received: 4/10/00

Recommended Priority : Emergency Response _____ Priority Routine ☒ X

Referred To: ☒ DERM ☐ BCDNRP ☐ PBCERM ☐ PBCPHU ☐ MCPHU ☐ SLCPHU
☐ OCPHU ☐ Other _____

 _____ DEP Compliance Section

Date of Referral: 4/10/00 Mailed ☒ Phone Contact ☐ Faxed ☐

III. Investigation

Investigated by: _____ Date: _____

Description of Resolution _____

Date Coordinator Recontacted _____ Mailed _____ Phoned _____

IV. Final Disposition by Coordinator

Complainant Recontacted (if requested) Yes No

 Matter Closed

 Local Program to Handle

 DEP Enforcement Action Required

 Further Investigation _____

Other _____

INTEROFFICE MEMORANDUM

Sensitivity: COMPANY CONFIDENTIAL

Date: 10-Apr-2000 02:41pm
From: Jeff Smith WPB
SMITH_J
Dept: Southeast District Office
Tel No: 561/681-6670

To: Teresa Rahrig WPB (RAHRIG_T)
CC: Stephen E. Brown WPB (BROWN_SE)
CC: James Ayers WPB (AYERS_J)

Subject: EMC Oil - Facility 9800467

During our 3/23/00 inspection it was noted that EMC Oil, Inc. (Environmental Management Company) currently utilizes a 8,000 gallon AGT for bulking of used oil in operation of their used oil transfer facility (as referenced in 40 CFR 279, Subpart E). It appears that the only form of secondary containment for this tank is a simple speed bump. In discussing this situation with Steve Brown, this tank may be subject to Rule 62-761.500(3)(c)(3)(d), F.A.C., for secondary containment standards. Under the current used oil rules (40 CFR 279 and Ch. 62-710, F.A.C.) the secondary containment standards for this tank are not as stringent. Would it be possible for the Tanks Program or Miami-Dade County DERM evaluate the applicability of secondary containment standards for this tank?

If you have any questions about this site please contact me or James Ayers.

Thanks,

js

INTEROFFICE MEMORANDUM

Sensitivity: COMPANY CONFIDENTIAL

Date: 10-Apr-2000 01:39pm
From: Stephen E. Brown WPB
BROWN_SE
Dept: Southeast District Office
Tel No: 561/681-6735

To: Jeff Smith WPB
CC: James Ayers WPB

(SMITH_J)
(AYERS_J)

Subject: AST Secondary Containment

See 62-761.510(3)(d) Table AST

This requires (by the code "V") that the "Dike field area" [see 62-761.200(19)] meet the requirements of 62-761.500(1)(e) & (3)(c)

62-761.500(3)(c)3.b. is the 110% requirement you were asking about.

If I were enforcing this case, I would ask for demonstration that the tanks meet the requirements of 500(1)(e) & (3)(c)3.a. If they do not, they are in violation for failure to upgrade -major/major.

sb

Detail Registration Facility

tank Browse

Facility ID: 9800467	Facility Status: OPEN	Create Date: 13-MAY-1998
County: 13 DADE	District: SED	Name Update:
Name: ENVIRONMENTAL MGMT CONSERVATION OIL CO		Addr Update:
Address: 8470 NW 68TH ST		
Address2:		
City: MIAMI	FL 33166-	Account Status:
		PLACARD 06-JUL-1999

Tk ID	A	Gallons	Substance	Installed Dt	Status/Eff Date	PD	Replcs
1	A	8000	L Waste Oil	01-APR-1998	U 01-APR-1998		

Count: *1

<Replace>

Tanks Rel party Account Loc / comments History Detail Compliance Exit

Facility Detail

Facility ID: 9800467	Facility Status: OPEN	Create Date: 13-MAY-1998
County: 13 DADE	District: SED	Name Update:
Name: ENVIRONMENTAL MGMT CONSERVATION OIL CO		Addr Update:
Address: 8470 NW 68TH ST		
Address2:		Account Status:
City: MIAMI	FL 33166-	PLACARD 06-JUL-1999
Onsite Mgr: MARIA E PEREZ LEON	Phone: 305-477-7497	ASTC: 1 USTC: 0

Facility Type: D - Bulk Product Facility/Inland	DEP Contract Owned?: N
Financial Resp:	
Insurance Comp:	Coverage Period: -
Cleanup Status: -	Effective:

Owner Name: ENVIRONMENTAL MGMT CONSERVATION OIL CO	Primary Role: ACCT OWN
Address: PO BOX 520882	Owner ID#: 47355
City/St/Zip: MIAMI, FL 33152-0882	Begin Date: 13-MAY-1998
Last Updated: 13-MAY-1998	Phone: 305-477-7497
Contact: MARIA E PEREZ LEON	Bad Address?:

Facility status.

Count: *1

<List><Replace>

Memorandum

Florida Department of
Environmental Protection

TO: Larry Morgan
Office of General Counsel

THROUGH: Jeffrey A. Smith
Environmental Manager, Hazardous Waste C/E

FROM: James H. Bussey,
Environmental Specialist II, Hazardous Waste C/E

DATE: July 1, 1998

SUBJECT: Case Deactivation

CASE NAME: DEP vs EMC Oil Corporation

COUNTY: Dade PROGRAM: Hazardous Waste

OGC CASE NO. 97-1349

Case Deactivation Request

All Provisions of the subject Consent Order have been met; therefore it is requested the case be deactivated.

Attorney: None

Amount of assessment if any: \$4,000.00 + \$500.00 C&E

Paragraph No.	Date Complete	Comments
<u>Short C/O</u>	<u>5/14/98</u>	<u>Final penalty payment received</u>

cc: West Palm Beach DEP File

Memorandum

TO: Larry Morgan
Office of General Counsel

THROUGH: Jeff Smith, Environmental Manager, Hazardous Waste C/E

FROM: James H. Bussey, Environmental Specialist II, Hazardous Waste
C/E

DATE: July 1, 1998

SUBJECT: Case Deactivation Request for DEP vs EMC Oil Corporation, OGC
Case No. 97-1349.

Pursuant to the Short Form Consent Order executed on May 14, 1998,
between DEP and EMC Oil Corporation, all obligations have been satisfied
by the Respondent. The Department received final payment of Civil
Penalties on May 14, 1998. It is therefore recommended that this case be
deactivated.

cc: West Palm Beach DEP File

EA: SED

Cash Receiving Application
Collection Point Log Remittance

Tot: CRAF006A
\$34,096.50

SYSSREMT: 252042 Type: CP Recvd Date: 15-MAY-1998 Status: RECEIVED
SYSSRCPT: 207823 PNR: Check #: 536595567 Amount: 4,000.00
SSN/FEI#: Name: E.M.C. OIL CORPORATION
First: Middle: Title: Suf:
Address1: C/O MS. MARIA PEREZ-LEON Short Comments:
Address2: P.O. BOX 520882 CONSENT ORDER
City: MIAMI ST: FL Zip: 33152 Country:

PAYMENT(S)

SYS\$PAYT	Distr	Object	Payment	Reference#	Applic/	S
	CL	Code/Description.....	Amount.....		Fund	T
	Area..				ECOSYS	A
261109	SED	012008 LCT-PENALTIES	\$4,000.00	97-1349		CO

\$4,000.00 Payment total

COMMIT FREQUENTLY

Press <TAB> to accept Collection Point or enter F&A.

<Replace>

Count: *28

^ v

Jim Bussey

AREA: SED

Cash Receiving Application
Collection Point Log RemittanceCRAF006A
Tot: \$34,596.50

SYSSREMT: 252043 Type: CP Recvd Date: 15-MAY-1998 Status: RECEIVED
SYSSRCPT: 207824 PNR: Check #: 536595568 Amount: 500.00
SSN/FEI#: Name: E.M.C. OIL CORPORATION
First: Middle: Title: Suf:
Address1: C/O MS. MARIA PEREZ-LEON Short Comments:
Address2: P.O. BOX 520882 CONSENT ORDER
City: MIAMI ST: FL Zip: 33152- Country:

-----> P A Y M E N T (S) <-----

Distr	CL	Object	Payment	Applic/	S
	Area..	Code/Description.....	Amount.....	Fund	T
261110	SED	018003 LCT-REIMB.LEGAL	\$500.00	97-1349	WQATF CO

COMMIT FREQUENTLY

\$500.00 Payment total

Press <TAB> to accept Collection Point or enter F&A.

Count: *28

^ v

<Replace>

OFFICIAL CHECK

Barnett

DATE: NOV 21 1990

AFFILIATE NAME: Barnett Bank, N.A., South Florida

OFFICE NAME: Doral Office

RE: E.M.C. OIL CORPORATION

PAY ****FOUR THOUSAND DOLLARS AND 00 CENTS****

207823

\$ ****4000.00****

TO THE ORDER OF ****DEPT. OF ENVIRONMENTAL PROTECTION****

DRAWER: BARNETT BANK

AUTHORIZED SIGNATURE

Issued By Integrated Payment Systems Inc., Englewood, Colorado
Wells Fargo Bank (Colorado) N.A.

Ecosystem Acct. and Restoration Trust Fund

06C 97-1349 600101503 10200001818 109377 536595567

THE VARIABLE TONE BACKGROUND AREA OF THIS DOCUMENT CHANGES COLOR GRADUALLY AND SMOOTHLY FROM DARKER TONES AT BOTH TOP AND BOTTOM TO THE LIGHTEST TONE IN THE MIDDLE

OFFICIAL CHECK

Barnett

DATE: NOV 21 1990

AFFILIATE NAME: Barnett Bank, N.A., South Florida

OFFICE NAME: Doral Office

RE: E.M.C. OIL CORPORATION

PAY ****FIVE HUNDRED DOLLARS AND 00 CENTS****

207824

\$ ****500.00****

TO THE ORDER OF ****DEPT. OF ENVIRONMENTAL PROTECTION****

DRAWER: BARNETT BANK

AUTHORIZED SIGNATURE

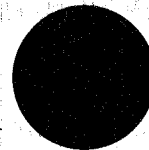
Issued By Integrated Payment Systems Inc., Englewood, Colorado
Wells Fargo Bank (Colorado) N.A.

Water Quality Assurance Trust Fund

06C 97-1349 600101503 10200001818 109377 536595568

THE VARIABLE TONE BACKGROUND AREA OF THIS DOCUMENT CHANGES COLOR GRADUALLY AND SMOOTHLY FROM DARKER TONES AT BOTH TOP AND BOTTOM TO THE LIGHTEST TONE IN THE MIDDLE

3/9
5/15



E.M.C. OIL CORPORATION

305-477-7497

P.O. BOX 520882

MIAMI, FL 33152

1744

2-13

98

63-398/870

PAY TO THE
ORDER OF

State of Florida, Department of Environmental Protection

\$ 4,500.00/XX

Four Thousand Five Hundred Dollars 00/XX



037-004
8886 Coral Way
Miami, Florida 33155

FOR

Mia E. Hughes

⑈001744⑈

*2/17 HW
5/15*

*Ret'd
3/10/98
P182108637
Certified mail
MCH*



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

FACSIMILE TRANSMITTAL

DATE:

May 6, 1998

TO:

James Bussey

COMPANY:

State of Fla DEP

FAX NO:

1561-681-6710

OUR FAX:

305-477-9410

FROM:

Helys J. Solana

RE:

Consent order.

COMMENTS:

I hope this is what you need.

I will mail the copy upon
your call.

Thank.

Philp.

OF PAGES:

3

TIME SENT:

12-

THANK YOU FOR YOUR BUSINESS!

E.M.C. OIL CORPORATION



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

May 6, 1998

Mr. James Busey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Florida 33416

Via Fax #561-661-6770 and Regular Mail

Re: E.M.C. Oil Corp.: 8470 N.W. 68th Street, Miami, Florida 33166

Dear Mr. Busey:

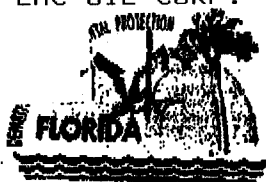
Enclosed please find a copy of the first page of the Consent Order. I apologize for the delay and confusion. Should you have any questions, please do not hesitate to contact me.

Thank you for your cooperation in this matter.

Sincerely,


AELYS J. SOLANA
Environmental Department

Encls.



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

MAR 24 1998

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
Miami, Florida 33152

Dade County
HW-E.M.C. Oil Corporation

RE: Proposed Settlement by Short Form Consent Order in Case of
DEP vs. E.M.C. Oil Corporation, OGC File No.: 97-1349.

Dear Ms. Perez-Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated July 23, 1997, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. However, the Department has calculated that civil penalties in the amount of \$20,650.00, along with \$500.00 to reimburse the Department costs would be an appropriate settlement.

A portion of the \$20,650.00 of the civil penalty has been offset with an In-kind Project. E.M.C. Oil Corporation has built an additional containment system for the event of a possible discharge. Thus, a total of \$4,000.00 and \$500.00 is still due and owing. Both payments must be payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above. The civil penalty payment should include the notation "Ecosystem Management and Restoration Trust Fund", and the payment reimbursing DEP for costs should include the notation "Water Quality Assurance Trust Fund." Both payments shall be sent to the Department of Environmental Protection, Southeast District Office, P.O. Box 15425, West Palm Beach, Florida 33416. The payment shall be sent within 20 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED
APR 13 1998

April 6, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Fl. 33416

DEPT. OF ENV. PROTECTION

Re: E.M.C. Oil Corp.; 8470 N.W. 68th Street, Miami, Fl. 33166

Dear Mr. Bussey:

I have again reviewed the Hazardous Waste Inspection Report attached to your letter dated March 24, 1998. Please be advised there are a few corrections we discussed at the meeting with Mr. Jones, Mr. Smith and Ms. Holmes, that remain un-corrected.

The following corrections need to be made:

1. Page 2 of 7, 3rd paragraph: "Environdyne" needs to be replaced with "Precision"
2. Page 2 of 7, 5th paragraph: "15-55gallon drums of used oil not labeled with the words "Used Oil". Please note, we do not have any drums containing used oil and never did.
3. Page 2 of 7, "Record Review": Enclosed you will find a copy of our change of status completed two years ago.
4. Page 3 of 7, under "Additional requests were made under comments":
#1 - this was done on inspection in front of you and Ms. Holmes.
#3 - this was done on inspection in front of you and Ms. Holmes.

As you know, pages 4 of 7 and 5 of 7 contains the same incorrect information I am now requesting to be corrected.

All other matters have been corrected and checks have been forwarded to you on March 4, 1998.

Please correct the items above and should you have any questions, please contact me.

Sincerely,

MARIA E. PEREZ LEON
MEPL/hjs



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

01-09-95

MARIA LEON, PRES
EMC OIL CORP
PO BOX 520882
MIAMI

RE: Facility ID # FLD984166025
LOC: 6201 SW 35TH ST
MIAMI:

FL 33152

Based on information supplied by you, we have processed and accepted at the state level your request for the facility identified with the above identification number to receive the indicated change in classification under RCRA:

Your facility status has been changed to the following:

Closed/Moved.

By copy of this letter, we are advising EPA of the change in your status. Please notify us in writing if there is any further change in your operations which would again affect your status. Your EPA ID number is being inactivated.

Sincerely,

Michael X. Redig
Environmental Supervisor II
Hazardous Waste Management Section

cc: Dave Gray - EPA/Region IV
DER/West Palm Beach
GMS-ID # 5013P01224

THIS LETTER IS INTENDED TO NOTIFY YOU OF YOUR EPA ID NUMBER. THIS LETTER IS NOT AN APPROVAL TO TRANSPORT HAZARDOUS WASTE OR OPERATE A HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITY. PLEASE CONTACT THE DEPARTMENT FOR COMPLETE REQUIREMENTS.

recd. 1-12-95

"Protect, Conserve and Manage Florida's Environment and Natural Resources"



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

MAR 24 1998

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
Miami, Florida 33152

Dade County
HW-E.M.C. Oil Corporation

RE: Proposed Settlement by Short Form Consent Order in Case of
DEP vs. E.M.C. Oil Corporation, OGC File No.: 97-1349.

Dear Ms. Perez-Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated July 23, 1997, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. However, the Department has calculated that civil penalties in the amount of \$20,650.00, along with \$500.00 to reimburse the Department costs would be an appropriate settlement.

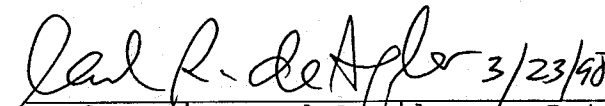
A portion of the \$20,650.00 of the civil penalty has been offset with an In-kind Project. E.M.C. Oil Corporation has built an additional containment system for the event of a possible discharge. Thus, a total of \$4,000.00 and \$500.00 is still due and owing. Both payments must be payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above. The civil penalty payment should include the notation "Ecosystem Management and Restoration Trust Fund", and the payment reimbursing DEP for costs should include the notation "Water Quality Assurance Trust Fund." Both payments shall be sent to the Department of Environmental Protection, Southeast District Office, P.O. Box 15425, West Palm Beach, Florida 33416. The payment shall be sent within 20 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

Ms. Perez-Leon.
OGC File No. 07-1349
Page 2 of 2

If you do not sign and return this letter to the Department at the Southeast District address given above within 20 days of receiving it, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantive interest are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,


Carlos Rivero-deAguilar Date 3/23/98
Director of District Management
Southeast District

VK
CRA/VK/jhb

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER IDENTIFIED ABOVE.

For E.M.C. Oil Corporation:

For the Department:

By:

Maria Perez-Leon Date
President
E.M.C. Oil Corporation

Carlos Rivero-deAguilar
Director of District Management
State of Florida Department
of Environmental Protection

ENTERED this _____ day of _____, 1998 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

Attachments

cc: West Palm Beach DEP, Files

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

SFCO/10/96



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER#WL97-0065HW13SED
FLR000000166

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
P.O. Box 520882
Miami, Florida 33152

Dade County
HW-EMC Oil Corporation

RE: Hazardous Waste and Used Oil Compliance Inspection at E.M.C.
Oil Corporation, 8470 NW 68th Street, Miami, Florida.

Dear Ms. Perez-Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on April 16, 1997. During this inspection, possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, as adopted in Chapter 62-730, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James H. Bussey of this office at 561/681-6718 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an

Ms. Maria Perez-Leon
Page 2 of 2

appropriate penalty. In accordance with the RCRA Civil Penalty Policy of 1990, the penalty which would be proposed in this case is \$20,650.00 plus \$250.00 for the Department's cost and expenses.

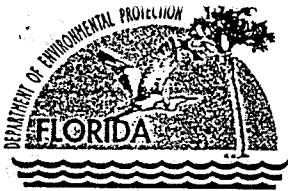
Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceeding. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Virek Kamath 7/22/97
f Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VK
CRA/VK/jhb

cc: Roberto Abrahante, DERM
West Palm Beach, DEP File



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ___ Complaint X Routine ___ Follow-up ___ Permitting
FACILITY NAME E.M.C. Oil Corporation EPA ID# FLR000000166
SITE NAME Environmental Management Conservation
ADDRESS 8470 NW 68th Street, Miami, Florida 33152
MAILING ADDRESS P.O. Box 520882, Miami, Florida 33152-0882
COUNTY Dade PHONE (305) 477-7497 DATE 4-16-97 TIME 12:16 p.m.

TYPE OF FACILITY:

Generator	Storage	Treatment
<u>X</u> Cond. Exempt S.Q.G.	___ Container	___ Tank
___ Small Quantity	___ Tank	___ Land Treatment
___ Generator	___ Waste Pile	___ Thermal
___ Non-Handler	___ Surface Impoundment	___ Chem/Phys/Bio.
		___ Incinerator
		___ Surface
		___ Impoundment
Transporter	Disposal	
___ Transporter	___ Landfill	
<u>X</u> Transfer Station	___ Surface Impoundment	
	___ Waste Pile	

2. Applicable Regulations:

X 40 CFR 261.5 ___ 40 CFR 262 ___ 40 CFR 263 ___ 40 CFR 264
___ 40 CFR 265 ___ 40 CFR 266 ___ 40 CFR 268 X 40 CFR 279

3. Responsible Official: (Name & Title)

Maria Perez-Leon - President

4. Survey Participants & Principal Inspector:

EMC Oil Inc. : Ms. Maria Perez-Leon (Owner), Mr. George L. Vincent
(Manager)
DEP: Mr. James H. Bussey, Ms. Tiffany Holmes

5. Facility Latitude: 29° 15' 32" Longitude: 80° 10' 20"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE
7. Pre-arranged Inspection: ___ Yes X No.

E.M.C. Oil Corporation
INSPECTION REPORT

FLR000000166
CESQG

SITE INSPECTION

On April 16, 1997, a hazardous waste/used oil compliance inspection was conducted at E.M.C. Oil Corporation (EMC), 8470 NW 68th Street, Miami, Florida. The inspection was part of the Department's 1997 inspection schedule. EMC has been in business at this location since 1994 and has 11 employees. EMC is a transporter and transfer facility for used oil, used oil filters, and waste oily water. EMC is connected to a publicly owned treatment works (POTW). The inspection and records review were hosted by Ms. Maria E. Perez-Leon (Owner). Department personnel participating in the inspection included Mr. James Bussey and Ms. Tiffany Holmes.

EMC has a fleet of five tanker trucks, a vacuum truck, and two box truck which are used to pick up drummed waste. Two of the six tanker trucks are single compartment tankers used to haul used oil. One of the tanker trucks uses is a 8,000 gallon compartment heil-trailer. One truck uses is a vacuum for pumping out sumps and soakage pits. The other three tankers are compartmentalized in the following manner: one double compartment 3,300 gallon capacity tanker, one double compartment 2,500 gallon capacity tanker, and a double compartment 2,600 gallon capacity tanker. The trucks leave the facility early in the morning on their "milk runs" to pick up vehicular waste. The trucks return in the late afternoon to unload. Used oil is sometimes mixed with transmission fluid inside the tankers. Inspectors observed a 5000-gallon storage tank that is used for the storage of waste water and possibly used oil, per Ms. Perez-Leon.

Used oil is taken to several location in Southern Florida. The main facilities utilized by EMC are Cliff Berry, Inc., Perma-Fix Environmental (formerly Integrated Resource Recovery), H.R. Paving, International Petroleum, Inc., U.S. Foundry, Chemical Conservation, Laidlaw Environmental, and Rinker Materials for recycling. Before a load is dropped at a facility the tank is tested for water and halogen levels.

When trucks return at the end of the day with "waste water", it is stored in a 5000 gallon tractor trailer tanks. When all of the "water waste" has been consolidated into one tanker compartment, it is transported to a selected facility for recycling.

EMC provides its customers with DOT approved 55-gallon drums for accumulation and storage of used oil filters. Drummed used oil filters are returned to EMC for crushing and draining. At the end of the crushing and draining process is a 55-gallon drum collecting excess debris and gas filters. The used oil is drained from the 55-gallon drum and is sent for recycling with the rest of the used oil. Sludge and debris is removed from the 55-gallon drum and placed into the dumpster as trash. Inspectors requested a hazardous waste determination before further discharge to the dumpster.

Inspectors observed 35 55-gallon drums of crushed used oil filters with no labels. Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed 32 55-gallon drums of crushed used oil filters not being protected from the weather and being stored on a pallet over non-impermeable surface. Inspectors advised EMC to place these crushed used oil filters over a impervious surface.

Inspectors observed stained soils next to a 250-gallon tank and requested a preliminary contamination assessment plan be completed and sent to the Department for review. Drained, crushed oil filters are sent to U.S. Foundry and Smelting (USFS) in Medley, Florida.

EMC brokers the disposal of petroleum contaminated soil. Pre-burn analyses are run on the individual drums before they leave the petroleum contaminated site. The pre-burn analyses are performed by Envirodyne. The contaminated soils that fail the pre-burn analyses, that test as hazardous waste, are transported for disposal by an approved hazardous waste transporter. The drummed contaminated soils that pass the pre-burn analyses are transported to EMC or transported to an approved burn facility.

EMC excepts only non-hazardous waste at their facility.

Inspectors observed a 250-gallon drum of used oil and 15 55-gallon drums of used oil not labeled with the words "Used Oil." Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed a 55-gallon drum labeled with the words "Absorbent Material." Inspectors requested EMC to open the drums, rags were observed. EMC was requested to produce a analytical for the material and insure the drum is properly labeled.

Inspectors observed an open 250-gallon tank (about 1/3 full) being utilized to clean vehicle parts. Per Ms. Perez-Leon, the contents are mainly used gasoline, jet fuel, and diesel to clean parts, once the fuel is no longer good its added to the used oil tank for disposal. Inspectors requested a determination of the tank contents and the results be sent to the Department for review.

Inspectors observed a 5000-gallon unlabeled tank. Ms. Perez-Leon was not sure of the content of the tank. Mr. Perez-Leon said Mr. George L. Vincent will contact the Department and explain what the contents of the tank.

RECORD REVIEW

EMC provided copies of used oil manifests, training records, EMC safety meetings, and non-hazardous waste manifest for the 55-gallon drum of rags being stored at EMC. Enclosed is a change of status form for EMC's

facility at 6201 S.W. 35th Street, Miami, Florida. This form should be filed out and submitted to the Department to close out the EPA identification number.

DEPARTMENT FINDINGS

EMC notified as a non-handler of hazardous waste and was assigned the EPA ID #FLR000000166 for their used oil operation. EMC appears to generate less than 100 kilograms per month of hazardous waste and would be classified as a conditionally exempt small quantity generator of hazardous waste. In order for EMC to be excluded from full regulation under 40 CFR 262, EMC must comply with the provisions in 40 CFR 261.5. EMC must ensure proper disposal of all hazardous wastes that are generated to be in compliance with 40 CFR 261.5.

An exit interview was conducted with Ms. Perez-Leon. The following potential violation was noted and the following items under "comments" were requested to be sent to the Department.

1. Provide to the Department a hazardous waste determination on the 55-gallon drum of non-hazardous contaminated rags generated by Keys Fishing, Marathon, Florida, also provide a hazardous waste determination from the collection can at the end of the oil filter crushing process system.

Additional requests were made under comments:

- 1) Label all 55-gallon crushed used oil filter drums with the words "Used Oil Filter."
- 2) Store used oil/filters on a impervious surface.
- 3) Label a 250-gallon tank and all 55-gallon drums of used oil with the words "Used Oil."
- 4) Beside the 500-gallon tank inspectors observed stained soils. Inspectors requested a PCAP to be completed of the soil and send the results to the Department within 30 days of this inspection.
- 5) Make determination of parts washer and send the results to the Department within 10 days of completion of the analytical.
- 6) Relabel non-hazardous waste drum of used rags (Labeled Absorbent Material) and send the picture to the Department within 15 days of this inspection report.
- 7) As noted above, the 55-gallon drum of waste material from the oil filtering crushing system needs determination to identify if it is hazardous waste (next to filter crushing system).

Ms. Perez-Leon made a copy of the Exit Interview Summary for her records.

On June 9, 1997, EMC provided a list of vehicles utilized at EMC. On June 16, 1997, EMC provided soil analysis of the stained soils next to

the 500-gallon tank. The analysis requested by the Department was for Toxicity Characteristic Leaching Procedures (TCLP) RCRA metals. EMC provided results indicating Arsenic 1.0 mg/Kg, Cadmium 8.0 mg/Kg, Copper 10.4 mg/Kg, Lead 8.9 mg/Kg, Nickel 2.24 mg/Kg, and Zinc 38.5 mg/Kg.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section (phone 561/681-6600) is willing to provide assistance, within the Department's capabilities, limitations, time constraints and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268) be obtained from local public, college or law library or EPA Region IV or the U.S. Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 262.11

HAZARDOUS WASTE DETERMINATION

EMC failed to perform a hazardous waste determinations on 250-gallon solvent tank, 55-gallon drum of unknown waste generated at the crushed used oil filter process machine.

40 CFR 279.22(c)

USED OIL LABELING

EMC failed to label a 250-gallon used oil tank, 15 55-gallon used oil drums, and 35 55-gallon drums of crushed used oil filters with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY CONTAINMENT

EMC failed to provide secondary containment for a used oil tank, and 55-gallon drums of used oil.

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

EMC failed to protect 55-gallon drums of crushed used oil filters from weather and stored on an oil-impermeable surface.

CORRECTIVE ACTIONS

40 CFR 262.11

HAZARDOUS WASTE
DETERMINATION

Within 30 days, EMC shall perform a waste determination the solvent tank, and on the 55-gallon drum of unknown waste.

Documentation shall be submitted to the DEP Southeast District Office within 10 days of the determination. The DEP will then advise what further action, if any, is needed.

40 CFR 279.22(c)

USED OIL LABELING

EMC needs to provide to the Department pictures of a 250-gallon tank and the 35 55-gallon drums with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY
CONTAINMENT

EMC, shall establish a containment system for their used oil tank and 55-gallon drums of used oil. This system must consist of a floor that has at a minimum, dikes, berms, or retaining walls.

For further guidance, research Title 40 Code of Federal Regulation 279.45(d)-(f).

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

Henceforth, EMC shall seal, contain and protect all used oil filters from weather and store these drums on an oil-impermeable surface.

Future reinspections may be conducted to ensure proper management of hazardous waste.

Report prepared by: James H. Bussey Date: 7-17-97
James H. Bussey
Environmental Specialist
Hazardous Waste Compliance/Enforcement Section

Report approved by: Jeffrey A. Smith Date: 7/17/97
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



Florida Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: Emc Oil DATE: 4-16-97 TIME: 12:16 pm
INTERVIEW PARTICIPANTS: James Bussey, Tiffany Holmes, Maria Perez-Leon

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ☒ 1. Hazardous Waste Determination [262.11]. on drum of contaminated rags and
- ☐ 2. Notification as a generator [262.12]. garbage can with debris
- ☐ 3. Manifest Deficiencies [262 Subpart B].
- ☐ 4. Recordkeeping [test results, manifest, biennial report].
- ☐ 5. Personnel Training [265.16; 262.34(d)].
- ☐ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ☐ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ☐ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ☐ 9. Tank requirements [265 Subpart J].
- ☐ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ☐ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ☐ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ☐ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ☐ 14. Notification as a TSD facility [264.11].
- ☐ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ☐ 16. Ground water monitoring [265 Subpart F].
- ☐ 17. Security Requirements [265.14].
- ☐ 18. Storing HW less than 50 feet from the property line [265.176].
- ☐ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ☐ 20. Closure/Post-closure [265 Subpart G].
- ☐ 21. Financial Responsibility [264 Subpart H].
- ☐ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- ☐ 23. Other

COMMENTS: Used oil filters labels, store used oil/oil filters on a non-imperious
soil, 250 gallon used oil labeled on outside drum

RECEIPT ACKNOWLEDGED BY

INVESTIGATOR



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

March 4, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Fl. 33416

Via Fax: 561-681-6770 &
Regular Mail

Re: Asphalt at E.M.C. - 8470 N.W. 68th Street, Miami, Fl.

Dear Mr. Bussey:

I am in receipt of your department's letter dated February 20, 1998. Please be aware that I sent you pictures and a check numbered 1744 in the amount of \$4,500.00 on February 13, 1998; however, I received your letter a few days after. Your letter indicates that we send a cashier's check or money order.


Enclosed please find two cashier's check as follows: 1)#536595567 in the amount of \$4,000.00 and 2)#536595568 in the amount of \$500.00 which satisfies the civil penalties and reimbursement to the department's costs.

Kindly forward our check numbered 1744 in the amount of \$4,500.00 to my attention.

Again, should you have any documents regarding the closure on this case, please send it to my attention.

Should you have any questions, please contact me immediately.

Sincerely,


MARIA E. PEREZ LEON
MEPL/hjs

Enclosures: cashier's check

P.S.*

Also, enclosed is the agreed settlement letter signed by me.

RECEIVED
MAR 9 1998
DEPT. OF ENV. PROTECTION



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

February 13, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Fl. 33416

RECEIVED
FEB 17 1998
DEPT OF ENV. PROTECTION

Re: Asphalt at E.M.C. - 8470 N.W. 68th Street, Miami, Fl.

Dear Mr. Bussey:

As you have requested, enclosed please find panoramic pictures of the work done at E.M.C. Also, enclosed is a check made payable to State of Florida, Department of Environmental Protection in the amount of \$4,500.00.

If you have any documents regarding the closure on this case, please send it to my attention.

j

Should you have any questions, please contact me.

Sincerely,

MARIA E. PEREZ LEON
MEPL/hjs

Enclosures: Check/Pictures

**E.M.C.
OIL CORP.**

Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dial: 305-477-9499

Toll Free: 1-800-344-8688

FACSIMILE TRANSMITTAL

DATE:

April 8, 1998

TO:

James Bussey

COMPANY:

DEP

FAX NO:

561-681-6770

OUR FAX:

305-477-9410

FROM:

Melvin J. Solana

RE:

EMC Oil Corp.

COMMENTS:

• OF PAGES:

3

TIME SENT:

1:50 pm

THANK YOU FOR YOUR BUSINESS!

E.M.C. OIL CORPORATION



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

April 6, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, FL 33416

Re: E.M.C. Oil Corp.; 8470 N.W. 68th Street, Miami, FL 33166

Dear Mr. Bussey:

I have again reviewed the Hazardous Waste Inspection Report attached to your letter dated March 24, 1998. Please be advised there are a few corrections we discussed at the meeting with Mr. Jones, Mr. Smith and Ms. Holmes, that remain un-corrected.

The following corrections need to be made:

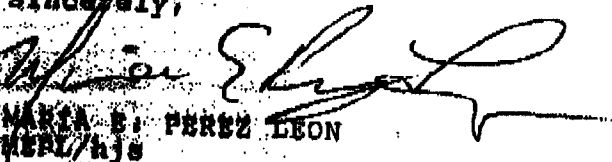
1. Page 2 of 7, 3rd paragraph: "Environdyne" needs to be replaced with "Precision"
2. Page 2 of 7, 5th paragraph: "15-55gallon drums of used oil not labeled with the words "Used Oil". Please note, we do not have any drums containing used oil and never did.
3. Page 2 of 7, "Record Review": Enclosed you will find a copy of our change of status completed two years ago.
4. Page 3 of 7, under "Additional requests were made under comments":
 - #1 - this was done on inspection in front of you and Ms. Holmes.
 - #3 - this was done on inspection in front of you and Ms. Holmes.

As you know, pages 4 of 7 and 5 of 7 contains the same incorrect information. I am now requesting to be corrected.

All other matters have been corrected and checks have been forwarded to you on March 4, 1998.

Please correct the items above and should you have any questions, please contact me.

Sincerely,


MARIA E. PEREZ LEON
MEL/hjs



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

01-09-95

MARIA LEON, PRES
EMC OIL CORP
PO BOX 520882
MIAMI

RE: Facility ID # FL0984166025
LOC: 6201 SW 35TH ST
MIAMI:

FL 33152

Based on information supplied by you, we have processed and accepted at the state level your request for the facility identified with the above identification number to receive the indicated change in classification under RCRA:

Your facility status has been changed to the following:

Closed/Moved.

By copy of this letter, we are advising EPA of the change in your status. Please notify us in writing if there is any further change in your operations which would again affect your status. Your EPA ID number is being inactivated.

Sincerely,

Michael X. Redig

Michael X. Redig
Environmental Supervisor II
Hazardous Waste Management Section

CC: Dave Gray - EPA/Region IV
DER/West Palm Beach
CMB-ID / 5013P01224

THIS LETTER IS INTENDED TO NOTIFY YOU OF YOUR EPA ID NUMBER. THIS LETTER IS NOT AN APPROVAL TO TRANSPORT HAZARDOUS WASTE OR OPERATE A HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITY. PLEASE CONTACT THE DEPARTMENT FOR COMPLETE REQUIREMENTS.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

March 17, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 15425
West Palm Beach, Fl. 33416

RECEIVED

MAR 20 1998

DEPT OF ENV PROTECTION
WEST PALM BEACH

Re: Itemization of expenses

Dear Mr. Bussey:

Pursuant to your request, the following is a list of the expenses incurred:


- | | |
|--|------------|
| 1. Evans Environmental & Geol. Svcs.
environmental consulting firm | \$3,750.00 |
| 2. Precision Environmental Svc.
soil testing for PCAP; oily waste water;
and soils testing | \$1,900.00 |
| 3. Dynatech Engineering
percolation test | \$ 250.00 |
| 4. Dynatech Engineering
phase I env. site assessment | \$ 900.00 |
| 5. Dynatech Engineering
phase II env. site assessment | \$1,250.00 |
| 6. The Republic Appraisal Co. II, Inc.
appraisal value opinion | \$ 700.00 |
| 7. Dade Concrete Pumping, Inc.
concrete | \$1,128.90 |
| 8. Fasco Unlimited of Hialeah, Inc.
concrete materials; paint | \$ 782.71 |
| 9. Ricardo Solana
labor for berm | \$ 551.00 |
| 10. Continental Land Surveyors, Inc.
survey and elevation certificate | \$ 300.00 |

Mr. James Bussey
March 17, 1998
Page 2

11.	Hialeah Aluminium Supply supplies for roofing containment berm	\$ 1,802.70
12.	Armando Colon installation of aluminum roofing	\$ 1,000.00
13.	H&R Paving Co. paving & drainage	\$29,000.00
14.	Juan Vazquez, C.P.A. accountant's fees	\$ 90.00
15.	First Union National Bank loan requested for costs incurred re; penalty	\$ 6,269.36
16.	Home Depot additional materials for berm	\$ 58.71
17.	Walgreens pictures of berm	\$ 14.98

Should you have any comments or questions, please feel free to contact me.

Sincerely,



MARIA E. PEREZ LEON
MEPL/hjs



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Date: 305-477-7497

Toll Free: 1-800-344-8888

FACSIMILE TRANSMITTAL

DATE:

3-4-98

TO:

James Pursey

COMPANY:

Dept. of Env. Pro.

FAX NO:

561-621-6770

OUR FAX:

305-477-9410

FROM:

Helys J. Solana

RE:

Letter & copies of cashes check

COMMENTS:

OF PAGES:

2

TIME SENT:

12:25pm

THANK YOU FOR YOUR BUSINESS!

E.M.C. OIL CORPORATION



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

MARCH 4, 1998

Mr. James Bussey
State of Florida
Department of Environmental Protection
400 N. Congress Avenue
P.O. Box 18425
West Palm Beach, FL 33416

Via Fax: 561-681-6770 &
Regular Mail

Re: Asphalt at E.M.C. - 8470 N.W. 68th Street, Miami, FL.

Dear Mr. Bussey:

I am in receipt of your department's letter dated February 20, 1998. Please be aware that I sent you pictures and a check numbered 1744 in the amount of \$4,500.00 on February 13, 1998; however, I received your letter a few days later. Your letter indicates that we send a cashier's check or money order.


Enclosed please find two cashier's check as follows: 1) #536595567 in the amount of \$4,000.00 and 2) #536595568 in the amount of \$500.00 which satisfies the civil penalties and reimbursement to the department's costs.

Kindly forward our check numbered 1744 in the amount of \$4,500.00 to my attention.

Again, should you have any documents regarding the closure on this case, please send it to my attention.

Should you have any questions, please contact me immediately.

Sincerely,


MARIA E. PEREZ LEON

MBP/hjs

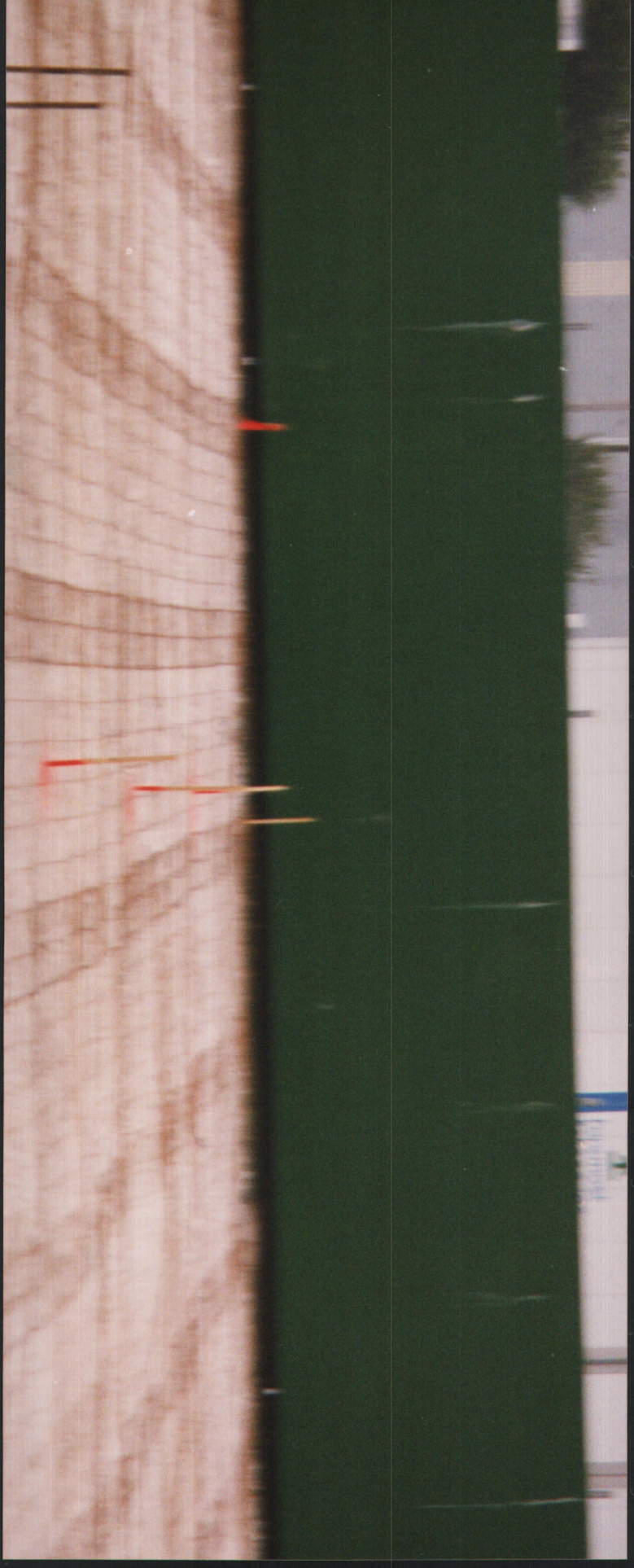
Enclosures: cashier's check

Dec 97-13^{1/4} #500 101503# #10200001846 109572 336595567#

066-97-1317
#500101503# : 10 200001808 105377 536 525588#













WASTE OIL COLLECTION
1-800-344-0000
WASTE OIL & FLUID RECYCLING

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WASTE OIL & FLUID RECYCLING





HAZARDOUS WASTE COLLECTION
1 (800) 344-8688
www.emc-oil.com
E.M.C. OIL CORP.
1 (800) 344-8688

E.M.C. OIL CORP.
USED OIL & FILTER RECYCLING
ENVIRONMENTAL SERVICES
1-800-344-8688
DADER, 577-7497
DRINK WATER FOR THE WORLD















Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

FEB 20 1998

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
Miami, Florida 33152

Dade County
HW-E.M.C. Oil Corporation

RE: Proposed Settlement by Short Form Consent Order in Case of
DEP vs. E.M.C. Oil Corporation, OGC File No.: 97-1349.

Dear Ms. Perez-Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated July 23, 1997, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. In order to resolve the matters identified in the attached Warning Letter, you are assessed civil penalties in the amount of \$4,000.00, along with \$500.00 to reimburse the Department costs, for a total of \$4,500.00. Both payments must be payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number. The civil penalty payment should include the notation "Ecosystem Management and Restoration Trust Fund", and the payment reimbursing DEP for costs should include the notation "Water Quality Assurance Trust Fund." Both payments shall be sent to the Department of Environmental Protection, Southeast District Office, P.O. Box 15425, West Palm Beach, Florida 33416. The payment shall be sent within 20 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the Southeast District address given above within 20 days of receiving it, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Ms. Perez-Leon.
OGC File No. 97-1349
Page 2 of 2

None of your rights or substantive interest are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

Carlos Rivero-deAguilar 2/19/98
Date
Director of District Management
Southeast District

VK
CRA/VK/jhb

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER IDENTIFIED ABOVE.

For E.M.C. Oil Corporation:

For the Department:

By: Maria Perez-Leon 3-4-98
Date
President
E.M.C. Oil Corporation

Carlos Rivero-deAguilar
Director of District Management
State of Florida Department
of Environmental Protection

ENTERED this _____ day of _____, 1998 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

Attachments

cc: West Palm Beach DEP, Files

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

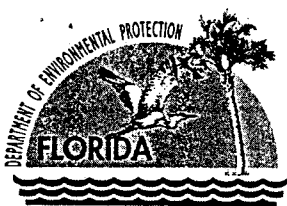
The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

SFCO/10/96



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER#WL97-0065HW13SED
FLR000000166

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
P.O. Box 520882
Miami, Florida 33152

Dade County
HW-EMC Oil Corporation

RE: Hazardous Waste and Used Oil Compliance Inspection at E.M.C.
Oil Corporation, 8470 NW 68th Street, Miami, Florida.

Dear Ms. Perez-Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on April 16, 1997. During this inspection, possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, as adopted in Chapter 62-730, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James H. Bussey of this office at 561/681-6718 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an

Ms. Maria Perez-Leon
Page 2 of 2

appropriate penalty. In accordance with the RCRA Civil Penalty Policy of 1990, the penalty which would be proposed in this case is \$20,650.00 plus \$250.00 for the Department's cost and expenses.

Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceeding. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Virek Kamath 7/22/97
f Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VK
CRA/VK/jhb

cc: Roberto Abrahante, DERM
West Palm Beach, DEP File



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION REPORT** ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting
FACILITY NAME E.M.C. Oil Corporation EPA ID# FLR000000166
SITE NAME Environmental Management Conservation
ADDRESS 8470 NW 68th Street, Miami, Florida 33152
MAILING ADDRESS P.O. Box 520882, Miami, Florida 33152-0882
COUNTY Dade PHONE (305) 477-7497 DATE 4-16-97 TIME 12:16 p.m.

TYPE OF FACILITY:

Generator	Storage	Treatment
<input checked="" type="checkbox"/> Cond. Exempt S.Q.G.	<input type="checkbox"/> Container	<input type="checkbox"/> Tank
<input type="checkbox"/> Small Quantity	<input type="checkbox"/> Tank	<input type="checkbox"/> Land Treatment
<input type="checkbox"/> Generator	<input type="checkbox"/> Waste Pile	<input type="checkbox"/> Thermal
<input type="checkbox"/> Non-Handler	<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Chem/Phys/Bio.
		<input type="checkbox"/> Incinerator
		<input type="checkbox"/> Surface
		<input type="checkbox"/> Impoundment
Transporter	Disposal	
<input type="checkbox"/> Transporter	<input type="checkbox"/> Landfill	
<input checked="" type="checkbox"/> Transfer Station	<input type="checkbox"/> Surface Impoundment	
	<input type="checkbox"/> Waste Pile	

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☐ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Maria Perez-Leon - President

4. Survey Participants & Principal Inspector:

EMC Oil Inc. : Ms. Maria Perez-Leon (Owner), Mr. George L. Vincent
(Manager)

DEP: Mr. James H. Bussey, Ms. Tiffany Holmes

5. Facility Latitude: 29° 15' 32" Longitude: 80° 10' 20"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No.

Inspectors observed 35 55-gallon drums of crushed used oil filters with no labels. Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed 32 55-gallon drums of crushed used oil filters not being protected from the weather and being stored on a pallet over non-impermeable surface. Inspectors advised EMC to place these crushed used oil filters over a impervious surface.

Inspectors observed stained soils next to a 250-gallon tank and requested a preliminary contamination assessment plan be completed and sent to the Department for review. Drained, crushed oil filters are sent to U.S. Foundry and Smelting (USFS) in Medley, Florida.

EMC brokers the disposal of petroleum contaminated soil. Pre-burn analyses are run on the individual drums before they leave the petroleum contaminated site. The pre-burn analyses are performed by Envirodyne. The contaminated soils that fail the pre-burn analyses, that test as hazardous waste, are transported for disposal by an approved hazardous waste transporter. The drummed contaminated soils that pass the pre-burn analyses are transported to EMC or transported to an approved burn facility.

EMC excepts only non-hazardous waste at their facility.

Inspectors observed a 250-gallon drum of used oil and 15 55-gallon drums of used oil not labeled with the words "Used Oil." Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed a 55-gallon drum labeled with the words "Absorbent Material." Inspectors requested EMC to open the drums, rags were observed. EMC was requested to produce a analytical for the material and insure the drum is properly labeled.

Inspectors observed an open 250-gallon tank (about 1/3 full) being utilized to clean vehicle parts. Per Ms. Perez-Leon, the contents are mainly used gasoline, jet fuel, and diesel to clean parts, once the fuel is no longer good its added to the used oil tank for disposal. Inspectors requested a determination of the tank contents and the results be sent to the Department for review.

Inspectors observed a 5000-gallon unlabeled tank. Ms. Perez-Leon was not sure of the content of the tank. Mr. Perez-Leon said Mr. George L. Vincent will contact the Department and explain what the contents of the tank.

RECORD REVIEW

EMC provided copies of used oil manifests, training records, EMC safety meetings, and non-hazardous waste manifest for the 55-gallon drum of rags being stored at EMC. Enclosed is a change of status form for EMC's

facility at 6201 S.W. 35th Street, Miami, Florida. This form should be filed out and submitted to the Department to close out the EPA identification number.

DEPARTMENT FINDINGS

EMC notified as a non-handler of hazardous waste and was assigned the EPA ID #FLR000000166 for their used oil operation. EMC appears to generate less than 100 kilograms per month of hazardous waste and would be classified as a conditionally exempt small quantity generator of hazardous waste. In order for EMC to be excluded from full regulation under 40 CFR 262, EMC must comply with the provisions in 40 CFR 261.5. EMC must ensure proper disposal of all hazardous wastes that are generated to be in compliance with 40 CFR 261.5.

An exit interview was conducted with Ms. Perez-Leon. The following potential violation was noted and the following items under "comments" were requested to be sent to the Department.

1. Provide to the Department a hazardous waste determination on the 55-gallon drum of non-hazardous contaminated rags generated by Keys Fishing, Marathon, Florida, also provide a hazardous waste determination from the collection can at the end of the oil filter crushing process system.

Additional requests were made under comments:

- 1) Label all 55-gallon crushed used oil filter drums with the words "Used Oil Filter."
- 2) Store used oil/filters on a impervious surface.
- 3) Label a 250-gallon tank and all 55-gallon drums of used oil with the words "Used Oil."
- 4) Beside the 500-gallon tank inspectors observed stained soils. Inspectors requested a PCAP to be completed of the soil and send the results to the Department within 30 days of this inspection.
- 5) Make determination of parts washer and send the results to the Department within 10 days of completion of the analytical.
- 6) Relabel non-hazardous waste drum of used rags (Labeled Absorbent Material) and send the picture to the Department within 15 days of this inspection report.
- 7) As noted above, the 55-gallon drum of waste material from the oil filtering crushing system needs determination to identify if it is hazardous waste (next to filter crushing system).

Ms. Perez-Leon made a copy of the Exit Interview Summary for her records.

On June 9, 1997, EMC provided a list of vehicles utilized at EMC. On June 16, 1997, EMC provided soil analysis of the stained soils next to

the 500-gallon tank. The analysis requested by the Department was for Toxicity Characteristic Leaching Procedures (TCLP) RCRA metals. EMC provided results indicating Arsenic 1.0 mg/Kg, Cadmium 8.0 mg/Kg, Copper 10.4 mg/Kg, Lead 8.9 mg/Kg, Nickel 2.24 mg/Kg, and Zinc 38.5 mg/Kg.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section (phone 561/681-6600) is willing to provide assistance, within the Department's capabilities, limitations, time constraints and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268) be obtained from local public, college or law library or EPA Region IV or the U.S. Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 262.11

HAZARDOUS WASTE DETERMINATION

EMC failed to perform a hazardous waste determinations on 250-gallon solvent tank, 55-gallon drum of unknown waste generated at the crushed used oil filter process machine.

40 CFR 279.22(c)

USED OIL LABELING

EMC failed to label a 250-gallon used oil tank, 15 55-gallon used oil drums, and 35 55-gallon drums of crushed used oil filters with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY CONTAINMENT

EMC failed to provide secondary containment for a used oil tank, and 55-gallon drums of used oil.

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

EMC failed to protect 55-gallon drums of crushed used oil filters from weather and stored on an oil-impermeable surface.

CORRECTIVE ACTIONS

40 CFR 262.11

HAZARDOUS WASTE
DETERMINATION

Within 30 days, EMC shall perform a waste determination the solvent tank, and on the 55-gallon drum of unknown waste.

Documentation shall be submitted to the DEP Southeast District Office within 10 days of the determination. The DEP will then advise what further action, if any, is needed.

40 CFR 279.22(c)

USED OIL LABELING

EMC needs to provide to the Department pictures of a 250-gallon tank and the 35 55-gallon drums with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY
CONTAINMENT

EMC, shall establish a containment system for their used oil tank and 55-gallon drums of used oil. This system must consist of a floor that has at a minimum, dikes, berms, or retaining walls.

For further guidance, research Title 40 Code of Federal Regulation 279.45(d)-(f).

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

Henceforth, EMC shall seal, contain and protect all used oil filters from weather and store these drums on an oil-impermeable surface.

Future reinspections may be conducted to ensure proper management of hazardous waste.

Report prepared by: James H. Bussey Date: 7-17-97
James H. Bussey
Environmental Specialist
Hazardous Waste Compliance/Enforcement Section

Report approved by: Jeffrey A. Smith Date: 7/17/97
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



Lawton Chiles
Governor

Florida Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: Emc Oil DATE: 4-16-97 TIME: 12:16 pm
INTERVIEW PARTICIPANTS: James Bussey, Tiffany Holmes, Maria Perez-Leon

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ☒ 1. Hazardous Waste Determination [262.11]. on drum of contaminated rags and
garbage can with debris
- ☐ 2. Notification as a generator [262.12].
- ☐ 3. Manifest Deficiencies [262 Subpart B].
- ☐ 4. Recordkeeping [test results, manifest, biennial report].
- ☐ 5. Personnel Training [265.16; 262.34(d)].
- ☐ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ☐ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ☐ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ☐ 9. Tank requirements [265 Subpart J].
- ☐ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ☐ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ☐ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ☐ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ☐ 14. Notification as a TSD facility [264.11].
- ☐ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ☐ 16. Ground water monitoring [265 Subpart F].
- ☐ 17. Security Requirements [265.14].
- ☐ 18. Storing HW less than 50 feet from the property line [265.176].
- ☐ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ☐ 20. Closure/Post-closure [265 Subpart G].
- ☐ 21. Financial Responsibility [264 Subpart H].
- ☐ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- ☐ 23. Other _____

COMMENTS: 1) Used oil filters labels, 2) Store used oil/oil filters on a non-imperious
soil, 3) 250 gallon used "used oil" labeled on outside drum.

RECEIPT ACKNOWLEDGED BY Maria E. Leon

James Bussey
INVESTIGATOR

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: January 20, 1998 TIME: 11:45am

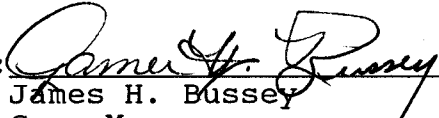
CONTACT: Mr. George Vincent OF: EMC Oil WAS CALLED

PHONE #: 800/344-8688

DISCUSSION:

I call Mr. George Vincent to confirm that the work has begun and when will the work be completed. Mr. Vincent said the construction started on January 20, 1998 and will be completed in two working weeks. I explained the time frames that the Department has concerning the EPA, and when EMC will need to have the work completed by. I told Mr. Vincent a SFCO will be sent to EMC Oil as soon as the work is completed, a penalty of \$4000.00 and \$500.00 for cost will need to be paid right away, this is what Ms. Perez has agreed to do. Mr. Vincent said that he will assist the Department in having the SFCO completed as soon as possible.

PREPARED BY:


James H. Bussey
Case Manager

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: December 16, 1997 TIME: 2:45pm

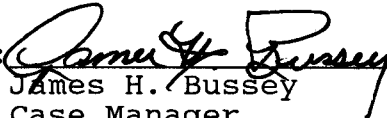
CONTACT: Mr. George Vincent OF: EMC Oil WAS CALLED

PHONE #: 800/344-8688

DISCUSSION:

A teleconference was conducted between EMC Oil representative Mr. George Vincent, Mr. Jeffrey Smith (Hazardous waste manager, SED) and Mr. James Bussey (Case Manager). Mr. Jeffrey Smith said the Department is concerned with time frames and having EMC Oil complete the required work that EMC said they were going to have completed by November 1997. Mr. George Vincent said the reason for the delay was due to a delay in getting a loan with a bank and meeting their requirements. Mr. Jeffrey Smith asked when will the project be completed for this site. Mr. Gordon assured the Department that the work will be completed by the second week of January 1998. Mr. Jeffrey Smith said the Department will give EMC until the end of the second week of January 1998. Mr. Smith explained to Mr. Vincent the Department situation with time frames for the Department that has been set by the EPA. Mr. Smith said we'll get back in touch with EMC on January 16, 1998. If the work has not been completed by EMC, they will need to pay the full fine or a case report will be completed.

PREPARED BY:


James H. Bussey
Case Manager



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8600

FACSIMILE TRANSMITTAL

DATE:

December 16, 1997

TO:

James Bussing or Jeff Smith

COMPANY:

REP

FAX NO:

561-681-6770

OUR FAX:

305-477-9410

FROM:

Helys J. Solana

RE:

EMC Oil Corp. /

COMMENTS:

analyticals for parts washer.

OF PAGES: _____

TIME SENT: _____

THANK YOU FOR YOUR BUSINESS!

E.M.C. OIL CORPORATION

PRECISION ENVIRONMENTAL LABORATORY, INC.

quality • first in service

G00001148

Anthony Hobbs

G-Evans Env & Geo Sci & Mgt

E. 5th St, 4th Floor

MI, FL 33131

Page 1

December 5, 1997

Submission # 9709000170

Order # 245539

FDEP CompQAP# 920323

HRS Certification# F86349, 86413

Location/Project

NW 68 St.

Oil

Sample I.D.: WT-1

Collected: 09/05/97 13:40

Received: 09/05/97 14:40

Collected by: Anthony Hobbs

TEST	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
RA 7 Metals in SOIL & WASTES by ICP							
			MBDF	1			
Total	BDL	mg/Kg	3051/6010	0.750	09/06/97	09/06/97	LA
Lead	BDL	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
Total	BDL	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
Total	BDL	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
	5.00	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
Total	BDL	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
	BDL	mg/Kg	3051/6010	1.000	09/06/97	09/06/97	LA
Lead Vapor AA)	BDL	mg/Kg	7471A	0.100	09/06/97	09/07/97	MAH
Inorganic Org. in Solids & Waste by GC-MS							
			MBDF	100			
Chloromethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Gas	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Acetone	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Acetone	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Chloromethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Gas	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Acetone	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD

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 Ft. FL 33131

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 December 5, 1997
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Location/Project
 NW 68 St.
 -Oil

Sample I.D.: WT-1
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TER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Dichloroethene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
n-Butyl Ether	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
methane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloroethene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
methane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloroethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloride	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ne	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
methane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
vinyl Ether	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ne	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD

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 December 5, 1997
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Location/Project
 NW 68 St.
 -Oil

Sample I.D.: WT-1
 Collected: 09/05/97 13:40
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 Collected by: Anthony Hobbs

PER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
	438	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
Dichloropropane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloroethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propylene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propylene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ethane (EDB)	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	571	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloroethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	2390	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	1350	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ene	311	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
chloroethane	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
propylene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
benzene	2530	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD

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C. Evans, Env. & Geo. Sci. & Mgt.

E. 5th St, 4th Floor

MI, FL 33131

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December 5, 1997

Submission # 9709000170

Order # 245539

FDEP CompQAP# 920323

HRS Certification# E86349, 86413

Location/Project

NW 68 St.

-Oil

Sample I.D.: WT-1

Collected: 09/05/97 13:40

Received: 09/05/97 14:40

Collected by: Anthony Hobbs

PER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
luene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
luene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
enzene	467	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ethylbenzene	3420	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
mzene	421	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
toluene	334	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
benzene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
benzene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ne	597	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
benzene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
3-Chloropropane (DBCP)	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
nobenzene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
adiene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
	1070	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
nbenzene	BDL	mg/Kg	5030/8260B	10.000	09/08/97	09/08/97	PMD
ol. Org. in Solids & Waste by GC/M			MBDF	10			
thylamine	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MEC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MFC

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 December 5, 1997
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Location/Project
 NW 68 St.
 -Oil

Sample I.D.: WT-1
 Collected: 09/05/97 13:40
 Received: 09/05/97 14:40
 Collected by: Anthony Hobbs

TEST	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
phenol (o-cresol)	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
phenol (m-cresol)	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
phenol (p-cresol)	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
isobutyl Ether	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
phenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
isobutene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
benzene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
benzene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
isopropyl Ether	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
n-Propylamine	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
hexane	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
phenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
isobutylmethane	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
phenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
isobutene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC

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 Miami, FL 33131

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 December 5, 1997
 Submission # 9709000170
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Location/Project
 NW 68 St.
 Oil

Sample I.D.: WT-1
 Collected: 09/05/97 13:40
 Received: 09/05/97 14:40
 Collected by: Anthony Hobbs

TR	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Monobenzene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
o	2260	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
butadiene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
Methylphenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
ththalene	2150	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
ththalene	3250	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
cyclopentadiene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
rophenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
rophenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
rophenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
halene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
alate	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
e	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
ene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
ol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
no	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC

CG00001148

Tony Hobbs

G-Evans Env. & Geo Sci & Mgt
E. 5th St. 4th Floor
Miami, FL 33131

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December 5, 1997

Submission # 9709000170

Order # 245539

FDEP CompQAF# 920323

HRS Certification# E86349, 86413

Location/Project
NW 68 St.
Oil

Sample I.D.: WT-1

Collected: 09/05/97 13:40

Received: 09/05/97 14:40

Collected by: Anthony Hobbs

TEST	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
thiophene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
nyl Phenyl Ether	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
2-Methylphenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
phenylamine	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
nyl Phenyl Ether	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
benzene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
phenol	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
thiophene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
thiophene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
benzene	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
aniline	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MRC

Page 8
December 3, 1997
Submission # 9709000170
Order # 245539
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Sample I.D.: WT-1
Collected: 09/05/97 13:40
Received: 09/05/97 14:40
Collected by: Anthony Hobbs

[illegible]

Location/Project
NW 68 St.
-Oil

Page 9
December 5, 1997
Submission # 9709000170
Order # 245539
FDEP CompQAP# 920323
HRS Certification# E86349, 86413

Sample I.D.: WT-1
Collected: 09/05/97 13:40
Received: 09/05/97 14:40
Collected by: Anthony Hobbs

	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
I	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
II	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
Sulfate	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
Hydro	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
Epoxyde	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC
V	BDL	mg/Kg	3550/8270C	10.000	09/06/97	09/06/97	MBC
	BDL	mg/Kg	3550/8270C	3.300	09/06/97	09/06/97	MBC

**ECISION ENVIRONMENTAL
LABORATORY, INC.**

Quality • first in service

AS000358
Vincent
aste Oil
FL 33152Page 1
September 24, 1997
Submission # 9709000644
Order # 248163
FDER CompQAP# 920323G
HRS Certification# E86349, 86413ation/Project
l Corp.
ste WaterSample I.D.: EMC Oil Corp.
Collected: 09/18/97 09:00
Received: 09/18/97 16:00
Collected by: Client

	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
7 Metals in SOIL & WASTES by ICP			MEDF	1			
1	BDL	mg/Kg	3051/6010	0.750	09/19/97	09/19/97	CDP
	BDL	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
tal	BDL	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
otal	BDL	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
	3.85	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
al	BDL	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
	BDL	mg/Kg	3051/6010	1.000	09/19/97	09/19/97	CDP
Vapor AA)	BDL	mg/Kg	7471A	0.100	09/19/97	09/21/97	MAH
sum Residual Organic)-(SOILS)			MBDF	1			
ge Organics (C8-C40)	> 99.0	%	FL-PRO (DEP UST)	1.000	09/20/97	09/22/97	JT

Indicates Analyte is Below Detection Limit***MEDF: Matrix Effect Dilution Factor***
 Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field***
 eler following result conforms to FAC 62-160 Table 7***
 otherwise noted, mg/Kg denotes wet weight***



Michael A. Spltzer, Laboratory Director



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

FACSIMILE TRANSMITTAL

DATE:

December 15, 1997

TO:

Vivek Kamath

COMPANY:

DEP

FAX NO:

561-681-6770

OUR FAX:

305-477-9410

FROM:

Helys J. Solana

RE:

COMMENTS:

Please contact me upon review
of said letter.

OF PAGES:

3

TIME SENT:

10

THANK YOU FOR YOUR BUSINESS!

E.M.C. OIL CORPORATION

Jeff -

Jim B referred
this to me
last Friday.

You might want
to decide what
to do. I was
told they were
going to finish
this job by
middle of

January
but this
letter does
not say
that

VK

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: December 12, 1997 TIME: 2:45pm

CONTACT: Mr. George Vincent OF: EMC Oil CALLED

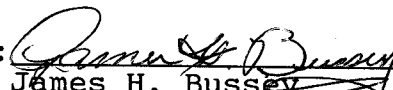
PHONE #: 800/344-8688

DISCUSSION:

Mr. Vincent called to inform the Department why the construction work has not yet been completed. Mr. Vincent said EMC is having difficulty with getting a loan for the work to be done. Mr. Vincent said the bank is requiring a phase two audit to be completed before a loan is given. I asked Mr. Vincent how the extension work of the containment area was completed without a phase two audit. Mr. Vincent said it was not required. I explained to Mr. Vincent that the I cannot give a another extension for this project. Mr. Smith my boss has already given EMC two extensions. Mr. Vincent said he wanted to speak with Mr. John Jones. I transferred to line to Mr. Vik Kamath (Program Administrator).

Mr. Vincent explained EMC's situation to Mr. Kamath and requested an extension to finish the work and complete the phase two assessment. Mr. Vincent said he will provide information to Mr. Kamath to prove what he is saying is true about the loan. Mr. Kamath said he will be more than glad to review any information provided but a further extension will not be approved. Mr. Kamath said to work fast and provide the work to the Department for review. A Short Form Consent Order will be sent to EMC for signatures.

PREPARED BY:


James H. Bussey
Case Manager



12/9/97

78 P2 Cloudy

BMC Contained area
Back 106.

Taken -
By Jim Burrey



12/9/97
Taken by Jim. Burrey
78° P. Cloudy
Containers looking north



78° P-Norway

12/19/97

Taken by Jim. Norway
Looking Southwest.

at oil 55 gallon drums.

Part area for tanks.
Containment / also for used.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: December 10, 1997 TIME: 11:08am

CONTACT: Ms. Maria Perez-Leon/ OF: EMC Oil

Was CALLED

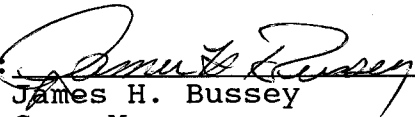
PHONE #: 800/344-8688

DISCUSSION:

I called Ms. Perez and informed her the Department has agreed to reinstate the original fine of \$20,900.00 for violations assessed at EMC Oil, Inc. This is due to the P2 project that EMC agreed to complete by the November 15, with an extension to December 15, 1997 has not been completed. Inspectors went by the EMC Oil on December 9, 1997 and no work has been completed as of yet. Ms. Perez said she is still awaiting approval of a loan to complete the work, Ms. Perez also said the permit has not been approved yet. Inspectors observed a new berm around the tankers and a new roof over the 55-gallon drums of used oil filters.

I explained to Ms. Perez the Department is willing to review any counter offer to lower the fine that the Department has assessed. Mr. Perez said she will get back with the Department by close of business on December 11, 1997.

PREPARED BY:


James H. Bussey
Case Manager

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: November 21, 1997 TIME: 11:25am


CONTACT: Mr. George Vincent OF: EMC Oil WAS CALLED

PHONE #: 800/344-8688

DISCUSSION:

I called Mr. George Vincent and asked if the work at EMC has been completed yet. Mr. Vincent said he is still waiting for the plans from his engineer to be sent to EMC and then he will request a permit from DERM. Once the permit has been approved by DERM EMC will then finish the work. Mr. Jeffrey Smith asked when this will take place. Mr. Vincent said the work will be completed within the next two weeks. Mr. Smith said the Department will give EMC till December 15, 1997 to complete the work, if the work is not completed the penalty amount will revert to the full amount assessed. Mr. Smith said the Department will stop by EMC on December 15, 1997 to ensure the work has been completed. I suggested to Mr. Vincent if any further problems arise please give me a call.

PREPARED BY:


James H. Bussey
Case Manager

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: October 13, 1997 TIME: 11:25am

CONTACT: Mr. Craig Clevenger OF: EH&G Environmental Consultants

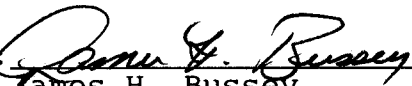
CALLED

PHONE #: 800/486-7458

DISCUSSION:

I called EE&G Environmental to discuss the environmental project at EMC Oil in Dade County. Mr. Craig Clevenger said the engineering plans are being sent to EMC Oil by October 15, 1997. EMC will be applying for a permit at that time for the construction of their site. I explained to Mr. Clevenger that if the permits have not been received and there maybe a delay contact myself or Mr. Jeffrey Smith at the Department and request an extension.

PREPARED BY:


James H. Bussey
Case Manager

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil **DATE:** August 29, 1997 **TIME:** 11:05am

CONTACT: Ms. Maria Perez-Leon/ **OF:** EMC Oil

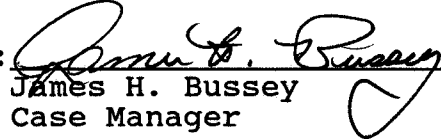
Was CALLED

PHONE #: 800/344-8688

DISCUSSION:

I called to discuss the penalties and work that needs to be conducted at EMC. I explained to Ms. Perez (Owner of EMC) that the Department will give EMC 90 days (as of 8/29/97) to complete the work. After the work has been completed the Department will send a SFCO will the agreed to fines of \$4,130.00 and cost and expenses of \$500.00. Ms. Perez said the fines of \$4,630.00 are correct and EMC will pay them. I explained to Ms. Perez that the Department will inspect EMC at the end of the 90 days to ensure the work has been completed. I advised Ms. Perez that I've attempted to get in contact with Mr. Claire Gardner (Consultant) several times in the last two days to inform her of the Departments decision. She has not returned my calls as of yet. Ms. Perez said she will contact Ms. Gardner and inform her of our agreement.

PREPARED BY:


James H. Bussey
Case Manager

MEETING ATTENDANCE

DATE:

8-15-97

COMPANIES:

Emcoul

AGENCIES

FDEP

NAME	REPRESENTING	TELEPHONE NO.
Tiffany Holmes	FDEP	561/681-6756
CLAIRE LARSONER	EE & G	800/482-486-7458
Craig C. Clevenger	EE & G	(305) 374-8300
Maria F. Perez Leon	E.M.C.O.C.	800-344-8688
Jorge L. Vicente	E.M.C.O.C.	800-344-8688
JEFFREY Smith	FDEP	561/681-6670
JOHN Jones	FDEP	561-681-6674

EMC Oil

8/15/97

10 AM

- Overview of history of site + inspection
- US Foundry down \therefore Accum. Filters
- Would like to pour pad w/ berm at property.

#1) - Parts washer: use Fuel as solvent.

Holds ≈ 10 gal solvent / rest is water.

* - Will perform detan. (analysis) on solvent

- Water goes to ~~oil~~ center part of truck.

~~Water~~ Water goes Cliff Perry + Cliff does some analysis.

* - EMC to provide what analysis they can.

* - Drum next to filter screen. Will separate solid waste from oil.

#2) Labeling performed.

TANK will be kept empty.

#3) Secondary containment.

Place secondary after C&I.

Trucks on concrete w/o berm, but plan to correct.

#4) Filter on imper. surface.

connected, w/o berm.

- Will get w/ DGC to see if we can do SEP.

- Proposed to collect \$4130 + C+E (\$250), + Allow to offset rest (\$1 to \$1) to complete paving (concrete)

Facility, not counted w/ this SEP ~~area~~ are areas that are to be paved to comply w/ citations made.

10:10 am.

8-15-97
Emc Oil

Clean up tremendously
planning on paving entire property
want to put in sec. containment
for all drums of U.O.F.
parts cleaner

$\frac{1}{2}$ diesel fuel $\frac{1}{2}$ H₂O for rinse
holds ≈ 10 gal H₂O - need det.
mostly H₂O for rinsing
 \rightarrow handle as only H₂O

~~do~~ ~~do~~
Still need budget
get analysis for waste H₂O that goes
to Cuff B/Rinker.
55-gallon drum of concrete stuff
Goes to foundry for energy screen
will set up drum w/ screen to
drain garage of u.o.

big green tank ~~to~~ is know empty
and will no longer be used.

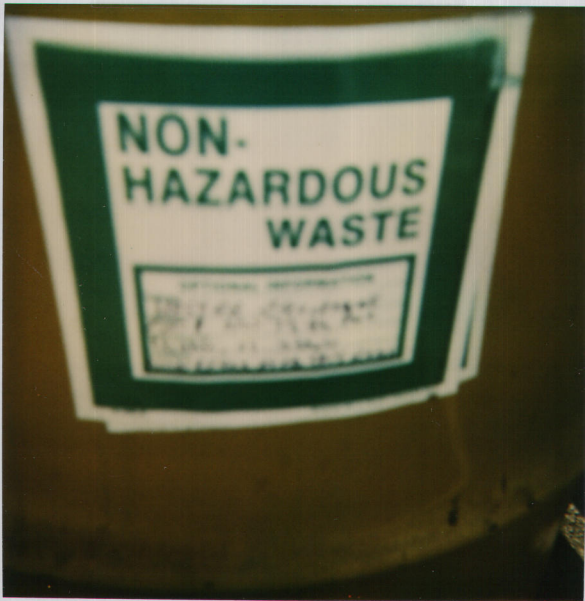
Secondary containment -
surrounding around 250g. tank.
need to know capacity of 2nd cont.
3' 20x20

$100 \text{ ft}^3 = 740 \text{ gal.}$
Still need 2nd cont for tanker trucks

Storage of U.O.F. - Foundry back
in service to take filters so
will not be storing as many containers

So : Compliance issues
HW + screendrum.
Sec. cont - Compliance sch.

\$



Mestre Equipment - Rags
Re-labelled



Mestre Equipment



E.M.C.
USED OIL CORP.
USED OIL & FILTER RECYCLE
(303) 477-7497

E.M.C. OIL CORP.
USED OIL & FILTER RECYCLE
1-800-344-8



Used Oil Filter Drums

1680151 HNH12



Former Drums Area



Oil Filter Crushing / Draining
Debris Collection
Drum

21 N H N 1510891

8-15-97



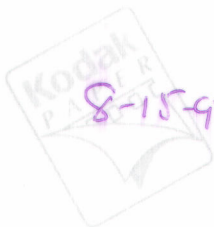
Empty

8-15-97

21-11-11 1010891



Kodak
PAPER



8-15-97

Berm



Kodak
PAPER



EMC OIL CORP.
USED OIL ONLY
ACEITE USADO SOLAMENTE
FOR PICK UP OR EMERGENCY SERVICE
CALL 1-800-344-8688



250 gallon Tank

8-15-97

1680151 NNN12





Berm

8-15-97



1190153 N N N 32

DATE: 7/16/97 TIME: 10:41 AM

WEATHER: 75° cloudy

LOCATION: 55-gallon drum Crutchedork

PHOTO TAKEN BY: Tim Boney

Filter Drum.



1190153 N N N N 2

DATE: 4/16/97 TIME: 10:41 AM
WEATHER: 75° cloudy
LOCATION: 55-gallon drum
PHOTO TAKEN BY: Jim Bussey



DATE: 4/16/97 TIME: 10:41 AM

WEATHER: 75° Cloudy

LOCATION: 55-gallon drums crushed at off-site

PHOTO TAKEN BY: Tim Bunn



DATE: 4/16/97 TIME: 1041 AM
WEATHER: 75 cloudy
LOCATION: Non Nat. Storey
PHOTO TAKEN BY: Tim Bussor



DATE: 4/16/97 TIME: 1041 AM

WEATHER: 75 Cloudy

LOCATION: Non-hazardous stage area

PHOTO TAKEN BY: Jim Bussey



DATE: 4/16/97 TIME: 10:41AM
WEATHER: 75° Cloudy
LOCATION: Inside Building Crashed Oil
PHOTO TAKEN BY: Tim Busey

F. Hena.



DATE: 4/16/97 TIME: 10:41 AM

WEATHER: 75° Cloudy

LOCATION: 55- gal drum

PHOTO TAKEN BY: Jim Bursey



DATE: 4/16/97 TIME: 10:41 AM

WEATHER: 75° Cloudy

LOCATION: Crushed Oil 6. Hrs.

PHOTO TAKEN BY: Jim Burray



DATE: 8/16/97 TIME: 10:41 AM
WEATHER: 75° Cloudy
LOCATION: Part's washer
PHOTO TAKEN BY: J.m. Bueary



E.M.C. OIL CORP
1-800-344-868

FOR USED OIL FILTER
RECYCLING ONLY
RSE
1-800-344-868

DATE: 4/16/97 TIME: 10:41 AM
WEATHER: 75° cloudy
LOCATION: Crushed oil filters on top of road.
PHOTO TAKEN BY: Jim Buser



DATE: 4/16/97 TIME: 10:41 am
WEATHER: 75° Clouds
LOCATION: Oil water Tank
PHOTO TAKEN BY: Jim Brady

0500122



NON-
HAZARDOUS
WASTE

B1
CONT.
R.A.

050 0122 N N N-12

DATE:	<u>4/16/97</u>	TIME:	<u>10:41 AM</u>
WEATHER:	<u>75° cloudy</u>		
LOCATION:	<u>Used Rags (non hae)</u>		
PHOTO TAKEN BY: <u>Jim Buehry</u>			

Labeled as:
absorbent material



DATE: 4/16/97 TIME: 10:54 AM
WEATHER: 75° Cloudy
LOCATION: Crashed oil rig
PHOTO TAKEN BY: Tim Boney



DATE: 4/16/97 TIME: 10:41 AM
WEATHER: 75° Cloudy
LOCATION: Leaking tank
PHOTO TAKEN BY: J. m' Buey

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil **DATE:** August 13, 1997 **TIME:** 2:25pm

CONTACT: Ms. Claire Lardner **OF:** EE&G Environmental Consultants

CALLED

PHONE #: 800/486-7458

DISCUSSION:

Ms. Lardner called to inform the Department her company (EE&G Consulting) is representing EMC Oil for any environmental, cleanup, or enforcement issues. Ms. Lardner said the Southeast District is not following penalties guidances as the same as the rest of the state of Florida. Ms. Lardner stated, "she is concerned the district is trying to hurt a "Mom and Pop Company, like EMC Oil!" I explained the District did a standard inspection and has followed enforcement guidances set forth by Environmental Protection Agency and the Department. I did explain to Ms. Lardner that compliance issues and requests (See exit interview sheet) have not been met by EMC Oil. The Department requested specific items and issues to be addressed by EMC Oil at the time of the inspection. I explained to Ms. Lardner we can discuss these and other issues at the enforcement meeting. Ms. Lardner said she can't make the schedule enforcement meeting on August 14, and wanted to reschedule the meeting due to her health. I asked Ms. Lardner if August 15, 1997 at 10:00am would be a better time. She said it would be fine. Ms. Lardner requested a copy of the penalty calculation sheets to be faxed to her for review. I faxed those copies on August 14, 1997.

PREPARED BY: _____


James H. Bussey
Case Manager



Environmental Consultants to
Facilities
Infrastructure
Transportation

Evans Environmental & Geological Science and Management, Inc.

99 Southeast Fifth Street
Fourth Floor
Miami, Florida 33131
Telephone: (305) 374-8300
Fax: (305) 374-9004

DATE: August 13, 1997

FACSIMILE COVER PAGE

TO: Mr. James Bussey

COMPANY: FDEP

FAX NUMBER: (561) 681-6770

PHONE NUMBER: (561) 681-6718

FROM: Craig C. Clevenger

SUBJECT: E.M.C. Oil Corporation

COMMENTS: (3 Pages to Follow)

The information contained in this transmission may be confidential. It is intended only for the use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the material herein is prohibited. If you have received this communication in error, please notify us immediately by telephone. Your cooperation is appreciated.

If there are any problems with this transmission, please phone our office immediately.

Melbourne, FL - Jacksonville, FL
Miami, FL - Tampa, FL - Orlando, FL

Evans Environmental & Geological Science and Management, Inc.

Ninety-Nine Southeast Fifth Street
Fourth Floor
Miami, Florida 33131
(305) 374-8300
(305) 374-9004 Fax

EE&G

August 13, 1997

Mr. James H. Bussey
Hazardous Waste Compliance/Enforcement Section
Florida Department of Environmental Protection - Southeast District
P.O. Box 15425
West Palm Beach, FL 33416

Subject: E.M.C. Oil Corporation
8470 N.W. 68th Street
Miami, Florida

Dear Mr. Bussey:

This correspondence has been prepared in response to the April 16, 1997, hazardous waste compliance inspection conducted by the Florida Department of Environmental Protection (FDEP) at the above referenced facility. A FDEP correspondence, dated July 23, 1997, was issued to E.M.C. Oil Corporation, which summarized the results of the inspection, identified potential compliance violations, and itemized required corrective actions to be taken.

CORRECTIVE ACTIONS

Item 1 - Hazardous Waste Determination

Evans Environmental & Geosciences (EE&G) will collect a liquid sample from the 250 gallon "solvent" tank, and a sludge sample from the 55-gallon drum utilized to collect excess debris from the oil filter crushing/draining process. These samples will be transported to Precision Environmental Laboratory and analyzed for Volatiles (total - liquid sample; TCLP - sludge sample), Semi-Volatiles (total - liquid sample; TCLP - sludge sample), and RCRA Metals (total - liquid sample; TCLP - sludge sample).

Item 2 - Used Oil Labeling

It is the contention of E.M.C. Oil Corporation that FDEP representatives James Bussey and Tiffany Holmes were present when Maria Perez (E.M.C. Oil Corporation) labeled the 55-gallon drums as either "Waste/Used Oil" or "Used Oil Filters". However, E.M.C. Oil Corporation will provide copies of several picture documenting the continued practice of proper drum labeling. E.M.C. Oil Corporation also properly labeled the 250 gallon used oil tank.

Item 3 - Secondary Containment

EE&G will be retained to inspect the facility and prepare engineering design plans for the secondary containment of the used oil tank and 55-gallon drum storage area (if warranted). E.M.C. Oil Corporation will install the proposed secondary containment system in accordance with environmental regulations, upon approval by the Dade County Department of Building and Zoning. Please note that a concrete berm has been installed within the opening of the building.

Miami, FL

Jacksonville, FL

Orlando, FL



Printed on 100% Recycled Paper

Mr. James H. Bussey
August 13, 1997
Page 2

Item 4 - Storage of Used Oil Filters

The FDEP alleged that E.M.C. Oil Corporation failed to protect 55-gallon drums containing crushed used oil filters from weather, and failed to store the drums on an oil-impermeable surface. E.M.C. Oil Corporation is in the process of re-evaluating the drum storage procedures, and, during the design of the secondary containment, will be establishing impermeable surfaced, weather-protected areas on which to store these drums.

ADDITIONAL COMMENTS

- During the initial inspection, and on the FDEP's Hazardous Waste Inspection Exit Interview, no mention was made concerning the "Keys Fishing" drums. However, the FDEP correspondence alleged that E.M.C. Oil Corporation stored drums of contaminated rags generated by Keys Fishing of Marathon, Florida. The drums actually contained asphalt material and were disposed of properly.
- E.M.C. Oil Corporation did collect one 55-gallon drum of oily rags from Mestre Equipment. In accordance with the FDEP directive, E.M.C. Oil Corporation labeled the drum as "non-regulated oily rags" (documented with pictures). The contents were determined by analysis to be non-hazardous, and properly disposed of at Rinker Materials facility. All information is in the E.M.C. Oil Corporation files.
- E.M.C. Oil Corporation labeled 5,000 gallon tank as "Empty", and documented with photograph.
- E.M.C. Oil Corporation previously addressed the issue of stained soils observed near a 500 gallon tank. Soils were excavated, and the laboratory analyses of soil samples were submitted to the FDEP. At this time, E.M.C. Oil Corporation is awaiting the FDEP closure letter regarding the PCAP requirement.

TIME FRAME FOR ADDRESSING COMPLIANCE ISSUES

Pursuant to your conversation with E.M.C. Oil Corporation, a telephone conference will be held between representatives of E.M.C. Oil Corporation, EE&G, and the FDEP, at 9:30 a.m., Thursday, August 14, 1997. It is the desire of E.M.C. Oil Corporation to reasonably comply with all State and County regulations, and the objective of this teleconference will be to discuss the items summarized in this correspondence.

Following the teleconference, EE&G will schedule the sampling activities and conduct a site inspection. It is estimated that analytical results will be available within 10 working days following the sampling event. A final report containing the secondary containment engineering design plans will be ready within 15 to 20 working days following authorization to proceed.

Mr. James H. Bussey
August 13, 1997
Page 3

If you have any questions, please do not hesitate to contact either E.M.C. Oil Corporation representatives, Maria Perez or George Vincent, at (305) 477-7497, or the following EE&G representatives at (305) 374-8300.

Sincerely,



Craig C. Clevenger, P.G.
Hazardous Substances Division Manager



Claire Lardner, Esq.
Corporate Counsel
EE&G

CCC/CL:ccc

Aug 14 '97 8:15

OK

813053749004



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**WARNING LETTER#WL97-0065HW13SED
FLR000000166**

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
P.O. Box 520882
Miami, Florida 33152

Dade County
HW-EMC Oil Corporation

**RE: Hazardous Waste and Used Oil Compliance Inspection at E.M.C.
Oil Corporation, 8470 NW 68th Street, Miami, Florida.**

Dear Ms. Perez-Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on April 16, 1997. During this inspection, possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, as adopted in Chapter 62-730, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James H. Bussey of this office at 561/681-6718 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an



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Ms. Maria Perez-Leon
Page 2 of 2

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Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceeding. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Virell Camarillo 7/22/97
f Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VK
CRA/VK/jhb

cc: Roberto Abrahante, DERM
~~West Palm Beach, DEP File~~



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. W
Secretary

JUL 23 1997

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT Complaint ☒ Routine Follow-up Permitting

FACILITY NAME E.M.C. Oil Corporation EPA ID# FLR000000166

SITE NAME Environmental Management Conservation

ADDRESS 8470 NW 68th Street, Miami, Florida 33152

MAILING ADDRESS P.O. Box 520882, Miami, Florida 33152-0882

COUNTY Dade PHONE (305) 477-7497 DATE 4-16-97 TIME 12:16 p.m.

TYPE OF FACILITY:

Generator
☒ Cond. Exempt S.Q.G.
☐ Small Quantity
☐ Generator
☐ Non-Handler

Storage
☐ Container
☐ Tank
☐ Waste Pile
☐ Surface Impoundment

Treatment
☐ Tank
☐ Land Treatment
☐ Thermal
☐ Chem/Phys/Bio
☐ Incinerator
☐ Surface
Impoundment

Transporter
☐ Transporter
☒ Transfer Station

Disposal
☐ Landfill
☐ Surface Impoundment
☐ Waste Pile

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☐ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Maria Perez-Leon - President

4. Survey Participants & Principal Inspector:

EMC Oil Inc. : Ms. Maria Perez-Leon (Owner), Mr. George L. Vincent
(Manager)

DEP: Mr. James H. Bussey, Ms. Tiffany Holmes

5. Facility Latitude: 29° 15' 32" Longitude: 80° 10' 20"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No.

Inspectors observed 35 55-gallon drums of crushed used oil filters with no labels. Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed 32 55-gallon drums of crushed used oil filters not being protected from the weather and being stored on a pallet over non-impermeable surface. Inspectors advised EMC to place these crushed used oil filters over a impervious surface.

Inspectors observed stained soils next to a 250-gallon tank and requested a preliminary contamination assessment plan be completed and sent to the Department for review. Drained, crushed oil filters are sent to U.S. Foundry and Smelting (USFS) in Medley, Florida.

EMC brokers the disposal of petroleum contaminated soil. Pre-burn analyses are run on the individual drums before they leave the petroleum contaminated site. The pre-burn analyses are performed by Envirodyne. The contaminated soils that fail the pre-burn analyses, that test as hazardous waste, are transported for disposal by an approved hazardous waste transporter. The drummed contaminated soils that pass the pre-burn analyses are transported to EMC or transported to an approved burn facility.

EMC excepts only non-hazardous waste at their facility.

Inspectors observed a 250-gallon drum of used oil and 15 55-gallon drums of used oil not labeled with the words "Used Oil." Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed a 55-gallon drum labeled with the words "Absorbent Material." Inspectors requested EMC to open the drums, rags were observed. EMC was requested to produce a analytical for the material and insure the drum is properly labeled.

Inspectors observed an open 250-gallon tank (about 1/3 full) being utilized to clean vehicle parts. Per Ms. Perez-Leon, the contents are mainly used gasoline, jet fuel, and diesel to clean parts, once the fuel is no longer good its added to the used oil tank for disposal. Inspectors requested a determination of the tank contents and the results be sent to the Department for review.

Inspectors observed a 5000-gallon unlabeled tank. Ms. Perez-Leon was not sure of the content of the tank. Mr. Perez-Leon said Mr. George L. Vincent will contact the Department and explain what the contents of the tank.

RECORD REVIEW

EMC provided copies of used oil manifests, training records, EMC safety meetings, and non-hazardous waste manifest for the 55-gallon drum of rags being stored at EMC. Enclosed is a change of status form for EMC's

facility at 6201 S.W. 35th Street, Miami, Florida. This form should be filed out and submitted to the Department to close out the EPA identification number.

DEPARTMENT FINDINGS

EMC notified as a non-handler of hazardous waste and was assigned the EPA ID #FLR000000166 for their used oil operation. EMC appears to generate less than 100 kilograms per month of hazardous waste and would be classified as a conditionally exempt small quantity generator of hazardous waste. In order for EMC to be excluded from full regulation under 40 CFR 262, EMC must comply with the provisions in 40 CFR 261.5. EMC must ensure proper disposal of all hazardous wastes that are generated to be in compliance with 40 CFR 261.5.

An exit interview was conducted with Ms. Perez-Leon. The following potential violation was noted and the following items under "comments" were requested to be sent to the Department.

1. Provide to the Department a hazardous waste determination on the 55-gallon drum of non-hazardous contaminated rags generated by Keys Fishing, Marathon, Florida, also provide a hazardous waste determination from the collection can at the end of the oil filter crushing process system.

Additional requests were made under comments:

- 1) Label all 55-gallon crushed used oil filter drums with the words "Used Oil Filter."
- 2) Store used oil/filters on a impervious surface.
- 3) Label a 250-gallon tank and all 55-gallon drums of used oil with the words "Used Oil."
- 4) Beside the 500-gallon tank inspectors observed stained soils. Inspectors requested a PCAP to be completed of the soil and send the results to the Department within 30 days of this inspection.
- 5) Make determination of parts washer and send the results to the Department within 10 days of completion of the analytical.
- 6) Relabel non-hazardous waste drum of used rags (Labeled Absorbent Material) and send the picture to the Department within 15 days of this inspection report.
- 7) As noted above, the 55-gallon drum of waste material from the oil filtering crushing system needs determination to identify if it is hazardous waste (next to filter crushing system).

Ms. Perez-Leon made a copy of the Exit Interview Summary for her records.

On June 9, 1997, EMC provided a list of vehicles utilized at EMC. On June 16, 1997, EMC provided soil analysis of the stained soils next to

the 500-gallon tank. The analysis requested by the Department was for Toxicity Characteristic Leaching Procedures (TCLP) RCRA metals. EMC provided results indicating Arsenic 1.0 mg/Kg, Cadmium 8.0 mg/Kg, Copper 10.4 mg/Kg, Lead 8.9 mg/Kg, Nickel 2.24 mg/Kg, and Zinc 38.5 mg/Kg.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section (phone 561/681-6600) is willing to provide assistance, within the Department's capabilities, limitations, time constraints and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268) be obtained from local public, college or law library or EPA Region IV or the U.S. Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 262.11

HAZARDOUS WASTE DETERMINATION

EMC failed to perform a hazardous waste determinations on 250-gallon solvent tank, 55-gallon drum of unknown waste generated at the crushed used oil filter process machine.

40 CFR 279.22(c)

USED OIL LABELING

EMC failed to label a 250-gallon used oil tank, 15 55-gallon used oil drums, and 35 55-gallon drums of crushed used oil filters with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY CONTAINMENT

EMC failed to provide secondary containment for a used oil tank, and 55-gallon drums of used oil.

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

EMC failed to protect 55-gallon drums of crushed used oil filters from weather and stored on an oil-impermeable surface.

CORRECTIVE ACTIONS

40 CFR 262.11

HAZARDOUS WASTE
DETERMINATION

Within 30 days, EMC shall perform a waste determination the solvent tank, and on the 55-gallon drum of unknown waste.

Documentation shall be submitted to the DEP Southeast District Office within 10 days of the determination. The DEP will then advise what further action, if any, is needed.

40 CFR 279.22(c)

USED OIL LABELING

EMC needs to provide to the Department pictures of a 250-gallon tank and the 35 55-gallon drums with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY
CONTAINMENT

EMC, shall establish a containment system for their used oil tank and 55-gallon drums of used oil. This system must consist of a floor that has at a minimum, dikes, berms, or retaining walls.

For further guidance, research Title 40 Code of Federal Regulation 279.45(d)-(f).

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

Henceforth, EMC shall seal, contain and protect all used oil filters from weather and store these drums on an oil-impermeable surface.

Future reinspections may be conducted to ensure proper management of hazardous waste.

Report prepared by: James H. Bussey Date: 7-17-97
James H. Bussey
Environmental Specialist
Hazardous Waste Compliance/Enforcement Section

Report approved by: Jeffrey A. Smith Date: 7/17/97
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



Lawton Chiles
Governor

Florida Department Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: Emc oil DATE: 4-16-97 TIME: 12:16 pm
INTERVIEW PARTICIPANTS: James Bussey, Tiffany Holmes, Maria Perez-Leon

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ☒ 1. Hazardous Waste Determination [262.11]. on drum of contaminated rags and garbage can with debris
- ☐ 2. Notification as a generator [262.12].
- ☐ 3. Manifest Deficiencies [262 Subpart B].
- ☐ 4. Recordkeeping [test results, manifest, biennial report].
- ☐ 5. Personnel Training [265.16; 262.34(d)].
- ☐ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ☐ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ☐ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ☐ 9. Tank requirements [265 Subpart J].
- ☐ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ☐ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ☐ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ☐ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ☐ 14. Notification as a TSD facility [264.11].
- ☐ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ☐ 16. Ground water monitoring [265 Subpart F].
- ☐ 17. Security Requirements [265.14].
- ☐ 18. Storing HW less than 50 feet from the property line [265.176].
- ☐ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ☐ 20. Closure/Post-closure [265 Subpart G].
- ☐ 21. Financial Responsibility [264 Subpart H].
- ☐ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- ☐ 23. Other

COMMENTS: 1) Used oil filters labels, 2) Store used oil/oil filters on a non-imperious soil, 3) 250 gallon used "used oil" labeled on outside drum

RECEIPT ACKNOWLEDGED BY

INVESTIGATOR

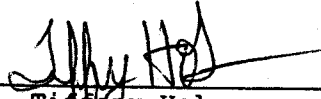
EMC OIL CORPORATION
PENALTY COMPUTATION WORKSHEET

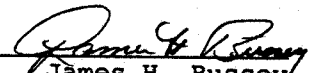
Company or Person: EMC Oil, Inc.

Facility Name and Location: EMC Oil, Inc., 8470 NW 68th Street,
Miami, Florida 33152

Names of Department Staff Responsible for the Penalty Computations:


Karen Thompson


Tiffany Holmes


James H. Bussey


Vince Peluso

Date: June 30, 1997

Part I - Class B (no penalty) Determination

Rationale for Class B determination: _____

PART II - Class A Penalty Determinations

	Alleged Violation Type	Potential for Harm	Extent of Dev.	Matrix Amount	Multi- day	Adjust- ments	Total
1.	<u>40 CFR 262.11</u> <u>Waste Deter-</u> <u>mination</u>	<u>Minor</u>	<u>Major</u>	<u>\$2,250</u>	_____	_____	<u>\$2,250.00</u>
2.	<u>40 CFR 279.22</u> <u>(c)</u> <u>Used Oil</u> <u>Labeling</u>	<u>Minor</u>	<u>Moderate</u>	<u>\$400</u>	_____	_____	<u>\$400.00</u>
3.	<u>40 CFR 279.45</u> <u>(d)</u> <u>Secondary</u> <u>Containment</u>	<u>Major</u>	<u>Major</u>	<u>\$9,000</u>	_____	_____	<u>\$9,000.00</u>
4.	<u>62-710.850(6)</u> <u>(a)</u> <u>F.A.C.</u> <u>Storage of</u> <u>Used Oil/Filters</u>	<u>Major</u>	<u>Major</u>	<u>\$9,000</u>	_____	_____	<u>\$9,000.00</u>

Total Penalties: \$20,650.00

* All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Section's "Guidelines for Characterizing RCRA Violations" revised as of 4/18/95 and "Guidelines for Characterizing Used Oil Violations" revised as of 8/96. Certain violations require Potential for Harm Ranking System Characterization and have been utilized where applicable. See Part III for each alleged violation for which an adjustment or multi-day penalty is determined.

PENALTY COMPUTATION WORKSHEET
Part III - Multi-day Penalties and Adjustments

ADJUSTMENTS

Dollar Amount

Good faith/Lack of good faith prior to discovery: \$.00

Justification:

Good faith/Lack of good after discovery: \$.00

Justification:

History of non-compliance: \$.00

Justification:

Economic benefit of non-compliance: \$.00

Justification:

Ability to pay: \$.00

Justification:

Total Adjustments: \$.00

MULTI-DAY PENALTIES

Dollar Amount: _____

Number of days adjustment factor(s) to be applied: _____

Justification: _____

Or

Number of days matrix amount is to be multiplied: _____

Justification: _____

PENALTY COMPUTATION WORKSHEET

Part IV - Other Adjustments Made After Meeting with the
Responsible Party

ADJUSTMENTS

Dollar Amount

Relative merits of the case: _____

Resource considerations: _____

Other justification: _____

f Vivek Kamath 7/22/97
Carlos Rivero-deAguilar Date
Director of District Management

EMC OIL, INC.
PENALTY JUSTIFICATION

1. Regulation: 40 CFR 262.11 Pg. 7
 Hazardous Waste Determination
- Violation: EMC failed to make a hazardous waste determination on
 a 250-gallon tank of solvent, and a 55-gallon drum of
 unknown waste from oil filter crushing process.

Characterization of Violation:

Potential for Harm - Minor

Using the Potential for Harm Ranking System, the nature of the waste, potential discharge of the waste, and potential receptors (10 to 100 people), the volume of drums (<6 drums), were taken into account in determining this portion of the matrix. The potential for harm was determined to be minor.

Extent of Deviation - Major

The RCRA penalty calculation guidelines in the DEP Enforcement Manual indicate that if the facility shipped waste for disposal without making proper determination the extent of deviation is major.

Multi-day - N/A

Economic Benefit - This adjustment was considered, but the calculated amount is not significant enough to be included.

Adjustments - N/A

2. Regulation: 40 CFR 279.22(c) Pg. 12
 Used Oil Labeling
- Violation: EMC failed to label a 250-gallon tank, 35 55-gallon
 drums of used oil filters, and 15 55-gallon drums of
 used oil with the words "Used Oil" and "Used Oil
 Filters."

Characterization of Violation:

Potential for Harm - Minor

Using the Department's Guidelines for Characterizing Used Oil Violations, the potential for harm is minor.

Extent of Deviation - Moderate

Using the Department's Guidelines for Characterizing Used Oil Violations, the extent of deviation is moderate in cases where the total number of unlabeled containers is from 25% to 75% of their total storage of used oil.

Multi-day - N/A

Economic Benefit - This adjustment was considered, but the calculated amount is not significant enough to be included.

Adjustments - N/A

3. Regulation: 40 CFR 279.45(d)
Secondary Containment

Pg. 18

Violation: EMC failed to establish a secondary containment area for their used oil tank and drums.

Characterization of Violation:

Potential for Harm - Major

Using the Department's Guidelines for Characterizing Used Oil Violations. The potential for harm is determined to be major for storage of >1400 gallons.

Extent of Deviation - Major

The Department's Guidelines for Characterizing Used Oil Violations. The DEP Enforcement Manual indicate that the extent of deviation is always major.

Multi-day - Not assessed

Economic Benefit - Not assessed

Adjustments - N/A

4. Regulation: RULE 62-710.850(6)(a) F.A.C.
Storage of Used Oil Filters

Pg. 7

Violation: EMC failed to provide a impervious surface to store used oil filter drums.

Characterization of Violation:

Potential for Harm - Major

Using the Department's Guidelines for Characterizing Used Oil Violation, when the amount of filters being (>5000), the potential for harm is major.

Extent of Deviation - Major

Using the Department's Guidelines for Characterizing Used Oil Violations, the Extent of Deviation for a transfer facility is major.

Multi-day - N/A

Economic Benefit - This adjustment was considered, but the calculated amount is not significant enough to be included.

Adjustments - N/A

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil **DATE:** August 11, 1997 **TIME:** 2:25pm

CONTACT: Ms. Maria Perez-Leon/ Mr. George Vincent **OF:** EMC Oil

Was CALLED

PHONE #: 800/344-8688

DISCUSSION:

I called to see if EMC Oil is still planning on having an enforcement meeting to discuss violation and penalties. Mr. Vincent said they would like to have a meeting on August 8/14. I said that would be fine. We will set the meeting for 10:00am. Mr. Vincent said they will contact the Department on 8/12 to confirm the meeting. He said they will bring their consultant to discuss issues dealing with compliance issues.

PREPARED BY:


James H. Bussey
Case Manager

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil DATE: August 4, 1997 TIME: 9:59am

CONTACT: Ms. Maria Perez-Leon OF: EMC Oil Was CALLED

PHONE #: 800/344-8688

DISCUSSION:

I called Ms. Perez-Leon to insure EMC Oil received the Departments Warning Letter outlining violations and penalties. I asked Ms. Perez-Leon if EMC had any intentions on requesting an enforcement meeting with the Department to discuss the Warning Letter dated July 23, 1997. Ms. Perez-Leon said she will get back with the Department today to schedule a meeting for the end of the week. I explained to Ms. Perez-Leon that I would have no problem with that and I would await her call.

PREPARED BY:


James H. Bussey
Case Manager



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

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Dade County
HW-EMC Oil Corporation

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Dear Ms. Perez-Leon:

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Ms. Maria Perez-Leon
Page 2 of 2

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Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceeding. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Virek Kamrath 7/22/97
f Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VR
CRA/VK/jhb

cc: Roberto Abrahante, DERM
[REDACTED] File



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

HAZARDOUS WASTE INSPECTION REPORT

1. **INSPECTION REPORT** ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting
FACILITY NAME E.M.C. Oil Corporation EPA ID# FLR000000166
SITE NAME Environmental Management Conservation
ADDRESS 8470 NW 68th Street, Miami, Florida 33152
MAILING ADDRESS P.O. Box 520882, Miami, Florida 33152-0882
COUNTY Dade PHONE (305) 477-7497 DATE 4-16-97 TIME 12:16 p.m.

TYPE OF FACILITY:

Generator	Storage	Treatment
<input checked="" type="checkbox"/> Cond. Exempt S.Q.G.	<input type="checkbox"/> Container	<input type="checkbox"/> Tank
<input type="checkbox"/> Small Quantity	<input type="checkbox"/> Tank	<input type="checkbox"/> Land Treatment
<input type="checkbox"/> Generator	<input type="checkbox"/> Waste Pile	<input type="checkbox"/> Thermal
<input type="checkbox"/> Non-Handler	<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Chem/Phys/Bio.
		<input type="checkbox"/> Incinerator
		<input type="checkbox"/> Surface
		<input type="checkbox"/> Impoundment
Transporter	Disposal	
<input type="checkbox"/> Transporter	<input type="checkbox"/> Landfill	
<input checked="" type="checkbox"/> Transfer Station	<input type="checkbox"/> Surface Impoundment	
	<input type="checkbox"/> Waste Pile	

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☐ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Maria Perez-Leon - President

4. Survey Participants & Principal Inspector:

EMC Oil Inc. : Ms. Maria Perez-Leon (Owner), Mr. George L. Vincent
(Manager)

DEP: Mr. James H. Bussey, Ms. Tiffany Holmes

5. Facility Latitude: 29° 15' 32" Longitude: 80° 10' 20"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No.

SITE INSPECTION

On April 16, 1997, a hazardous waste/used oil compliance inspection was conducted at E.M.C. Oil Corporation (EMC), 8470 NW 68th Street, Miami, Florida. The inspection was part of the Department's 1997 inspection schedule. EMC has been in business at this location since 1994 and has 11 employees. EMC is a transporter and transfer facility for used oil, used oil filters, and waste oily water. EMC is connected to a publicly owned treatment works (POTW). The inspection and records review were hosted by Ms. Maria E. Perez-Leon (Owner). Department personnel participating in the inspection included Mr. James Bussey and Ms. Tiffany Holmes.

EMC has a fleet of five tanker trucks, a vacuum truck, and two box truck which are used to pick up drummed waste. Two of the six tanker trucks are single compartment tankers used to haul used oil. One of the tanker trucks uses is a 8,000 gallon compartment heil-trailer. One truck uses is a vacuum for pumping out sumps and soakage pits. The other three tankers are compartmentalized in the following manner: one double compartment 3,300 gallon capacity tanker, one double compartment 2,500 gallon capacity tanker, and a double compartment 2,600 gallon capacity tanker. The trucks leave the facility early in the morning on their "milk runs" to pick up vehicular waste. The trucks return in the late afternoon to unload. Used oil is sometimes mixed with transmission fluid inside the tankers. Inspectors observed a 5000-gallon storage tank that is used for the storage of waste water and possibly used oil, per Ms. Perez-Leon.

Used oil is taken to several location in Southern Florida. The main facilities utilized by EMC are Cliff Berry, Inc., Perma-Fix Environmental (formerly Integrated Resource Recovery), H.R. Paving, International Petroleum, Inc., U.S. Foundry, Chemical Conservation, Laidlaw Environmental, and Rinker Materials for recycling. Before a load is dropped at a facility the tank is tested for water and halogen levels.

When trucks return at the end of the day with "waste water", it is stored in a 5000 gallon tractor trailer tanks. When all of the "water waste" has been consolidated into one tanker compartment, it is transported to a selected facility for recycling.

EMC provides its customers with DOT approved 55-gallon drums for accumulation and storage of used oil filters. Drummed used oil filters are returned to EMC for crushing and draining. At the end of the crushing and draining process is a 55-gallon drum collecting excess debris and gas filters. The used oil is drained from the 55-gallon drum and is sent for recycling with the rest of the used oil. Sludge and debris is removed from the 55-gallon drum and placed into the dumpster as trash. Inspectors requested a hazardous waste determination before further discharge to the dumpster.

Inspectors observed 35 55-gallon drums of crushed used oil filters with no labels. Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed 32 55-gallon drums of crushed used oil filters not being protected from the weather and being stored on a pallet over non-impermeable surface. Inspectors advised EMC to place these crushed used oil filters over a impervious surface.

Inspectors observed stained soils next to a 250-gallon tank and requested a preliminary contamination assessment plan be completed and sent to the Department for review. Drained, crushed oil filters are sent to U.S. Foundry and Smelting (USFS) in Medley, Florida.

EMC brokers the disposal of petroleum contaminated soil. Pre-burn analyses are run on the individual drums before they leave the petroleum contaminated site. The pre-burn analyses are performed by Envirodyne. The contaminated soils that fail the pre-burn analyses, that test as hazardous waste, are transported for disposal by an approved hazardous waste transporter. The drummed contaminated soils that pass the pre-burn analyses are transported to EMC or transported to an approved burn facility.

EMC excepts only non-hazardous waste at their facility.

Inspectors observed a 250-gallon drum of used oil and 15 55-gallon drums of used oil not labeled with the words "Used Oil." Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed a 55-gallon drum labeled with the words "Absorbent Material." Inspectors requested EMC to open the drums, rags were observed. EMC was requested to produce a analytical for the material and insure the drum is properly labeled.

Inspectors observed an open 250-gallon tank (about 1/3 full) being utilized to clean vehicle parts. Per Ms. Perez-Leon, the contents are mainly used gasoline, jet fuel, and diesel to clean parts, once the fuel is no longer good its added to the used oil tank for disposal. Inspectors requested a determination of the tank contents and the results be sent to the Department for review.

Inspectors observed a 5000-gallon unlabeled tank. Ms. Perez-Leon was not sure of the content of the tank. Mr. Perez-Leon said Mr. George L. Vincent will contact the Department and explain what the contents of the tank.

RECORD REVIEW

EMC provided copies of used oil manifests, training records, EMC safety meetings, and non-hazardous waste manifest for the 55-gallon drum of rags being stored at EMC. Enclosed is a change of status form for EMC's

facility at 6201 S.W. 35th Street, Miami, Florida. This form should be filed out and submitted to the Department to close out the EPA identification number.

DEPARTMENT FINDINGS

EMC notified as a non-handler of hazardous waste and was assigned the EPA ID #FLR000000166 for their used oil operation. EMC appears to generate less than 100 kilograms per month of hazardous waste and would be classified as a conditionally exempt small quantity generator of hazardous waste. In order for EMC to be excluded from full regulation under 40 CFR 262, EMC must comply with the provisions in 40 CFR 261.5. EMC must ensure proper disposal of all hazardous wastes that are generated to be in compliance with 40 CFR 261.5.

An exit interview was conducted with Ms. Perez-Leon. The following potential violation was noted and the following items under "comments" were requested to be sent to the Department.

1. Provide to the Department a hazardous waste determination on the 55-gallon drum of non-hazardous contaminated rags generated by Keys Fishing, Marathon, Florida, also provide a hazardous waste determination from the collection can at the end of the oil filter crushing process system.

Additional requests were made under comments:

- 1) Label all 55-gallon crushed used oil filter drums with the words "Used Oil Filter."
- 2) Store used oil/filters on a impervious surface.
- 3) Label a 250-gallon tank and all 55-gallon drums of used oil with the words "Used Oil."
- 4) Beside the 500-gallon tank inspectors observed stained soils. Inspectors requested a PCAP to be completed of the soil and send the results to the Department within 30 days of this inspection.
- 5) Make determination of parts washer and send the results to the Department within 10 days of completion of the analytical.
- 6) Relabel non-hazardous waste drum of used rags (Labeled Absorbent Material) and send the picture to the Department within 15 days of this inspection report.
- 7) As noted above, the 55-gallon drum of waste material from the oil filtering crushing system needs determination to identify if it is hazardous waste (next to filter crushing system).

Ms. Perez-Leon made a copy of the Exit Interview Summary for her records.

On June 9, 1997, EMC provided a list of vehicles utilized at EMC. On June 16, 1997, EMC provided soil analysis of the stained soils next to

the 500-gallon tank. The analysis requested by the Department was for Toxicity Characteristic Leaching Procedures (TCLP) RCRA metals. EMC provided results indicating Arsenic 1.0 mg/Kg, Cadmium 8.0 mg/Kg, Copper 10.4 mg/Kg, Lead 8.9 mg/Kg, Nickel 2.24 mg/Kg, and Zinc 38.5 mg/Kg.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section (phone 561/681-6600) is willing to provide assistance, within the Department's capabilities, limitations, time constraints and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268) be obtained from local public, college or law library or EPA Region IV or the U.S. Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 262.11

HAZARDOUS WASTE DETERMINATION

EMC failed to perform a hazardous waste determinations on 250-gallon solvent tank, 55-gallon drum of unknown waste generated at the crushed used oil filter process machine.

40 CFR 279.22(c)

USED OIL LABELING

EMC failed to label a 250-gallon used oil tank, 15 55-gallon used oil drums, and 35 55-gallon drums of crushed used oil filters with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY CONTAINMENT

EMC failed to provide secondary containment for a used oil tank, and 55-gallon drums of used oil.

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

EMC failed to protect 55-gallon drums of crushed used oil filters from weather and stored on an oil-impermeable surface.

CORRECTIVE ACTIONS

40 CFR 262.11

HAZARDOUS WASTE
DETERMINATION

Within 30 days, EMC shall perform a waste determination the solvent tank, and on the 55-gallon drum of unknown waste.

Documentation shall be submitted to the DEP Southeast District Office within 10 days of the determination. The DEP will then advise what further action, if any, is needed.

40 CFR 279.22(c)

USED OIL LABELING

EMC needs to provide to the Department pictures of a 250-gallon tank and the 35 55-gallon drums with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY
CONTAINMENT

EMC, shall establish a containment system for their used oil tank and 55-gallon drums of used oil. This system must consist of a floor that has at a minimum, dikes, berms, or retaining walls.

For further guidance, research Title 40 Code of Federal Regulation 279.45(d)-(f).

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

Henceforth, EMC shall seal, contain and protect all used oil filters from weather and store these drums on an oil-impermeable surface.

Future reinspections may be conducted to ensure proper management of hazardous waste.

Report prepared by: James H. Bussey Date: 7-17-97
James H. Bussey
Environmental Specialist
Hazardous Waste Compliance/Enforcement Section

Report approved by: Jeffrey A. Smith Date: 7/17/97
Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



Lawton Chiles
Governor

Florida Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: Emc Oil DATE: 4-16-97 TIME: 12:16 pm
INTERVIEW PARTICIPANTS: James Bussey, Tiffany Holmes, Maria Perez-Leon

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ☒ 1. Hazardous Waste Determination [262.11]. on drum of contaminated rags and garbage can with debris
- ☐ 2. Notification as a generator [262.12].
- ☐ 3. Manifest Deficiencies [262 Subpart B].
- ☐ 4. Recordkeeping [test results, manifest, biennial report].
- ☐ 5. Personnel Training [265.16; 262.34(d)].
- ☐ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ☐ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ☐ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ☐ 9. Tank requirements [265 Subpart J].
- ☐ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ☐ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ☐ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ☐ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ☐ 14. Notification as a TSD facility [264.11].
- ☐ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ☐ 16. Ground water monitoring [265 Subpart F].
- ☐ 17. Security Requirements [265.14].
- ☐ 18. Storing HW less than 50 feet from the property line [265.176].
- ☐ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ☐ 20. Closure/Post-closure [265 Subpart G].
- ☐ 21. Financial Responsibility [264 Subpart H].
- ☐ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- ☐ 23. Other _____

COMMENTS: Used oil filters labels, store used oil/oil filters on a non-imperious soil, 250 gallon weed "used oil" labeled on outside drum.

RECEIPT ACKNOWLEDGED BY Maria E. Leon

INVESTIGATOR James Bussey

- 4) Beside 500-gallon Tank, Inspectors observed stained soils. Request PEAR to be complete of the soil and PEAR be sent to department with 30 days of this Inspection.
- 5) Make Determination of Pats Work and send results to the Department with 10 days of completion of the analysis, ~~is completed.~~
- 6) Relabel NON-Hazardous waste drum or used Keys (labeled absorbent material) and send picture to Department within 15 days of this Inspection Report.
Dated 8/12/96.
- 7) 55-gallon drum of waste material from oil creek E. Haring system. The waste needs determination to identify if hazardous waste. (need to filter crushing system)

EMC OIL CORPORATION
PENALTY COMPUTATION WORKSHEET


Company or Person: EMC Oil, Inc.

Facility Name and Location: EMC Oil, Inc., 8470 NW 68th Street,
Miami, Florida 33152

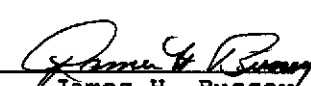
Names of Department Staff Responsible for the Penalty Computations:




Karen Thompson



Tiffany Holmes



James H. Bussey



Vince Peluso

Date: June 30, 1997

Part I - Class B (no penalty) Determination

Rationale for Class B determination: _____

PART II - Class A Penalty Determinations

	Alleged Violation Type	Potential for Harm	Extent of Dev.	Matrix Amount	Multi- day	Adjust- ments	Total
1.	<u>40 CFR 262.11</u> <u>Waste Deter-</u> <u>mination</u>	<u>Minor</u>	<u>Major</u>	<u>\$2,250</u>	_____	_____	<u>\$2,250.00</u>
2.	<u>40 CFR 279.22</u> <u>(c)</u> <u>Used Oil</u> <u>Labeling</u>	<u>Minor</u>	<u>Moderate</u>	<u>\$400</u>	_____	_____	<u>\$400.00</u>
3.	<u>40 CFR 279.45</u> <u>(d)</u> <u>Secondary</u> <u>Containment</u>	<u>Major</u>	<u>Major</u>	<u>\$9,000</u>	_____	_____	<u>\$9,000.00</u>
4.	<u>62-710.850(6)</u> <u>(a)</u> <u>F.A.C.</u> <u>Storage of</u> <u>Used Oil/Filters</u>	<u>Major</u>	<u>Major</u>	<u>\$9,000</u>	_____	_____	<u>\$9,000.00</u>

Total Penalties: \$20,650.00

* All penalty calculations are based on the Florida Department of Environmental Protection Hazardous Waste Section's "Guidelines for Characterizing RCRA Violations" revised as of 4/18/95 and "Guidelines for Characterizing Used Oil Violations " revised as of 8/96. Certain violations require Potential for Harm Ranking System Characterization and have been utilized where applicable. See Part III for each alleged violation for which an adjustment or multi-day penalty is determined.

PENALTY COMPUTATION WORKSHEET
Part III - Multi-day Penalties and Adjustments

ADJUSTMENTS	Dollar Amount
<u>Good faith/Lack of good faith prior to discovery:</u>	\$.00
<u>Justification:</u>	
<u>Good faith/Lack of good after discovery:</u>	\$.00
<u>Justification:</u>	
<u>History of non-compliance:</u>	\$.00
<u>Justification:</u>	
<u>Economic benefit of non-compliance:</u>	\$.00
<u>Justification:</u>	
<u>Ability to pay:</u>	\$.00
<u>Justification:</u>	
Total Adjustments:	\$.00

MULTI-DAY PENALTIES

Dollar Amount: _____

Number of days adjustment factor(s) to be applied: _____

Justification: _____

Or

Number of days matrix amount is to be multiplied: _____

Justification: _____

PENALTY COMPUTATION WORKSHEET

Part IV - Other Adjustments Made After Meeting with the
Responsible Party

ADJUSTMENTS

Dollar Amount

Relative merits of the case: _____

Resource considerations: _____

Other justification: _____

fr Viviek Camacho 7/22/97
Carlos Rivero-deAguilar Date
Director of District Management

EMC OIL, INC.
PENALTY JUSTIFICATION

1. Regulation: 40 CFR 262.11 Pg. 7
 Hazardous Waste Determination

Violation: EMC failed to make a hazardous waste determination on a 250-gallon tank of solvent, and a 55-gallon drum of unknown waste from oil filter crushing process.

Characterization of Violation:

Potential for Harm - Minor

Using the Potential for Harm Ranking System, the nature of the waste, potential discharge of the waste, and potential receptors (10 to 100 people), the volume of drums (<6 drums), were taken into account in determining this portion of the matrix. The potential for harm was determined to be minor.

Extent of Deviation - Major

The RCRA penalty calculation guidelines in the DEP Enforcement Manual indicate that if the facility shipped waste for disposal without making proper determination the extent of deviation is major.

Multi-day - N/A

Economic Benefit - This adjustment was considered, but the calculated amount is not significant enough to be included.

Adjustments - N/A

2. Regulation: 40 CFR 279.22(c) Pg. 12
 Used Oil Labeling

Violation: EMC failed to label a 250-gallon tank, 35 55-gallon drums of used oil filters, and 15 55-gallon drums of used oil with the words "Used Oil" and "Used Oil Filters."

Characterization of Violation:

Potential for Harm - Minor

Using the Department's Guidelines for Characterizing Used Oil Violations, the potential for harm is minor.

Extent of Deviation - Moderate

Multi-day - N/A

Adjustments - N/A

- Multi-day - Not assessed

Economic Benefit - Not assessed

Adjustments - N/A

- Violation:** EMC failed to provide a impervious surface to store used oil filter drums.

Characterization of Violation:

Potential for Harm - Major

Using the Department's Guidelines for Characterizing Used Oil Violation, when the amount of filters being (>5000), the potential for harm is major.

Extent of Deviation - Major

Using the Department's Guidelines for Characterizing Used Oil Violations, the Extent of Deviation for a transfer facility is major.

Multi-day - N/A

Economic Benefit - This adjustment was considered, but the calculated amount is not significant enough to be included.

Adjustments - N/A

RANKING SYSTEM FOR POTENTIAL FOR HARM
WORKSHEET

FACILITY NAME: EMC Oil, Corporation

VIOLATIONS: 40 CFR 262.11 Waste Determination

NATURE OF WASTE: 4

CATEGORY A = 8
CATEGORY B = 4

WASTE VOLUME: 2

MORE THAN 25 DRUMS = 8
6 - 25 DRUMS = 5
LESS THAN 6 DRUMS = 2

RECEPTORS: 4 + 2 = 6
DISCHARGE = 4
POTENTIAL DISCHARGE = 4
NO DISCHARGE = 1
> 1000 PEOPLE = 4
100 - 1000 PEOPLE = 3
10 - 100 PEOPLE = 2
< 10 PEOPLE = 1

TOTAL SCORE: 12

MAJOR POTENTIAL FOR HARM: 19 - 24
MODERATE POTENTIAL FOR HARM: 13 - 18
MINOR POTENTIAL FOR HARM: 8 - 12

Assigned by: [Signature]

Date: June 30, 1997

Site Non-notifier Handler Project Activity Report ?help eXit
HW Compliance and Enforcement - CHAZ
HANDLER INFORMATION
EPA ID:FLR000000166 Site ID:72965 Previous EPA ID:
Handler Name:ENVIRONMENTAL MGT CONSERVATION Land Type:P Non-Notifier:
District:SED Access: Access Date: Notif Date:15-MAR-1995
Site Name:ENVIRONMENTAL MGT CONSERVATION
Directions:
Address:8470 NW 68TH ST County:
13 DADE
City:MIAMI State:FL Zip:33152-0
Mail Address:PO BOX 520882
City:MIAMI State:FL Zip:33152-0
Feature: Method:GGPS Datum: Date:16-APR-1997
Coordinates: Latitude Degrees:25 Minutes:50 Seconds:3
Longitude Degrees:80 Minutes:20 Seconds:9
Comments:
Enter the accessibility indicator
Count: *1
1/6
<List><Replace>

```
Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaa
OooooooooooooooooooooooooooooUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUU
° EPA ID:FLR000000166 Fed ID:59-2750234 Ph:(305)477-7497 Toll Ph:344-8688 °
°Bus Name:E.M.C. OIL CORP. Name:ENVIRONMENTAL MGMT CONSERVATIO °
° County:DADE District:SED OOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOOO C
° Oil Filter °
° Fac Address:8470 NW 68TH ST ° Transporter X X °
° Fac City:MIAMI ° Transfer Facility X X °
° State:FL Zip:33166- ° Processor X °
° Mail Address:P O BOX 520882 ° Marketer X °
° City:MIAMI ° Burner °
° State:FL Zip:33152- ° End User °
UAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE E
° Contact Name:MS. MARIA E. PEREZ LEON Contact Ph:(305)794-9503 °
° Owner Name:MS. MARIA E. PEREZLEON Owner Ph:(305)279-7919 °
° Address:3096 NW 27TH ST City,ST,Zip:MIAMI FL 33142 °
UAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE E
° C Y REG:97 F Y REG:88 Fees Rec Date:10-MAR-1997 Fees Paid:100 °
° Permit Num: Permit Exp: Training Required:U97 °
°Insur Company:TCI Insur Exp:17-AUG-1997 Comments:-0- °
AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE E
Enter the EPA ID of the Handler
Count: *1 <Replace>
```


Ninety-Nine Southeast Fifth Street
Fourth Floor
Miami, Florida 33131
(305) 374-8300
(305) 374-9004 Fax



June 10, 1997

Mr. Jeffery A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section
Florida Department of Environmental Protection
Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

RECEIVED
JUN 16 1997
DEPT OF ENV PROTECTION
WEST PALM BEACH

**Subject: EMC Oil Corporation
8470 Northwest 68th Street
Miami, Florida**

Dear Mr. Smith:

Evans Environmental & Geological Science and Management, Inc. (EE&G) was retained by EMC Oil Corporation (EMC) to review preliminary soil analytical data collected in response to a Florida Department of Environmental Protection (FDEP) notice dated April 30, 1997. According to EMC Oil Corporation representatives, the area of stained soil has been excavated and containerized into one 55-gallon open top, steel drum. A composite soil sample was sent to Precision Environmental Laboratory, Inc. a Department of Health and Rehabilitative Services (DHRS)-certified and FDEP-approved laboratory for analysis of CFR 122, Appendix D Priority Pollutants by EPA Methods 7000 series, 9010, 9065, 8260, 8270, 8080.

Arsenic, cadmium, copper, lead, nickel, and zinc were detected in the composite soil sample at concentrations of 1.0 milligrams per kilogram (mg/kg), 8.0 mg/kg, 10.4 mg/kg, 8.9 mg/kg, 2.24 mg/kg, and 38.5 mg/kg. The arsenic, cadmium, lead, nickel, and zinc concentrations do not exceed the FDEP Soil Cleanup Goals for industrial sites (updated January 19, 1996) of 3.1 mg/kg, 600 mg/kg, 1000 mg/kg, 26,000 mg/kg, and 56,000 mg/kg, respectively. Copper is not included in the FDEP Soil Cleanup Goals as a regulated substance. All other parameters tested were below detectable limits (BDL). Laboratory analytical results are included as Attachment A.

Based upon phone conversations with FDEP representatives and a review of the laboratory analytical data supplied by EMC Oil Corporation, it appears that the environmental concerns and recommendations outlined in the FDEP notice dated April 30, 1997 have been adequately addressed by EMC Oil Corporation. EE&G found no evidence that EMC Oil Corporation was in



Mr. Jeffery A. Smith
June 10, 1997
Page 2

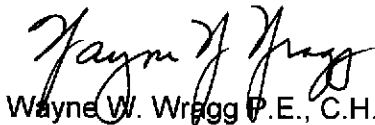
violation of FDEP Soil Cleanup Goals. Based on the analytical results, EE&G recommends that no further action status be granted for the site.

If you have any questions regarding this letter, please feel free to call us.

Very truly yours,



Sarah Gelsanliter
Staff Geologist



Wayne W. Wragg P.E., C.H.M.M.
Senior Technical Advisor
EE&G

SG/TRG:sg

Attachment

cc: Mr. George Vincent, EMC Oil Corporation

ATTACHMENT A
SOIL ANALYTICAL RESULTS

PRECISION ENVIRONMENTAL LABORATORY, INC.

first in quality • first in service

EMCWAS000358
George Vincent
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 1

May 19, 1997

Submission # 9705000397

Order # 222405

FDER CompQAP# 920323G

HRS Certification# E86349, 86413

Site Location/Project
Miami, FL
Soil Testing For PCAP

Sample I.D.: Soil

Collected: 05/09/97 00:00

Received: 05/09/97 14:36

Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Percent Solids	87.7	%	160.3	0.01	05/13/97	05/13/97	CC
Cyanide, Total	BDL	mg/Kg	9010A	0.20	05/17/97	05/17/97	UA
Phenols	BDL	mg/Kg	9065	0.10	05/14/97	05/14/97	UA
Antimony	BDL	mg/Kg	3050/7040	1.0	05/10/97	05/13/97	MAH
Arsenic	1.0	mg/Kg	3050/7061A	0.75	05/10/97	05/13/97	MB
Beryllium	BDL	mg/Kg	3050/7090	1.0	05/10/97	05/10/97	MB
Cadmium	8.0	mg/Kg	3050/7130	1.0	05/10/97	05/13/97	MB
Chromium	BDL	mg/Kg	3050/7190	1.0	05/10/97	05/13/97	MB
Copper	10.4	mg/Kg	3050/7210	1.0	05/10/97	05/13/97	MAH
Lead	8.9	mg/Kg	3050/7420	1.0	05/10/97	05/13/97	MB
Mercury (Cold Vapor AA)	BDL	mg/Kg	7471A	0.100	05/10/97	05/13/97	MAH
Nickel	2.24	mg/Kg	3050/7520	1.0	05/10/97	05/13/97	LA
Selenium	BDL	mg/Kg	3050/7741A	1.0	05/10/97	05/13/97	MB
Silver	BDL	mg/Kg	3050/7760A	1.0	05/10/97	05/13/97	MB
Thallium	BDL	mg/Kg	3050/7840	1.0	05/10/97	05/14/97	CDP
Zinc	38.5	mg/Kg	3050/7950	1.0	05/10/97	05/13/97	LA
8080A Chlorinated Pesticides & PCBs in Solids			MEDP	10			
a-BHC	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT

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Sample I.D.: Soil
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PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
b-BHC	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
g-BHC (lindane)	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
d-BHC	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Heptachlor	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Aldrin	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Heptachlor Epoxide	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Endosulfan I	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Dieldrin	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
4,4-DDB	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Endrin	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Endosulfan II	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
4,4-DDD	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Endrin Aldehyde	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Endosulfan Sulfate	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
4,4-DDT	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
Methoxychlor	BDL	ug/Kg	3550/8080A	1800.000	05/13/97	05/13/97	JT
Arochlor 1016	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Arochlor 1221	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT

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Arochlor 1232	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Arochlor 1242	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Arochlor 1248	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Arochlor 1254	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Arochlor 1260	BDL	ug/Kg	3550/8080A	200.000	05/13/97	05/13/97	JT
Toxaphene	BDL	ug/Kg	3550/8080A	2500.000	05/13/97	05/13/97	JT
Chlordane	BDL	ug/Kg	3550/8080A	100.000	05/13/97	05/13/97	JT
8260/8240 Volatiles in SOIL(Special List)w/Acetone			MEDF	1			
Acrolein	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Acetone	BDL	mg/Kg	8240/8260A	1.000	05/13/97	05/13/97	PMD
Acrylonitrile	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Dichlorodifluoromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Chloromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Vinyl Chloride	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Bromomethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Chloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Trichlorofluoromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1-Dichloroethene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD

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Methylene Chloride	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Trans-1,2-Dichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Methyl-Tert-Butyl Ether	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1-Dichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
2,2-Dichloropropane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Cis-1,2-Dichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Chloroform	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Bromochloromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1,1-Trichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1-Dichloropropene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Carbon Tetrachloride	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Benzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2-Dichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Trichloroethene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2-Dichloropropane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Bromodichloromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
2-Chloroethylvinyl Ether	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Dibromomethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD

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Cis-1,3-Dichloropropene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Toluene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Trans-1,3-Dichloropropene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1,2-Trichloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,3-Dichloropropane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Tetrachloroethene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Dibromochloromethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2-Dibromoethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Chlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Ethylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1,1,2-Tetrachloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
m & p-Xylene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
o-Xylene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Styrene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Isopropylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Bromoform	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,1,1,2-Tetrachloroethane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2,3-Trichloropropane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD

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1,3,5-Trimethylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
2-Chlorotoluene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
4-Chlorotoluene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Tert-Butylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2,4-Trimethylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Sec-Butylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
P-Isopropyltoluene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,3-Dichlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,4-Dichlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
n-Butylbenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2-Dichlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2-Dibromo-3-Chloropropane	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2,4-Trichlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Hexachlorobutadiene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Naphthalene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
1,2,3-Trichlorobenzene	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Methyl Chloride	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD
Methyl Bromide	BDL	mg/Kg	8240/8260A	0.100	05/13/97	05/13/97	PMD

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8270B Semivol. Org. in Solids & Waste by GC/MS			MEBF	1			
N-Nitrosodimethylamine	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Phenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
2-MethylPhenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
4-MethylPhenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Bis (2-Chloromethyl) Ether	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
2-Chlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
1,3-Dichlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
1,4-Dichlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
1,2-Dichlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Bis (2-Chloroisopropyl) Ether	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
N-Nitrosodi-N-Propylamine	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Hexachloroethane	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Nitrobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Isophorone	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
2-Nitrophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
2,4-Dimethylphenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Bis (2-Chloroethoxy)methane	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC

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2,4-Dichlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
1,2,3-Trichlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
1,2,4-Trichlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Naphthalene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Hexachlorobutadiene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
4-Chloro-3-Methylphenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
1-Methylnaphthalene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2-Methylnaphthalene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Hexachlorocyclopentadiene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,3,6-Trichlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,4,5-Trichlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,4,6-Trichlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2-Chloronaphthalene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Dimethyl Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Acenaphthylene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,6-Dinitrotoluene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Acenaphthene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,4-Dinitrophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC

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2,4-Dinitrotoluene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
4-Nitrophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Diethyl Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Fluorene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
4-Chlorophenyl Phenyl Ether	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
4,6-Dinitro-2-Methylphenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
N-Nitrosodiphenylamine	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
4-Bromophenyl Phenyl Ether	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Hexachlorobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Pentachlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Phenanthrene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Anthracene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Di-N-Butyl Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Fluoranthene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzidine	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Pyrene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Butyl Benzyl Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzo(A)Anthracene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC

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3,3-Dichlorobenzidiaz	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Chrysene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Bis (2 Ethylhexyl) Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Di-N-Octyl Phthalate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzo(B)Fluoranthene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzo(K)Fluoranthene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzo(A)Pyrene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Indeno(1,2,3-CD)Pyrene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Dibenzo (A,H) Anthracene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzo(G,H,I)Perylene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Bis-2-ethylhexyl Adipate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Aldrin	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
α -BHC	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
β -BHC	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
δ -BHC	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
γ -BHC	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Chlordane	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
4,4'-DDD	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC

EMCWAS000358
George Vincent
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 11
May 19, 1997
Submission # 9705000397
Order # 222405
FDER CompQAP# 920323G
HRS Certification# E86349, 86413

Site Location/Project
Miami, FL
Soil Testing For PCAP

Sample I.D.: Soil
Collected: 05/09/97 00:00
Received: 05/09/97 14:36
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
4,4'-DDE	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
4,4'-DDT	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Dieldrin	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Endosulfan I	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Endosulfan II	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Endosulfan Sulfate	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Endrin	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Endrin Aldehyde	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Heptachlor	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Heptachlor Epoxide	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Toxaphene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1016	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1221	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1232	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1242	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1248	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1254	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
PCB-1260	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC

EMCWA5000358
George Vincent
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 12
May 19, 1997
Submission # 9705000397
Order # 222405
FDER CompQAP# 920323G
HRS Certification# E86349, 86413

Site Location/Project
Miami, FL
Soil Testing For PCAP

Sample I.D.: Soil
Collected: 05/09/97 00:00
Received: 05/09/97 14:36
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Dioxin (screen)	BDL	mg/Kg	3550/8270B	1.000	05/13/97	05/13/97	MBC
Azobenzene	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Methoxychlor	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Benzoic Acid	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Aniline	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
4-Chloroaniline	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
Dibenzofuran	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2-Nitroaniline	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
3-Nitroaniline	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MBC
4-Nitroaniline	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
Carbazole	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,6-Dichlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC
2,3,4,6-Tetrachlorophenol	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC

EMCWAS000358
George Vincent
EMC Waste Oil
P.O. Box 520882
Miami, FL 33152

Page 13
May 19, 1997
Submission # 9705000397
Order # 222405
FDER CompQAP# 920323G
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Site Location/Project
Miami, FL
Soil Testing For PCAP

Sample I.D.: Soil
Collected: 05/09/97 00:00
Received: 05/09/97 14:36
Collected by: Client

PARAMETER	RESULT	UNITS	METHOD	DETECTION LIMIT	DATE EXT.	DATE ANALY.	ANALYST
Pyridine	BDL	mg/Kg	3550/8270B	0.330	05/13/97	05/13/97	MEC

BDL: Indicates Analyte is Below Detection Limit

Work Subcontracted to Outside Labs Denoted by HRS Cert ID in Analyst Field

Qualifier following result conforms to FAC 62-160 Table 7

Unless otherwise noted, mg/Kg denotes wet weight

MEDF: Matrix Effect Dilution Factor


Michael A. Spitzer, Laboratory Director



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED

JUN 9 1997

DEPT OF ENV PROTECTION
WEST PALM BEACH

June 3, 1997.

Mr. James Bussey
Dept. of Environmental Protection
Southeast District
P.O. Box 15425
West Palm Beach, Fl. 33416

Dear Mr. Bussey

As per your request, this is the information you had ask for. List of our vehicles with their capacity and disposal facilities we currently use.

EQUIPMENT

Year	Make	License #	Capacity & Compartment	Vehicle ID #
76	Heil-trailer	QANO4C	8,000	HT927871
84	Kenworth	SJT36X	tractor	1XKKDB9X4DJ351412
85	Chevrolet	M9645P	2,000	1GBL7D184FU21260
97	Dodge	VVV95B	P/U truck	3B7MC33D8VM515731
85	Volvo	M9608P	2,500	YB3L06BAXFB032191
87	Volvo	M1901D	Box Van 22-drs.	YB3U6A7A2HB408352
87	Volvo	M9634P	Box Van 22-drs.	YB3U6A7A1HB404518
87	Volvo	M9611P	900gal/2400gal	YB3U6AOHB412826
89	Volvo	M1306Q	2,000gal/500gal	YB3U6A3A5KB432030
90	Volvo	M1307Q	600gal/2000gal	YB3U2CMA1LB455456

FACILITIES

Cliff Berry, Inc.
Perma Fix Environmental
H.R. Paving
International Petroleum Inc.
U.S. Foundry
Chemical Conservation
Laidlaw Environmental
Rinker Materials

I hope that this information is to your satisfaction. If you have any other questions, please contact us.

Sincerely,

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaaa
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
° EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: °
°Handler Name:EMC OIL CORP Land Type:P Non-Notifier: °
° District:SED Access: Access Date: Notif Date:15-APR-1988 °
Uooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
° Site Name:EMC OIL CORP °
° Directions: °
° Address:6201 SW 35TH ST County: °
° 13 DADE °
° City:MIAMI State:FL Zip:33152-0 °
Uooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
°Mail Address:PO BOX 520882 °
° City:MIAMI State:FL Zip:33152-0 °
Uooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
° Feature: Method:ADDM Datum: Date:15-APR-1988 °
° Coordinates: Latitude Degrees:25 Minutes:45 Seconds:2 °
° Longitude Degrees:81 Minutes:9 Seconds:31 °
° Comments: °
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa1/6a1
Enter the accessibility indicator
Count: *1
<List><Replace>

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Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
° EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: °
°Handler Name:EMC OIL CORP Land Type:P Non-Notifier: °
° District:SED Access: Access Date: Notif Date:15-APR-1988 °
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
° Site Name:EMC OIL CORP °
° Directions: °
° Address:6201 SW 35TH ST County: °
° 13 DADE °
°Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
U° CONTACT INFORMATION aaaaaaaaaaaaaaaaaaaaaa °
°° Name L:MARIA F:LEON Title:PRES °°
°° Phone:(305)635-6031 Type:N °°
°° °°
U° Address:PO BOX 520882 °°
°° °°
°° City:MIAMI State:FL Zip:33152 - 0000 °°
°° °°
°°
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa2/6all
Enter contact person's last name
Count: *1

```

<Replace>

[illegible]

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Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaaa
OooooooooooooooooooooooooooooooooooooooooooooHAZARDOUS WASTE ACTIVITIESooooooooooooooooo
° Generator: LQG SQG CES XNHR Closed° ° °
° ° °
° *Transporter: ° ° °
° ° °
° TSD: Treater Storer Disposer ° ° °
° ° °
° *Used Oil: ° ° °
° ° °
° Recycler: Commercial Non-Commercial ° ° °
° ° °
° *HW Fuel: ° ° °
° ° °
° UIC: ° ° °
° ° °
° *OTHER: ° ° °
° ° °
° *CORR: ° * Denotes detail screen °
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa4/6ai
EPA ID:FLD984166025 Source:NOTIFICATION Date:14-DEC-1994 Comments:
Enter 'X' if the facility is a large quantity generator
Count: *1 <Replace>

```

[illegible]

[illegible]

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENFORCEMENT TELEPHONE LOG

CASE NAME: EMC Oil **DATE:** June 2, 1997 **TIME:** 9:59am

CONTACT: Ms. Maria Perez-Leon **OF:** EMC Oil Was **CALLED**

PHONE #: 800/344-8688

DISCUSSION:

I called EMC and requested information about the size of the trucks utilized at EMC and the compartment sizes for each truck. I also requested where EMC takes their used oil, used oil filters, antifreeze, and waste water for disposal. Ms. Perez-Leon said she will be sending a letter to the Department about the information requested.

PREPARED BY: _____

James H. Bussey
James H. Bussey
Case Manager



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

APR 30 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Maria E. Perez Leon
EMC Oil Corporation
P.O. Box 520882
Miami, Florida 33152-0882

Dade County
HW-EMC Oil Corporation

RE: EMC Oil Corporation; 8470 NW 68th Street, Miami, Florida.

Dear Ms. Perez Leon:

A hazardous waste compliance inspection was conducted at the above referenced facility on April 16, 1997. The inspection was conducted under the authority of Section 403.091, Florida Statutes and Chapter 403, Part IV, Florida Statutes, and is designed to ascertain the compliance status of your facility with 40 CFR 260-268, as adopted in Florida Administrative Code (F.A.C.), Chapter 62-730, and Chapter 62-710, F.A.C.

During the inspection on the southeast side of your facility inspectors observed stained soils and possible discharge from a 500-gallon tank. In order to properly determine the applicable remediation procedures concerning the above referenced facility, we are requesting that additional information be provided. A Preliminary Contamination Assessment Plan (PCAP) addressing possible soil and groundwater contamination must be submitted to the Department. Please review the attached guidance document.

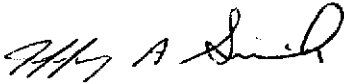
In addition, enclosed is a "Discharge Determination Checklist" (DDC), which must be completed for this area of discharge. Please conduct a thorough record review and provide the Department with the information requested in the enclosed DDC pursuant to Rule 62-730.150(7), F.A.C., Documentation supporting your response must be included where indicated.

Please submit the PCAP and the completed DDC and supporting documentation to the letterhead address within 30 days of receipt of this letter.

Ms. Perez Leon
Page 2 of 2

If you have any questions regarding this matter, please contact
Mr. James H. Bussey at 561/681-6718.

Sincerely,



Jeffrey A. Smith
Environmental Manager
Hazardous Waste Compliance/Enforcement Section

cc: Roberto Abrahante, DERM
West Palm Beach, DEP Files

DISCHARGE DETERMINATION CHECKLIST

I. GENERAL INFORMATION

Facility Name: _____

EPA/DEP I.D. No. _____

Facility Physical Address: _____
Street

City, State, Zip Code

Facility Mailing Address: _____
Street or P.O. Box

City, State, Zip Code

II. FACILITY LOCATION

County: _____ Nearest Community: _____

Latitude: _____ Longitude: _____

Section: _____ Township: _____

Range: _____ Area Of Facility Site (Acres): _____

III. DETERMINATION CHECKLIST

CHECK THE APPROPRIATE RESPONSE.

YES NO

- (1) Did the soil contamination, groundwater contamination, or discharge occur before November 19, 1980?

Attach documentation to support your response.

- (2) Is the contamination from a recent, singular spill, or accidental release?

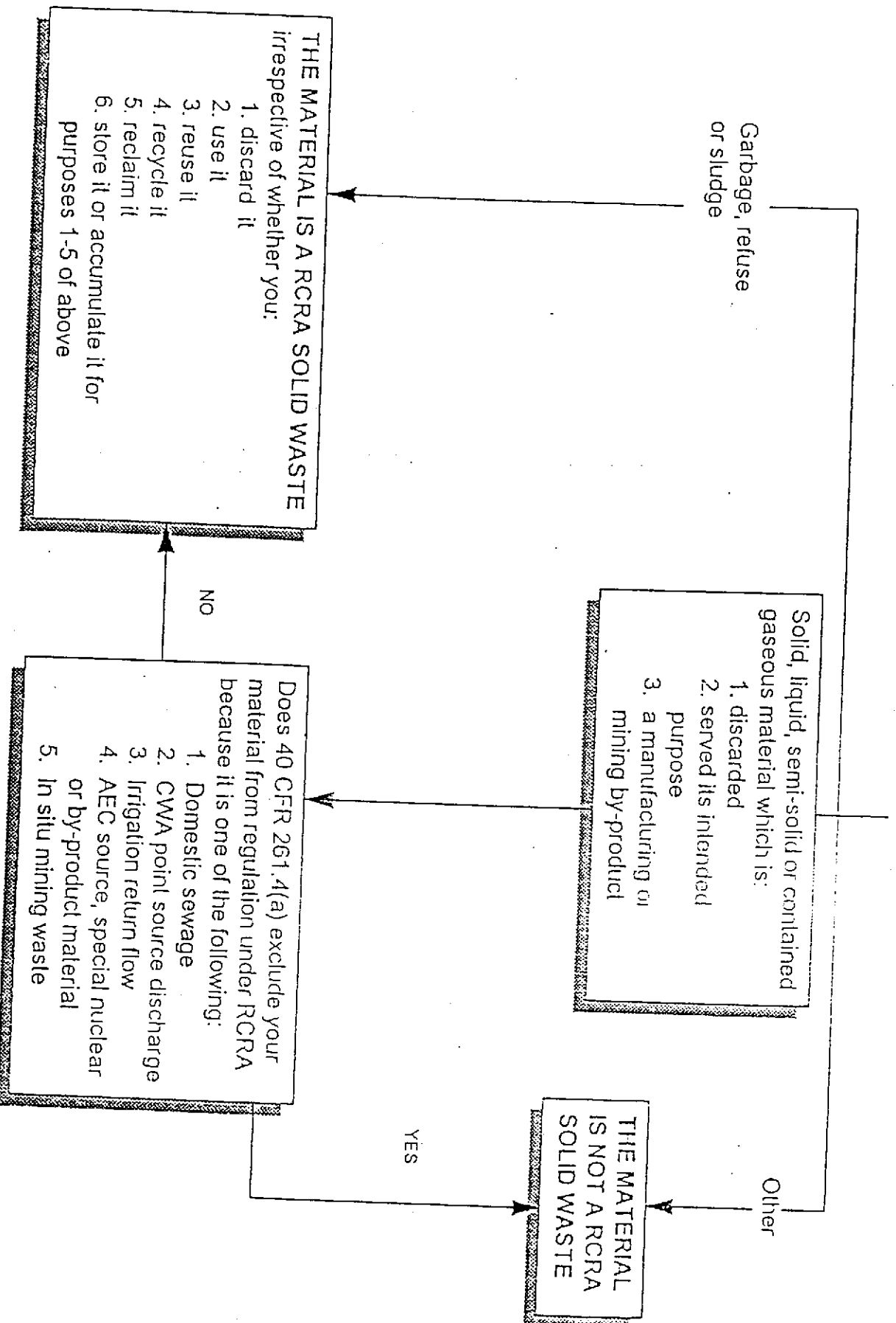
Attach documentation to support your response.

- | | YES | NO |
|---|-----|----|
| (3) Is the source of contamination known?
Attach a description of the source and events leading to discharge if known. | — | — |
| (4) Is the discharge from a raw product storage tank? | — | — |
| (5) Has an environmental audit lead to the discovery of soil or groundwater contamination? | — | — |
| (6) Has an environmental audit established the origin of the contamination?
Along with the completed checklist submit the information, provided in the environmental audit, which details how facility management practices lead to the contamination. | — | — |
| (7) Is the discharge a single contaminant?
Identify contaminant(s) in an attachment. | — | — |
| (8) Was the discharged material a RCRA solid waste, as defined in 40 CFR 261.2?
See Exhibit I, Definition of a Solid Waste, attached. Provide a narrative describing how the determination was made. | — | — |
| (9) Was the discharged material a hazardous waste as defined in 40 CFR 261?
See Exhibit II, Definition of a Hazardous Waste, attached. Provide a narrative describing how the determination was made. | — | — |

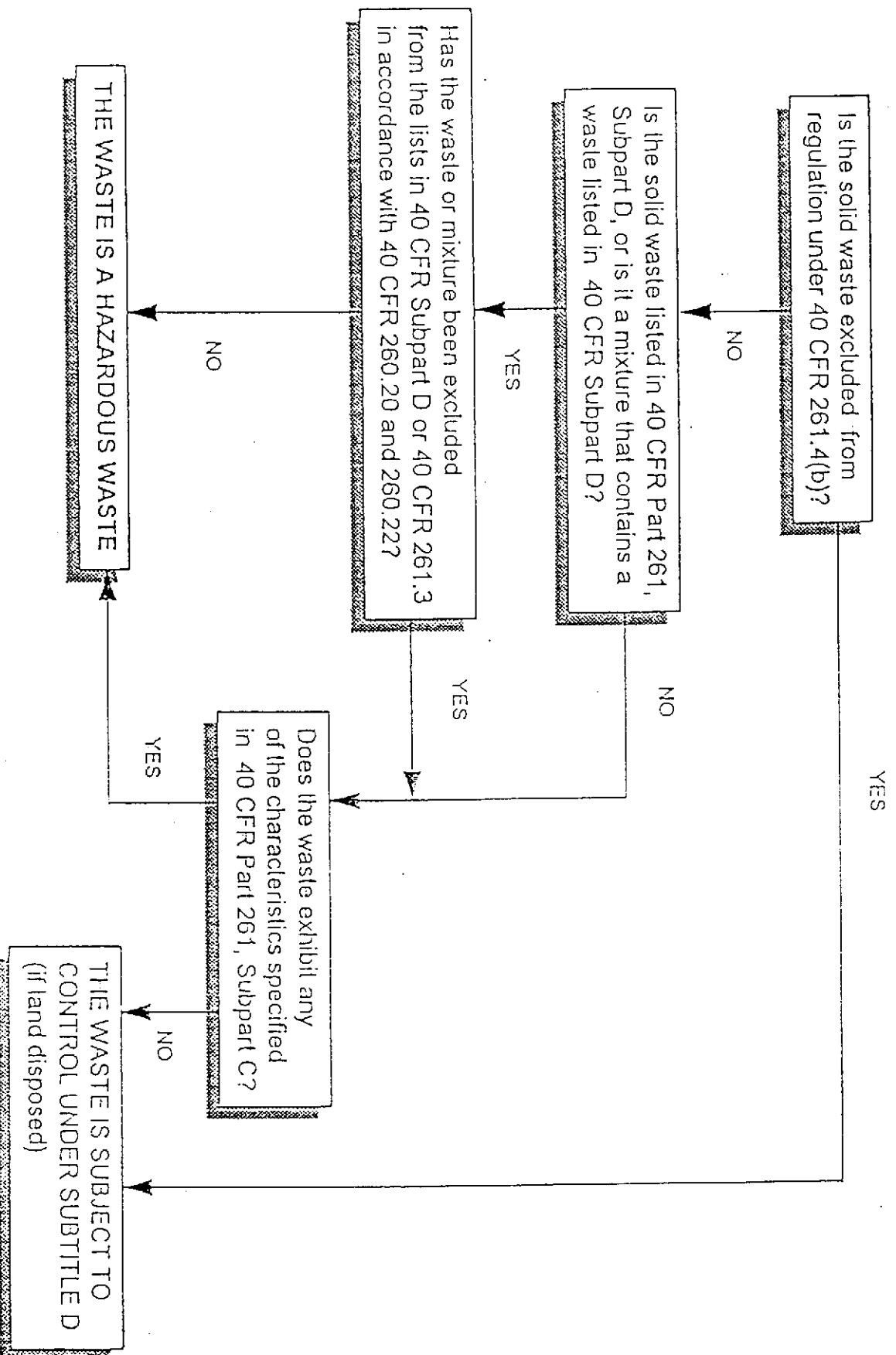
Other information such as site history, results of prior soil or ground water assessments, chemicals presently and historically managed at the site, wastes generated from operations at the site along with any waste profiles performed on the wastes and a summary of any known discharges at the site should also be provided.

DEFINITION OF A SOLID WASTE

All Materials



DEFINITION OF A HAZARDOUS WASTE



PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS

1. Within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan (Comp QAP) in which they are approved for the sampling and analysis intended to be used for the assessment of the site. The documentation shall, at a minimum, contain the TITLE PAGE and TABLE OF CONTENTS of the approved Comp QAP meeting the requirements of Rule 17-160, F.A.C. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment, documentation of their DEPARTMENT APPROVED Comp QAP will be required. If at any time sampling and analysis are to be conducted which are not in the Approved Comp QAP, documentation of amendments and approvals pursuant to Rule 17-160.210, F.A.C., shall be required.

2. Within 30 days of the effective date of the Order incorporating these Preliminary Contamination Assessment Actions, Respondent shall submit a Preliminary Contamination Assessment Plan ("PCAP") to the Department. Applicable portions of the PCAP shall be signed and sealed pursuant to Rule 17-103.110(4), F.A.C. The PCAP shall describe the tasks that Respondent proposes to perform in order to determine whether the soil, sediment, surface water or ground water are contaminated at Respondent's facility; and, if so, whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 17-3 or constitutes a risk to the public health, the environment or the public welfare. The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ("PCAR") can be submitted to the Department within 90 days of approval of the PCAP by the Department.

3. The PCAP shall include provisions for the installation and sampling of, in most cases, a minimum of four monitor wells to determine the groundwater quality and flow direction at the site. Proposal of fewer wells or an alternate well configuration is subject to Department approval. Provision to sample surface waters, sediments and soils shall be included as necessary.

A. One of the wells shall be located in the area suspected of greatest contamination and two wells shall be located downgradient of the area suspected of highest contamination.

B. One of the wells shall be an unaffected background well.

C. The wells, surface waters, sediments and soils, as applicable, shall be sampled and analyzed for the following parameters with the listed method;

(1) priority pollutant metals using DER approved Methods;

(2) priority pollutant organic chemicals using EPA methods 624/8240 and 625/8250 or 8270;

(3) all non-priority pollutant organic chemicals with peaks greater than 10 micrograms per liter (ug/l) using EPA methods 624/8240 and 625/8250 or 8270;

(4) pesticides and herbicides using EPA methods 8080, 8140, 8150 or 625/8250 or 8270, if applicable, or other Department approved methods for pesticides and herbicides for which the listed methods are not applicable; and

(5) others, as applicable.

Proposal of alternate analytical methods is subject to Department approval. The number of contaminants to be analyzed may be reduced if Respondent can demonstrate to the Department's satisfaction that the contaminants proposed to be deleted from the list cannot be attributed to any activities that have taken place at Respondent's facility. The Department shall submit written notification to the Respondent if the number can be reduced.

4. The PCAP shall include provisions for investigation of the following conditions, as applicable, at the contamination site and the area surrounding the contamination site:

- A. The presence and thickness of any free product at the site;
- B. The presence of soil contamination at the site;
- C. The aquifers present beneath the site and their Chapter 17-3, FAC, groundwater classification;
- D. The number and locations of all public and private potable supply wells within a 1/2 mile radius of the site;
- E. The presence of surface waters of the State within a 1/2 mile radius of the site and, if applicable, their Rule 17-3, F.A.C., classification; and
- F. The geology and hydrogeology of the site focusing on aquifers and confining units which are present, the potential for movement of contaminants both horizontally and vertically, zones that are likely to be affected, and actual and potential uses of the groundwater as a resource.

5. The PCAP shall contain the following site specific information;

- A. Proposed well construction details including methods and materials, well installation depths and screened intervals and well development procedures;
- B. A description of methods and equipment to be used to quantify soil and sediment contamination;
- C. A description of water sampling methods, including names of sampling personnel, procedures and equipment;
- D. Name of laboratory to be used for analytical work;
- E. The parameters to be analyzed for, the analytical methods to be used and the detection limits of these analytical methods;
- F. Site map depicting monitoring well locations and other proposed sampling sites and justification for their selection; and
- G. A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile.

6. The Department shall review the PCAP and provide Respondent with a written response to the proposal. In the event that additional information is necessary for the Department to evaluate the PCAP, the Department shall make a written request to Respondent for the information and Respondent shall provide the requested information within 20 days from receipt of said request. The PCAP shall incorporate all required modifications to the PCAP identified by the Department. Any action taken by Respondent with regard to the implementation of the PCAP prior to the Respondent receiving written notification from the Department that the PCAP has been approved shall be at Respondent's risk.

7. Within (60) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ("PCAR") to the Department. Applicable portions of the PCAR shall be signed and sealed pursuant to Rule 17-103.110(4), F.A.C. The PCAR shall:

- A. Summarize and analyze all "PCAP" tasks;
- B. Include, but not be limited to, the following tables and figures:

- (1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations;
 - (2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;
 - (3) A table with water quality information for all monitor wells;
 - (4) Site maps showing contaminant concentrations and contours of the contaminants; and
 - (5) Cross sections depicting the geology of the site at least to the top of the confining unit. In general there should be at least one north to south cross section and one east to west cross section.
- C. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; and
 - D. Specify results and conclusions regarding the objectives of the Preliminary Contamination Assessment;
 - E. Provide the following quality assurance data along with the analytical data from all media;
 - (1) dates of sample collection, sample preparation including extraction and sample analysis;
 - (2) the detection limits for these analyses;
 - (3) the results from the analyses of field quality control samples; including field equipments, trip blanks and duplicates;
 - (4) the results from reagent water blanks run on that day (5% of samples run, minimum);
 - (5) the spike and surrogate percent recoveries for the data set;
 - (6) the actual chromatograms, if requested by the Department.
 - (7) any other QA/QC information Department deems necessary to evaluate validity of the submitted data.
 - F. Identify, to the extent possible, the source(s), extent, and concentrations of contaminants, and the existence of any imminent hazards.

8. The Department shall review the PCAR and determine whether it is adequate to meet the objectives of the PCAP. In the event that additional information is necessary to evaluate the PCAR, the Department shall make a written request and Respondent shall provide all requested information within 20 days of receipt of said request.

9. Respondent shall provide notification to the Department at least twenty (20) days prior to the installation or sampling of any monitoring wells, and shall allow Department personnel the opportunity to observe installation and sampling and to take split samples. All necessary approvals must be obtained from the appropriate water management district before any wells are installed. Raw data shall be exchanged between Respondent and the Department as soon as the data is available.

10. The Respondent is required to comply with all local, state and federal regulations and to obtain any necessary approvals from local, state and federal authorities in carrying out these assessment actions.

11. If the Department's review of the PCAR indicates that the soil, sediments, surface water or ground water is contaminated, or constitutes a risk to the public health, the environment or the public welfare, or if the Department rejects the PCAP or PCAR for not meeting the objectives of analyzing or reporting on the analysis of the contaminants that are the subject of the assessment, the Department reserves the right to do any or all of the following:

A. Seek further administrative relief through the filing of a Notice of Violation or entry of a Consent Order which requires Respondent to conduct further assessment and clean-up at its facility;

B. File suit for injunctive relief, civil penalties, damages and expenses; or

C. Perform the necessary corrective actions at Respondent's facility and recover the costs of such actions from Respondent.

12. If the Department's review of the PCAR indicates that the site is not contaminated and does not constitute a risk to the public health, the environment or the public welfare, the Department will so notify the Respondent in writing.



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

01-09-95

MARIA LEON, PRES
EMC OIL CORP
PO BOX 520882
MIAMI

RE: Facility ID # FLD984166025
LOC: 6201 SW 35TH ST
MIAMI

FL 33152

Based on information supplied by you, we have processed and accepted at the state level your request for the facility identified with the above identification number to receive the indicated change in classification under RCRA:

Your facility status has been changed to the following:

Closed/Moved.

By copy of this letter, we are advising EPA of the change in your status. Please notify us in writing if there is any further change in your operations which would again affect your status. Your EPA ID number is being inactivated.

Sincerely,

Michael X. Redig
Environmental Supervisor II
Hazardous Waste Management Section

cc: Dave Gray - EPA/Region IV
DER/West Palm Beach
GMS-ID # 5013P01224

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

Change of Status from former location

Site Non-notifier Handler Project Activity Report ?help eXit
HW Compliance and Enforcement - CHAZ
HANDLER INFORMATION
EPA ID:FLD984166025 Site ID:55385 Previous EPA ID:
Handler Name:EMC OIL CORP Land Type:P Non-Notifier:
District:SED Access: Access Date: Notif Date:15-APR-1988
Site Name:EMC OIL CORP
Directions:
Address:6201 SW 35TH ST County:
13 DADE
City:MIAMI State:FL Zip:33152-0
Mail Address:PO BOX 520882
City:MIAMI State:FL Zip:33152-0
Feature: Method:ADDM Datum: Date:15-APR-1988
Coordinates: Latitude Degrees:25 Minutes:45 Seconds:2
Longitude Degrees:81 Minutes:9 Seconds:31
Comments:
Enter the accessibility indicator
Count: *1

<List><Replace>

8470 NW 68th St
800 344-8188

800-438-9000
4835-9171-925-973

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
o EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: o
o Handler Name:EMC OIL CORP Land Type:P Non-Notifier: o
o District:SED Access: Access Date: Notif Date:15-APR-1988 o
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
o Site Name:EMC OIL CORP o
o Directions: o
o Address:6201 SW 35TH ST County: o
o 13 DADE o
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
O Name L:MARIA F:LEON Title:PRES O
O Phone:(305)635-6031 Type:N O
O Address:PO BOX 520882 O
O City:MIAMI State:FL Zip:33152 - 0000 O
O O
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa2/6all
Enter contact person's last name
Count: *1
<Replace>

```

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaa
OoooooooooooooooooooooHANDLER INFORMATIONoooooooooooooooooooooC
* EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: o
*Handler Name:EMC OIL CORP Land Type:P Non-Notifier: o
* District:SED Access: Access Date: Notif Date:15-APR-1988 o
UoooooooooooooooooooooC
* Site Name:EMC OIL CORP o
* Directions: o
* Address:6201 SW 35TH ST County: o
o 13 DADE o
*OoooooooooooooooooooooOWNER/OPERATOR INFORMATIONoooooooooooooooooooooC
U* Indicator:CO Current Owner *C
oo oo
oo Name:MARIA LEON, PRES oo
oo Address:PO BOX 520882 oo
U* City:MIAMI State:FL Zip:33152-0000 *C
oo oo
oo Phone:(305) 635-6031 Type:P Date: oo
oo oo
aaaaaaaaaaaaaaaaaaaaaa3/6all
Count: *1 <List><Replace>

```

```

Site Non-notifer Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
OAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAHAZARDOUSAWASTE ACTIVITIESAAAAAAAAAAAAAAAAA
* Generator: LQG SQG CES XNHR Closed*
*
*Transporter:
*
* TSD: Treater Storer Disposer
*
*Used Oil:
*
* Recycler: Commercial Non-Commercial
*
*HW Fuel:
*
* UIC:
*
*OTHER:
*
*CORR: * Denotes detail screen
AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA4/6A1
EPA ID:FLD984166025 Source:NOTIFICATION Date:14-DEC-1994 Comments:
Enter 'X' if the facility is a large quantity generator
Count: *1

```

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaa HW Compliance and Enforcement - CHAZ aaaaaa
OaaaaaHANDLER INFORMATIONaaaaa
* EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: *
*Handler Name:EMC OIL CORP Land Type:P Non-Notifier: *
* District:SED Access: Access Date: Notif Date:15-APR-1988 *
Qaaaaa
* Site Name:EMC OIL CORP *
* Directions: *
* Address:6201 SW 35TH ST County: *
* 13 DADE *
*OaaaaaSIC CODE(S)aaaaa*
u* *
** SIC Code Description **
** Primary 0011 UNKNOWN **
** Secondary **
u* *
** *
** *
** *
** *
aaaaa5/6aa11
Count: *1 <List><Replace>

```

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
OaaaaaaaaaaaaaaaaaaaaaaHANDLER INFORMATIONaaaaaaaaaaaaaaaaaaaaaa
  EPA ID:FLD984166025 Site ID:55385 Previous EPA ID:
  Handler Name:EMC OIL CORP Land Type:P Non-Notifier:
  District:SED Access: Access Date: Notif Date:15-APR-1988
Uaaaaaaaaaaaaaaaaaaaaaa
  Site Name:EMC OIL CORP
  Directions:
  Address:6201 SW 35TH ST County:
  13 DADE
  City:MIAMI State:FL Zip:33152-0
Uaaaaaaaaaaaaaaaaaaaaaa
  Mail Address:PO BOX 520882
  City:MIAMI State:FL Zip:33152-0
Uaaaaaaaaaaaaaaaaaaaaaa
  Feature: Method:ADDM Datum: Date:15-APR-1988
  Coordinates: Latitude Degrees:25 Minutes:45 Seconds:2
  Longitude Degrees:81 Minutes:9 Seconds:31
  Comments:
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa1/6ai
Enter the accessibility indicator
Count: *1

```

[illegible]


```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
* EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: *
*Handler Name:EMC OIL CORP Land Type:P Non-Notifier: *
* District:SED Access: Access Date: Notif Date:15-APR-1988 *
Uooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
* Site Name:EMC OIL CORP *
* Directions: *
* Address:6201 SW 35TH ST County: *
* 13 DADE *
*Oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo
U* Indicator:CO Current Owner *C
** ** **
** Name:MARIA LEON, PRES **
** Address:PO BOX 520882 **
U* City:MIAMI State:FL Zip:33152-0000 *C
** ** **
** Phone:(305) 635-6031 Type:P Date: **
** ** **
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa3/6all
Count: *1 <List><Replace>

```

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaaaaaaaaaaaaaaaaaa HW Compliance and Enforcement - CHAZ aaaaaaaaaaaaaaaaaaaaaa
OoooooooooooooooooooooHAZARDOUS WASTE ACTIVITIESoooooooooooooooooooooo
Generator: LQG SQG CES XNHR Closed
*Transporter:
TSD: Treater Storer Disposer
*Used Oil:
Recycler: Commercial Non-Commercial
*HW Fuel:
UIC:
*OTHER:
*CORR: * Denotes detail screen
aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa4/6ai
EPA ID:FLD984166025 Source:NOTIFICATION Date:14-DEC-1994 Comments:
Enter 'X' if the facility is a large quantity generator
Count: *1 <Replace>
```

```

Site Non-notifier Handler Project Activity Report ?help eXit
aaaaaa HW Compliance and Enforcement - CHAZ aaaaaa
OaaaaaHANDLER INFORMATIONaaaaa
* EPA ID:FLD984166025 Site ID:55385 Previous EPA ID: *
*Handler Name:EMC OIL CORP Land Type:P Non-Notifier: *
* District:SED Access: Access Date: Notif Date:15-APR-1988 *
Uaaaaa
* Site Name:EMC OIL CORP *
* Directions: *
* Address:6201 SW 35TH ST County: *
* 13 DADE *
*OaaaaaSIC CODE(S)aaaaa
U* °C
** SIC Code Description °C
** Primary 0011 UNKNOWN °C
** Secondary °C
U* °C
** °C
** °C
** °C
** °C
aaaaa5/6aall
Count: *1 <List><Replace>

```

Collection Point Log Remittance									
AREA		SED				Total		CRAF006A \$5,216.67	
Remittance	654665	Type *	00	Received Date *	01/03/2006	Status	RECEIVED		
SYBSRCPT	628585	PNR		Check # *	7748	Amount *	1,666.67		
SSNFE#				Name *	E.M.C. OIL CORPORATION				
First				Middle		Title		Suf	
Address1	C/O MS. MARIA PEREZ LEON					Short Comments			
Address2	P.O. BOX 628882					SETTLEMENT			
City	MIAMI	ST	FL	Zip	33162	Country			
PAYMENT(S)									
Payment#	Distr CL	Object Code/Description	Payment Amount	Reference#	Applic/ Fund *	status			
723443	900	012806 LCT-PENALTIES	\$1,666.67	002304	RC06VS	COMPLETE			
COMMIT FREQUENTLY			\$1,666.67 Payment total						

Steve Brown,
For your records
mcy

E.M.C. OIL CORPORATION

P.O. BOX 520882
MIAMI, FLORIDA 33152-0882
305-477-7487

OCEAN BANK
MIAMI, FL 33136
83-1139/660

7748

12/20/2005

PAY TO THE
ORDER OF

Department of Environmental Protection

\$ **1,666.67

One Thousand Six Hundred Sixty-Six and 67/100*****DOLLARS

Department of Environmental Protection
400 N. Congress Ave. ste 200
W.P.B., FI 33401

MEMO



#007748

Rept. 526505

12/23/05



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

December 21, 2005

Department of Environmental Protection
Kevin R. Neal, District Director
Waste Program Administrator
Southeast District
400 North Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Fl. 33166
OGC Number 05-2384

Dear Mr. Neal:

Enclosed please find check #7748 in the amount of \$1,666.67 which represents the January 2006 payment.

Should you have any questions, kindly contact me at your convenience.

Sincerely,

Helys J. Solana
Environmental Department

Collection Point Log Remittance									
AREA		SED				Total		CRAF006A \$16,252.72	
Remittance	669147	Type *	CV	Received Date *	02/02/2006	Status	RECEIVED		
SYS\$RCPT	530462	PNR		Check # *	7832	Amount *	1,666.67		
SSN/FEM#				Name *	E.M.C. OIL CORPORATION				
First				Middle		Title		Suf	
Address1	CAO MARIA PEREZ LEON					Short Comments			
Address2	P.O. BOX 520082					SETTLEMENT			
City	MIAMI	ST	FL	Zip	33152	Country			
PAYMENT(S)									
Payment#	Distr CL	Object Code/Description	Payment Amount	Reference#	Applic/ Fund *	status			
729031	SED	012000 LCT-PENALTIES	\$1,666.67	052304	ECOSTS	COMPLETE			
COMMIT FREQUENTLY			\$1,666.67	Payment total					

Steve Brown,
For your records.
mcy

E.M.C. OIL CORPORATION
P.O. BOX 520882
MIAMI, FLORIDA 33152-0882
305-477-7497

OCEAN BANK
MIAMI, FL
63-1139/000

7832

1/27/2006

PAY TO THE
ORDER OF Dept. of Environmental Protection

\$ **1,666.67

One Thousand Six Hundred Sixty-Six and 67/100 ***** DOLLARS

Dept. of Environmental Protection
400 N. Congress Ave., Ste 200
West Palm Beach, FL 33401

MEMO

[Signature]

007832

Rept. 530462

1/30/06



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED

JAN 30 2006

**DEPT OF ENV PROTECTION
WEST PALM BEACH**

January 27, 2006

Department of Environmental Protection
Kevin R. Neal, District Director
Waste Program Administrator
Southeast District
400 North Congress Avenue Suite 200
West Palm Beach, Florida 33401

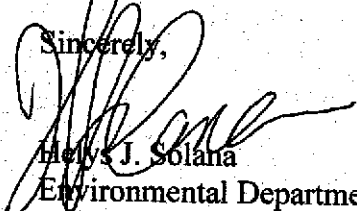
Re: Proposed Settlement of Department in the case of the Department of
Environmental Protection v. Environmental Management Conservation
Oil Corporation (E.M.C. Oil Corp.), 8470 N.W. 68th Street, Miami, Florida
OGC Number: 05-2384

Dear Mr. Neal:

Enclosed please find check #7832 in the amount of \$1,666.67 which represents the
February 2006 payment.

Should you have any questions, kindly contact me at your convenience.

Sincerely,


Melys J. Solana
Environmental Department

Enclosures

Collection Point Log Remittance									
AREA		SED				Total		\$4,333.34	
Remittance		653146		Type *		20		Received Date *	
SYSRCPT		525826		PNR				Check # *	
SSN/FEN								Amount *	
First				Middle				Status	
Address1		C/O MS. MARIA PEREZ LEON		Name *		E.M.C. OIL CORPORATION		RECEIVED	
Address2		P.O. BOX 520882		Title				Short Comments	
City		MIAMI		ST		FL		Zip	
						33152		Country	
SETTLEMENT									
PAYMENT(S)									
Payment#	Distr	CL	Object	Code/Description	Payment	Reference#	Applic/	Fund *	status
721823	SED		010003	LCT-REMBELEGAL	\$500.00	852384		ECOSYS	COMPLETE
721823	SED		812006	LCT-PENALTIES	\$3,333.34	852384		ECOSYS	COMPLETE
COMMIT FREQUENTLY					\$3,833.34	Payment total			

Steve B.,
For your records,
MB

E.M.C. OIL CORPORATION
P.O. BOX 520882
MIAMI, FLORIDA 33152-0882
305-477-7497

OCEAN BANK
MIAMI, FL 33176
63-113-0000

7689

12/2/2005

PAY TO THE
ORDER OF Dept. of Environmental Protection

\$ **3,833.34

Three Thousand Eight Hundred Thirty-Three and 34/100***** DOLLARS

Dept. of Environmental Protection

MEMO

06C05-2384

Ecosystem Management and Restoration Trust Fund

⑈007689⑈

[Signature]

Rept. 525026



12/5/05

Kathy W.
Steve B.

Collection Point Log Remittance										
AREA		SED						Total		CRAF006A \$3,866.67
Remittance		669676	Type *	31	Received Date *		04/21/2006	Status		RECEIVED
SYSRCPT		500493	PNR		Check # *		8015	Amount *		1,666.67
SSN/FEM#										
First										
Middle										
Title										
Address1		C/O MS. MARIA PEREZ LEON				Short Comments				
Address2		P.O. BOX 520882				SETTLEMENT				
City		MIAMI	ST	FL	Zip	33152	Country			
PAYMENT(S)										
Payment#	Distr CL	Object Code/Description	Payment Amount	Reference#	Applic/ Fund *	status				
741090	SED	012000 LCT-PENALTIES	\$1,666.67	052394	ECOSYS	COMPLETE ▲				
COMMIT FREQUENTLY			\$1,666.67 Payment total							

Steve Brown,
For your records.
MB

03/30/06
Steve B.



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882
Dade: 305-477-7497
Toll Free: 1-800-344-8688

March 28, 2006

Department of Environmental Protection
Kevin R. Neal, District Director
Waste Program Administrator
Southeast District
400 North Congress Avenue Suite 200
West Palm Beach, Florida 33401

Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Fl. 33166
OGC Number 05-2384

Dear Mr. Neal:

Enclosed please find check ^{#8015}~~#7933~~ in the amount of \$1,666.67 which represents the April 2006 payment.

Should you have any questions, kindly contact me at your convenience.

Sincerely,


Heys J. Solana

Environmental Department

Collection Point Log Remittance

AREA **SED** Total **\$23,516.67**

Remittance **664146** Type **30** Received Date **03/10/2006** Status **RECEIVED**

SYBSRCPT **535230** PNR Check # **7933** Amount **1,666.67**

BSNFEN Name **E.M.C. OIL CORPORATION**

First Middle Title Suf

Address1 **C/O MS. MARIA PEREZ LEON** Short Comments

Address2 **P.O. BOX 620002** **E.M.C. OIL CORP.**

City **MIAMI** ST **FL** Zip **33152** Country

PAYMENT(S)

Payment#	Dist	CL	Object	Code	Description	Payment	Reference#	Applic	Fund*	Status
1	SED				LECTURE FEES	\$1,666.67	79333		600000	RECEIVED

COMMIT FREQUENTLY **\$1,666.67** Payment total

Steve Brown,
For your records
mcy

E.M.C. OIL CORPORATION

P.O. BOX 520882
MIAMI, FLORIDA 33152-0882
305-477-7497

OCEAN BANK
MIAMI, FL 33176
63-1139/660

7933

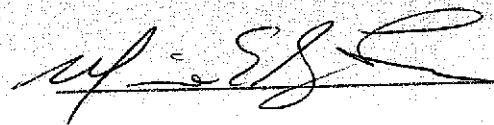
2/24/2006

PAY TO THE
ORDER OF Dept. of Environmental Protection

\$ **1,666.67

One Thousand Six Hundred Sixty-Six and 67/100***** DOLLARS

Dept. of Environmental Protection
400 N. Congress Ave., Ste 200
West Palm Beach, Fl 33401



MEMO

march payment

007933

Rept. 535230

2/28/06
Steve Brown



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED

FEB 28 2006

DEPT OF ENV PROTECTION
WEST PALM BEACH

February 27, 2006

Department of Environmental Protection
Kevin R. Neal, District Director
Waste Program Administrator
Southeast District
400 North Congress Avenue Suite 200
West Palm Beach, Florida 33401

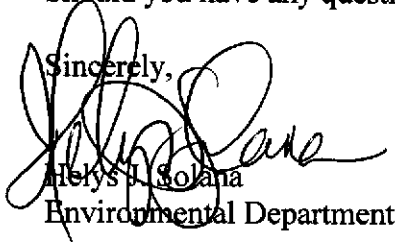
Re: E.M.C. Oil Corp., 8470 N.W. 68th Street, Miami, Fl. 33166
OGC Number 05-2384

Dear Mr. Neal:

Enclosed please find check #7933 in the amount of \$1,666.67 which represents the March 2006 payment.

Should you have any questions, kindly contact me at your convenience.

Sincerely,



Helys J. Solana
Environmental Department



E.M.C.
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152-0882

Dade: 305-477-7497

Toll Free: 1-800-344-8688

RECEIVED

DEC 05 2005

**DEPT OF ENV PROTECTION
WEST PALM BEACH**

December 2, 2005

Department of Environmental Protection

~~Kevin R. Neal, District Director~~

Waste Program Administrator

Southeast District

400 North Congress Avenue Suite 200

West Palm Beach, Florida 33401

Re: Proposed Settlement of Department in the case of the Department of
Environmental Protection v. Environmental Management Conservation
Oil Corporation (E.M.C. Oil Corp.), 8470 N.W. 68th Street, Miami, Florida
OGC Number: 05-2384

Dear Mr. Neal:

Enclosed you will find the original executed letter regarding the above referenced matter
together with a check for \$3,833.34 which covers first penalty payment and the
December 1, 2005 payment.

Please note the address that is on the letter is incorrect.

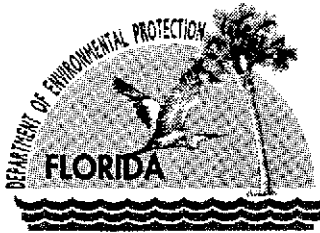
Should you have any questions, kindly contact me at your convenience.

Sincerely,

Maria E. Perez Leon

MEPL/hjs

Enclosures



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 22 2005

Ms. Maria Perez Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152

Miami-Dade County
HW- E.M.C. Oil Corp.

Re: Settlement of Department in the case of the Department of Environmental
Protection v. Environmental Management Conservation Oil Corporation (E.M.C. Oil Corp.),
14760 NW 22nd Street, Miami, Florida; OGC Number: 05-2384

Dear Ms. Leon:

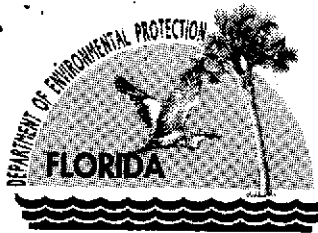
Enclosed for your implementation is a copy of the fully executed and filed Consent Order in the
above styled case. Please ensure that the compliance dates and terms of this Consent Order are
accomplished in timely manner.

Thank you for your cooperation in this matter. If you have any questions concerning this matter,
please contact Mr. Stephen Brown at 561/681-6722.

Kevin R. Neal
District Director
Southeast District

KRN/JP/KW/sb *SK3*

cc: **West Palm Beach, DEP File**
Lea Crandall, OGC, DEP Tallahassee (MS #35)
Mike Redig, Tallahassee (MS #4560)
Laurie DiGaetano, EPA Region IV
Roberto Abrahante, Miami-Dade DERM



Department of Environmental Protection

Jeb Bush
Governor

NOV 9 - 2005

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Maria Perez Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152

Miami-Dade County
HW- E.M.C. Oil Corp.

Re: Proposed Settlement of Department in the case of the Department of Environmental
Protection v. Environmental Management Conservation Oil Corporation (E.M.C. Oil Corp.),
14760 NW 22nd Street, Miami, Florida; OGC Number: 05-2384

Dear Ms. Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated June 24, 2005, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, your company is assessed civil penalties. As agreed to between the Department and E.M.C. Oil Corp during the July 19, 2005 meeting, your company is assessed civil penalties in the amount of \$10,000.00 along with \$500.00 to reimburse the Department's costs for a total of \$10,500.00. The civil penalty in this case includes at least one violation of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. Within 30 days of the effective date of this letter, E.M.C. Oil Corp. shall make the payment to the Department in accordance with the attached "Schedule A". The payments must be made by cashier's check or money order payable to the Department of Environmental Protection and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payments shall be sent to the Department of Environmental Protection, Waste Program Administrator, Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401.

Your signing this letter constitutes acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes. The effective date of the letter is the date on which it is filed with the clerk.


"More Protection, Less Process"

Printed on recycled paper.

E.M.C. Oil Corp.

Page 3 of 3

If you do not sign and return this letter to the Department at the District address within 30 days the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.



Kevin R. Neal
District Director
Southeast District

KRN/JP/KW/sb SB

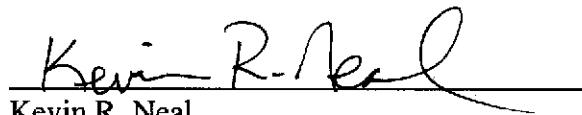
I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

For E.M.C. Oil Corp.:

For The Department:



Maria Perez
President



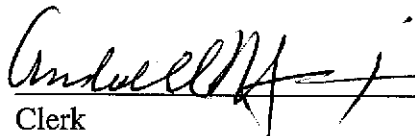
Kevin R. Neal
District Director
Southeast District

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 22nd day of December, 2005 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

DEC 22 2005

Date

Attachment

cc: West Palm Beach DEP, File

SCHEDULE A

This civil penalty settlement payment plan is mutually agreed upon by the Respondent and the Department. The agreed monthly payment schedule referenced below shall begin 30 days of your signing this letter. The first scheduled payment shall include the full amount of \$500.00 for Department costs. All payments shall be made according to the following schedule:

1. \$2,166.67 within 30 days of your signing this letter to cover the first penalty payment and the \$500.00 for costs and expenses.
2. \$1,666.67 due on the first of December and on the first of each month thereafter until a total of \$10,000.00 is paid in full.

If the Respondent fails to meet the payment schedule for any quarter as specified above, the entire remaining balance of the penalty settlement shall be due and payable within seven days of the Departments written notification to the Respondent.

Failure to comply with the terms of this schedule A shall constitute a violation of the Consent Order



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

JUN 24 2005

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

WARNING LETTER #WL05-0137HW13SED

Ms. Maria Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152-0882

Miami-Dade County
HW- E.M.C. Oil Corp.

RE: Hazardous Waste Compliance Evaluation Inspection at E.M.C. Oil Corp., 8470 NW 68th St., Miami, FL. EPA ID#FLR000000166.

Dear Ms. Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste inspection was conducted at your facility on May 10, 2005. During the inspection, possible violations of Chapter 403, Florida Statutes (F.S.), Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, and Part 279, as adopted in Chapter 62-730, F.A.C., and Chapter 62-710, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. Jeff Curtis of this office at 561/681-6756 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an appropriate penalty. In accordance with the Department's January 24, 2002 "Settlement Guidelines for Civil and Administrative Penalties" and the RCRA Civil Penalty Policy of June

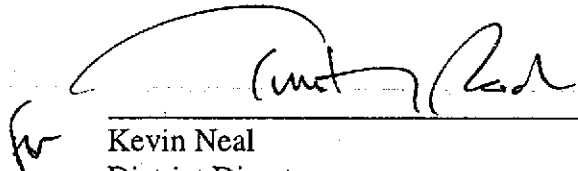
"More Protection, Less Process"

Printed on recycled paper.

2003, the penalty which would be proposed in this case is \$42,475.00 plus \$500.00 for administrative costs and expenses.

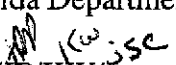
Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(5), F.S. The attached civil penalty worksheets are formulated and tendered only in the context of settlement negotiations in order to attempt to reach cooperative settlement. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Kevin Neal
District Director
Southeast District
Florida Department of Environmental Protection

Date


KN/JP/KW/jsc

cc: West Palm Beach, DEP File
Michael Redig, DEP Tallahassee, MS # 4560
Laurie DiGaetano, EPA Region IV
Robert Abrahante, MDCDERM

BACKGROUND

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EMC is a registered transporter of used oil, used oil filters, oily wastewater, absorbent material and hazardous waste. EMC has been operating at this location for approximately ten years, and has approximately 12 employees. The facility, where EMC is located, is owned by MEL Property Inc., 8470 NW 68 St., Miami, Florida, and appears to be connected to the city sewer system.

SITE INSPECTION

The property on which EMC is located has one building. The building is divided into offices with an attached garage, which is used for maintenance and small repairs. Located behind the main building is a work yard where the used oil, used oil filters, soiled rags are stored. The used oil is stored in a 8000 gallon storage tank; used oil filters, and soiled rags are stored in 55 gallon drums. Mr. George Vicente greeted the inspectors and escorted them through the facility. Upon entering the work yard, inspectors noted that there were 7 drums sitting next to an EMC truck that appeared to have recently been unloaded. One of these drums had a used oil filter label on it while the other 6 were unlabeled. Mr. Vicente stated that the labels had come off and that personnel were in the process of putting new labels on the drums. Inspectors inquired about EMC's procedure related to screening pick ups for halogens. Mr. Vicente stated that all trucks carry a sniffer, and a dexsil testing kit in them. He then proceeded to a truck and produced a sniffer along with a dexsil kit from the inside of this truck. All other drums in the yard were correctly labeled and covered. The 8000 gallon used oil tank was correctly labeled as "used oil", and there were a 3 more large storage tanks that were labeled "empty". The storage tank area is completely surrounded with secondary containment. Mr. Vicente told inspectors that used oil is taken to Rinker and various other asphalt plants. Used oil filters are completely drained and taken to U.S. Foundry.

RECORD REVIEW

The following records were requested for review: hazardous waste transport manifests, used oil transport manifests, and used oil filter transport manifests. Although primarily a used oil transporter, Mr. Vicente informed inspectors that EMC transports hazardous waste for some of their customers, and that the hazardous waste shipments are taken directly to Perma-Fix. While reviewing used oil manifests inspectors noted the lack of an area on the manifest for drivers to indicate that a halogen screening had taken place for that load, otherwise all used oil and used oil filter manifests reviewed were in order. While reviewing hazardous waste transport manifests inspectors noted that on 3 manifests there was a significant lapse in time between the pick up from the generator and the delivery to Perma-Fix. These were: manifest #05-010-pick up 2/17/05, deliver to Perma-Fix 3/4/05, manifest #04-075-pick up 10/14/04, deliver to Perma-Fix 11/3/04, manifest #04-043-pick up 10/1/04, deliver to Perma-Fix 10/11/04. Mr. Vicente stated that it was

possible that the driver was late and was not able to make the delivery to Perma-Fix. Inspectors asked where the hazardous waste was stored in these instances and Mr. Vicente stated that it was probably stored on the truck.

DEPARTMENT FINDINGS

EMC notified as a registered used oil transporter, and a hazardous waste transporter. However, during the normal course of business EMC held hazardous waste at its' facility beyond the allowable 24 hour period on three separate occasions. On two of these occasions hazardous waste was held in excess of the 10 day period allowable by a transfer facility. Therefore, EMC is subject to full regulation as a hazardous waste storage facility set forth under 40 CFR 264.

An exit interview was conducted during the inspection and the following areas of concern and potential violations were discussed:

- 1) Containers of used oil filters should be labeled with the words "used oil filters" at all times.
- 2) Used oil screening should be documented on acceptance records.
- 3) Hazardous waste should not be stored in trucks, or on-site for more than 24 hours according to the regulations pertaining to a hazardous waste transporter.

EMC responded to the exit interview on May 16, 2005 with a letter from Maria E. Perez Leon. It stated that containers of used oil filters are labeled with "Used Oil Filters" label as they are picked up, or are labeled by EMC personnel as soon as they arrive at the facility. Also, that their drivers carry halogen detectors, and a Dexsil testing kit in their trucks at all times. Regarding hazardous waste, the letter states that EMC will schedule hazardous waste shipments to be taken to the disposal facility within 24 hours after it is picked up.

Used oil and hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the potential violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section is willing to provide assistance within the Department's' capabilities, limitations, time constraints, and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268 and 279) be obtained from local public, college, or law libraries or EPA Region IV or US Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 and 279 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 264.11

Failure to Notify

EMC failed to notify proper authorities about hazardous waste activities.

Ch. 62-730.240(1), F.A.C.

Storage of Hazardous Waste Without a Permit

EMC stored hazardous waste at its' facility without the proper permit.

40 CFR 264.51

Failure to Have a Contingency Plan

EMC failed to have a contingency plan on-site.

40 CFR 264.37

Failure to Make Arrangements With Local Authorities

EMC failed to make arrangements with local authorities regarding hazardous waste being stored at its' facility.

40 CFR 279.44

Failure to Follow the Rebuttal Presumption Procedures

EMC failed to follow the rebuttal presumption procedures for used oil.

CORRECTIVE ACTIONS

40 CFR 264.11

Failure to Notify

Effective immediately, EMC should notify the Department as a hazardous waste storage facility, or cease storing hazardous waste at its' facility for more than the allowable 24 hour period.

Ch. 62-730.240(1), F.A.C.

Storage of Hazardous Waste Without a Permit

Effective immediately, EMC should obtain the proper permit for storage of hazardous waste, or cease storing hazardous at its' facility.

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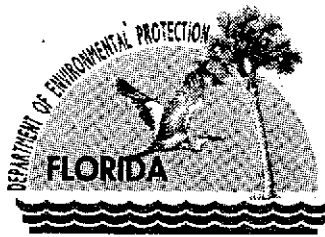
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Effective immediately, EMC should document used oil screening for every pick up on the acceptance records.

Please be advised that the findings in this report are based on the information available to the Department to date. Future information provided to the Department may affect the applicability of the citations referenced above and any pending agency action in accordance with Section 120.57(5), F.S.

Report prepared by: Jeff Curtis Date: 6/9/05
Jeff Curtis
Environmental Specialist

Report approved by: Kathy Winston Date: 6/11/05
Kathy Winston
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



Department of Environmental Protection

Jeb Bush
Governor

NOV 9 - 2005

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Maria Perez Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152

Miami-Dade County
HW- E.M.C. Oil Corp.

Re: Proposed Settlement of Department in the case of the Department of Environmental Protection v. Environmental Management Conservation Oil Corporation (E.M.C. Oil Corp.), 14760 NW 22nd Street, Miami, Florida; OGC Number: 05-2384

Dear Ms. Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated June 24, 2005, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. The Department finds that you are in violation of the rules and statutes cited in the attached Warning Letter. In order to resolve the matters identified in the attached Warning Letter, your company is assessed civil penalties. As agreed to between the Department and E.M.C. Oil Corp during the July 19, 2005 meeting, your company is assessed civil penalties in the amount of \$10,000.00 along with \$500.00 to reimburse the Department's costs for a total of \$10,500.00. The civil penalty in this case includes at least one violation of \$2,000.00 or more.

The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. Within 30 days of the effective date of this letter, E.M.C. Oil Corp. shall make the payment to the Department in accordance with the attached "Schedule A". The payments must be made by cashier's check or money order payable to the Department of Environmental Protection and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payments shall be sent to the Department of Environmental Protection, Waste Program Administrator, Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401.

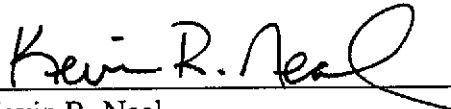
Your signing this letter constitutes acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Sections 120.69 and 403.121, Florida Statutes. The effective date of the letter is the date on which it is filed with the clerk.

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E.M.C. Oil Corp.
Page 3 of 3

If you do not sign and return this letter to the Department at the District address within 30 days the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.


Kevin R. Neal
District Director
Southeast District

KRN/JP/KW/sb 

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER.

For E.M.C. Oil Corp.:

For The Department:

Maria Perez
President

Kevin R. Neal
District Director
Southeast District

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this _____ day of _____, 2005 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

Attachment

cc: West Palm Beach DEP, File

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

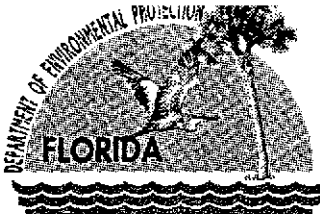
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Failure to comply with the terms of this schedule A shall constitute a violation of the Consent Order



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

JUN 24 2005

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

WARNING LETTER #WL05-0137HW13SED

Ms. Maria Leon
E.M.C. Oil Corp.
P.O. Box 520882
Miami, FL 33152-0882

Miami-Dade County
HW- E.M.C. Oil Corp.

RE: Hazardous Waste Compliance Evaluation Inspection at E.M.C. Oil Corp., 8470 NW 68th St., Miami, FL. EPA ID#FLR000000166.

Dear Ms. Leon:

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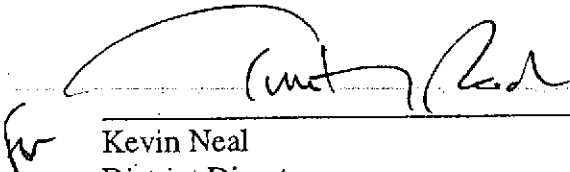
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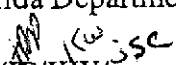
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Kevin Neal
District Director
Southeast District
Florida Department of Environmental Protection

Date


KN/JP/KW/jsc

cc: West Palm Beach, DEP File
Michael Redig, DEP Tallahassee, MS # 4560
Laurie DiGaetano, EPA Region IV
Robert Abrahante, MDCDERM

BACKGROUND

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SUMMARY OF POTENTIAL VIOLATIONS

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40 CFR 264.37

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40 CFR 279.44

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CORRECTIVE ACTIONS

40 CFR 264.11

Failure to Notify

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Please be advised that the findings in this report are based on the information available to the Department to date. Future information provided to the Department may affect the applicability of the citations referenced above and any pending agency action in accordance with Section 120.57(5), F.S.

Report prepared by: Jeff Curtis Date: 6/01/05
Jeff Curtis
Environmental Specialist

Report approved by: Kathy Winston Date: 6/01/05
Kathy Winston
Environmental Manager
Hazardous Waste Compliance/Enforcement Section



ENC Oil

3/23/00

Empty tank

CMC-42 SMC 11+R2 26440+0000 7954



EMC oil

Mo. 5781C

3/23/00

1044-GBRU 7954

Empty tank



OIL FILTERS ONLY
DO NOT EXCEED 100 PSI
MAX. 100 PSI

USED OIL ONLY
FOR PICK UP OR EMERGENCY SERVICE
CALL 1-800-888-1111 OR 1-800-344-8888

32300

EMC 0.1

3/23/00

VO tank



EMC Oil

3/23/00

Empty tank



EMC Oil

3/23/00

VO drum - open



EMC Oil
3/23/00

VO filters - open



EMC Oil

3/23/00

Lead acid batteries



EMC oil

3/23/00

VO Filter 
crusher

440-13 EMC 11-03 141214+0440 7954



EMC oil

3/23/00

empty tank



EMC 0:1

3/23/00

RELCRETE
ADDITIONAL FOR CONCRETE

SP

WOLFE
CONCRETE

EMC oil

3/23/00



EMC oil

3/23/00

Empty tank

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
ENFORCEMENT TRACKING RECORD

* DEO
* CHECK

DATE	ACTIVITY
11/1/54	...
11/2/54	...
11/3/54	...
11/4/54	...
11/5/54	...
11/6/54	...
11/7/54	...
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11/28/54	...
11/29/54	...
11/30/54	...

[illegible]



Department of Environmental Protection

Lawton Chiles
Governor

MAY 14 1998

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
P.O. Box 520882
Miami, Florida 33152

Dade County
HW-E.M.C. Oil Corporation


RE: Department of Environmental Protection vs. E.M.C. Oil Corporation,
OGC File No.: 97-1349.

Dear Ms. Perez-Leon:

Enclosed for your implementation is a copy of the fully executed and filed Consent Order in the above styled case. The compliance dates and terms of the Consent Order have been accomplished in a timely manner.

Thank you for your cooperation in this matter. If you have any questions, please call Mr. James H. Bussey at 561/681-6718.

Sincerely,


Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VK

CRA/VK/jhb

cc: Mike Redig, DEP Tallahassee
Ralph Cline, USEPA Region IV
Roberto Abrahante, Dade County, DERM
~~West Palm Beach, DEP File~~


Memorandum

Florida Department of
Environmental Protection

News Release Requested: YES ☒
NO ☐

TO: Kristine Roselius
Office of Legislative and Public Affairs, Tallahassee

THROUGH: Larry Morgan
Office of General Counsel, Tallahassee

FROM: Carlos Rivero-deAguilar
Director of District Management, 
Southeast District

SUBJECT: News Release: E.M.C. Oil Corporation
Case Name

DATE: MAY 14 1998

Attached is a ☒ Consent Order
☐ Notice of Violation

for the preparation of a news release for the referenced case. This case has been identified as a major enforcement action for the following reasons:

☐ Case requires undertaking significant environmental corrective measures to protect human health or the environment or to abate imminent hazards.

☒ Case involves the imposition of significant fines or settlements.

	\$ <u>16,650.00</u>	in-kind
	\$ <u>4,000.00</u>	paid
	\$ <u>500.00</u>	costs and expenses
Total Amount	\$ <u>21,150.00</u>	

☐ Case requires the responsible party to undertake activities having major impact on the community.

If you require any additional factual information, please contact James H. Bussey of this office. Suncom 226-6600.

enclosure

cc: DEP File



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

MAR 24 1998

CERTIFIED MAIL
REQUESTED RECEIPT REQUESTED

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
Miami, Florida 33152

Dade County
HW-E.M.C. Oil Corporation

RE: Proposed Settlement by Short Form Consent Order in Case of
DEP vs. E.M.C. Oil Corporation, OGC File No.: 97-1349.

Dear Ms. Perez-Leon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the Warning Letter dated July 23, 1997, a copy of which is attached. The corrective actions required to bring your facility into compliance have been performed. However, the Department has calculated that civil penalties in the amount of \$20,650.00, along with \$500.00 to reimburse the Department costs would be an appropriate settlement.

A portion of the \$20,650.00 of the civil penalty has been offset with an In-kind Project. E.M.C. Oil Corporation has built an additional containment system for the event of a possible discharge. Thus, a total of \$4,000.00 and \$500.00 is still due and owing. Both payments must be payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above. The civil penalty payment should include the notation "Ecosystem Management and Restoration Trust Fund", and the payment reimbursing DEP for costs should include the notation "Water Quality Assurance Trust Fund." Both payments shall be sent to the Department of Environmental Protection, Southeast District Office, P.O. Box 15425, West Palm Beach, Florida 33416. The payment shall be sent within 20 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

Ms. Perez-Leon.
OGC File No. 97-1349
Page 2 of 2

If you do not sign and return this letter to the Department at the Southeast District address given above within 20 days of receiving it, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantive interest are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

Carlos R. deAguiar 3/23/98
Carlos Rivero-deAguiar Date
Director of District Management
Southeast District

^{VK}
CRA/VK/jhb

I HEREBY ACCEPT THE TERMS OF THIS SETTLEMENT OFFER IDENTIFIED ABOVE.

For E.M.C. Oil Corporation:

For the Department:


By: Maria Perez-Leon 4/14/98
Maria Perez-Leon Date
President
E.M.C. Oil Corporation

Carlos R. deAguiar 5/14/98
Carlos Rivero-deAguiar
Director of District Management
State of Florida Department
of Environmental Protection

ENTERED this 14th day of May, 1998 in West Palm Beach, Florida.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section §120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Andrew D. Macie
Clerk

 MAY 14 1998
Date

Attachments

cc: West Palm Beach DEP, Files

NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

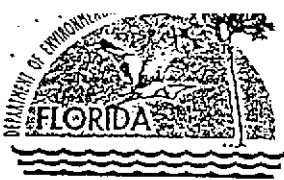
The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

SFCO/10/96



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

WARNING LETTER#WL97-0065HW13SED
FLR0000000166

Ms. Maria Perez-Leon
E.M.C. Oil Corporation
P.O. Box 520882
Miami, Florida 33152

Dade County
HW-EMC Oil Corporation

RE: Hazardous Waste and Used Oil Compliance Inspection at E.M.C.
Oil Corporation, 8470 NW 68th Street, Miami, Florida.

Dear Ms. Perez-Leon:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A hazardous waste compliance inspection was conducted at your facility on April 16, 1997. During this inspection, possible violations of Chapter 403, Florida Statutes (F.S.) and Chapter 62-730, Florida Administrative Code (F.A.C.) regarding hazardous waste management were noted. The observations of the Department are in the attached inspection report. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 through 268, as adopted in Chapter 62-730, F.A.C.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of State statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$50,000 per violation per day pursuant to Section 403.727, F.S.

You are requested to contact Mr. James H. Bussey of this office at 561/681-6718 within 15 days of receipt of this Warning Letter to arrange a meeting to discuss the issues. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

If after further investigation, the Department determines that the violations occurred, this matter may be resolved through entry of a Consent Order which will include a compliance schedule and an

Ms. Maria Perez-Leon
Page 2 of 2

appropriate penalty. In accordance with the RCRA Civil Penalty Policy of 1990, the penalty which would be proposed in this case is \$20,650.00 plus \$250.00 for the Department's cost and expenses.

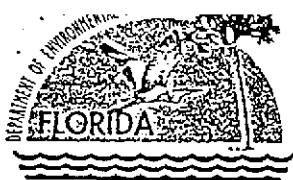
Please be advised that this Warning Letter is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), F.S. The enclosed civil penalty worksheets are formulated and tendered in the context of settlement negotiation in order to attempt to reach an amicable settlement and shall not be admissible as evidence in any proceeding. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

Virela Camarillo 7/22/97
for Carlos Rivero-deAguilar Date
Director of District Management
Southeast District

VRL
CRA/VK/jhb

cc: Roberto Abrahante, DERM
West Palm Beach, DEP File



Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

JUL 23 1997

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting
FACILITY NAME E.M.C. Oil Corporation EPA ID# FLR000000166
SITE NAME Environmental Management Conservation
ADDRESS 8470 NW 68th Street, Miami, Florida 33152
MAILING ADDRESS P.O. Box 520882, Miami, Florida 33152-0882
COUNTY Dade PHONE (305) 477-7497 DATE 4-16-97 TIME 12:16 p.m.

TYPE OF FACILITY:

Generator	Storage	Treatment
<input checked="" type="checkbox"/> Cond. Exempt S.Q.G.	<input type="checkbox"/> Container	<input type="checkbox"/> Tank
<input type="checkbox"/> Small Quantity	<input type="checkbox"/> Tank	<input type="checkbox"/> Land Treatment
<input type="checkbox"/> Generator	<input type="checkbox"/> Waste Pile	<input type="checkbox"/> Thermal
<input type="checkbox"/> Non-Handler	<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Chem/Phys/Bio.
		<input type="checkbox"/> Incinerator
		<input type="checkbox"/> Surface
		<input type="checkbox"/> Impoundment
Transporter	Disposal	
<input type="checkbox"/> Transporter	<input type="checkbox"/> Landfill	
<input checked="" type="checkbox"/> Transfer Station	<input type="checkbox"/> Surface Impoundment	
	<input type="checkbox"/> Waste Pile	

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☐ 40 CFR 263 ☐ 40 CFR 264
☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Maria Perez-Leon - President

4. Survey Participants & Principal Inspector:

EMC Oil Inc. : Ms. Maria Perez-Leon (Owner), Mr. George L. Vincent
(Manager)
DEP: Mr. James H. Bussey, Ms. Tiffany Holmes

5. Facility Latitude: 29° 15' 32"

Longitude: 80° 10' 20"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE
7. Pre-arranged Inspection: ☐ Yes ☒ No.

SITE INSPECTION

On April 16, 1997, a hazardous waste/used oil compliance inspection was conducted at E.M.C. Oil Corporation (EMC), 8470 NW 68th Street, Miami, Florida. The inspection was part of the Department's 1997 inspection schedule. EMC has been in business at this location since 1994 and has 11 employees. EMC is a transporter and transfer facility for used oil, used oil filters, and waste oily water. EMC is connected to a publicly owned treatment works (POTW). The inspection and records review were hosted by Ms. Maria E. Perez-Leon (Owner). Department personnel participating in the inspection included Mr. James Bussey and Ms. Tiffany Holmes.

EMC has a fleet of five tanker trucks, a vacuum truck, and two box truck which are used to pick up drummed waste. Two of the six tanker trucks are single compartment tankers used to haul used oil. One of the tanker trucks uses is a 8,000 gallon compartment heil-trailer. One truck uses is a vacuum for pumping out sumps and soakage pits. The other three tankers are compartmentalized in the following manner: one double compartment 3,300 gallon capacity tanker, one double compartment 2,500 gallon capacity tanker, and a double compartment 2,600 gallon capacity tanker. The trucks leave the facility early in the morning on their "milk runs" to pick up vehicular waste. The trucks return in the late afternoon to unload. Used oil is sometimes mixed with transmission fluid inside the tankers. Inspectors observed a 5000-gallon storage tank that is used for the storage of waste water and possibly used oil, per Ms. Perez-Leon.

Used oil is taken to several location in Southern Florida. The main facilities utilized by EMC are Cliff Berry, Inc., Perma-Fix Environmental (formerly Integrated Resource Recovery), H.R. Paving, International Petroleum, Inc., U.S. Foundry, Chemical Conservation, Laidlaw Environmental, and Rinker Materials for recycling. Before a load is dropped at a facility the tank is tested for water and halogen levels.

When trucks return at the end of the day with "waste water", it is stored in a 5000 gallon tractor trailer tanks. When all of the "water waste" has been consolidated into one tanker compartment, it is transported to a selected facility for recycling.

EMC provides its customers with DOT approved 55-gallon drums for accumulation and storage of used oil filters. Drummed used oil filters are returned to EMC for crushing and draining. At the end of the crushing and draining process is a 55-gallon drum collecting excess debris and gas filters. The used oil is drained from the 55-gallon drum and is sent for recycling with the rest of the used oil. Sludge and debris is removed from the 55-gallon drum and placed into the dumpster as trash. Inspectors requested a hazardous waste determination before further discharge to the dumpster.

Inspectors observed 35 55-gallon drums of crushed used oil filters with no labels. Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed 32 55-gallon drums of crushed used oil filters not being protected from the weather and being stored on a pallet over non-impermeable surface. Inspectors advised EMC to place these crushed used oil filters over a impervious surface.

Inspectors observed stained soils next to a 250-gallon tank and requested a preliminary contamination assessment plan be completed and sent to the Department for review. Drained, crushed oil filters are sent to U.S. Foundry and Smelting (USFS) in Medley, Florida.

EMC brokers the disposal of petroleum contaminated soil. Pre-burn analyses are run on the individual drums before they leave the petroleum contaminated site. The pre-burn analyses are performed by Envirodyne. The contaminated soils that fail the pre-burn analyses, that test as hazardous waste, are transported for disposal by an approved hazardous waste transporter. The drummed contaminated soils that pass the pre-burn analyses are transported to EMC or transported to an approved burn facility.

EMC excepts only non-hazardous waste at their facility.

Inspectors observed a 250-gallon drum of used oil and 15 55-gallon drums of used oil not labeled with the words "Used Oil." Inspectors advised EMC to label the drums and send pictures to the Department for review. Inspectors observed a 55-gallon drum labeled with the words "Absorbent Material." Inspectors requested EMC to open the drums, rags were observed. EMC was requested to produce a analytical for the material and insure the drum is properly labeled.

Inspectors observed an open 250-gallon tank (about 1/3 full) being utilized to clean vehicle parts. Per Ms. Perez-Leon, the contents are mainly used gasoline, jet fuel, and diesel to clean parts, once the fuel is no longer good its added to the used oil tank for disposal. Inspectors requested a determination of the tank contents and the results be sent to the Department for review.

Inspectors observed a 5000-gallon unlabeled tank. Ms. Perez-Leon was not sure of the content of the tank. Mr. Perez-Leon said Mr. George L. Vincent will contact the Department and explain what the contents of the tank.

RECORD REVIEW

EMC provided copies of used oil manifests, training records, EMC safety meetings, and non-hazardous waste manifest for the 55-gallon drum of rags being stored at EMC. Enclosed is a change of status form for EMC's

facility at 6201 S.W. 35th Street, Miami, Florida. This form should be filed out and submitted to the Department to close out the EPA identification number.

DEPARTMENT FINDINGS

EMC notified as a non-handler of hazardous waste and was assigned the EPA ID #FLR000000166 for their used oil operation. EMC appears to generate less than 100 kilograms per month of hazardous waste and would be classified as a conditionally exempt small quantity generator of hazardous waste. In order for EMC to be excluded from full regulation under 40 CFR 262, EMC must comply with the provisions in 40 CFR 261.5. EMC must ensure proper disposal of all hazardous wastes that are generated to be in compliance with 40 CFR 261.5.

An exit interview was conducted with Ms. Perez-Leon. The following potential violation was noted and the following items under "comments" were requested to be sent to the Department.

1. Provide to the Department a hazardous waste determination on the 55-gallon drum of non-hazardous contaminated rags generated by Keys Fishing, Marathon, Florida, also provide a hazardous waste determination from the collection can at the end of the oil filter crushing process system.

Additional requests were made under comments:

- 1) Label all 55-gallon crushed used oil filter drums with the words "Used Oil Filter."
- 2) Store used oil/filters on a impervious surface.
- 3) Label a 250-gallon tank and all 55-gallon drums of used oil with the words "Used Oil."
- 4) Beside the 500-gallon tank inspectors observed stained soils. Inspectors requested a PCAP to be completed of the soil and send the results to the Department within 30 days of this inspection.
- 5) Make determination of parts washer and send the results to the Department within 10 days of completion of the analytical.
- 6) Relabel non-hazardous waste drum of used rags (Labeled Absorbent Material) and send the picture to the Department within 15 days of this inspection report.
- 7) As noted above, the 55-gallon drum of waste material from the oil filtering crushing system needs determination to identify if it is hazardous waste (next to filter crushing system).

Ms. Perez-Leon made a copy of the Exit Interview Summary for her records.

On June 9, 1997, EMC provided a list of vehicles utilized at EMC. On June 16, 1997, EMC provided soil analysis of the stained soils next to

the 500-gallon tank. The analysis requested by the Department was for Toxicity Characteristic Leaching Procedures (TCLP) RCRA metals. EMC provided results indicating Arsenic 1.0 mg/Kg, Cadmium 8.0 mg/Kg, Copper 10.4 mg/Kg, Lead 8.9 mg/Kg, Nickel 2.24 mg/Kg, and Zinc 38.5 mg/Kg.

Hazardous waste management rules may have been violated, as noted below ("Summary of Potential Violations"). The Department expects the violations to be corrected in an expeditious and safe manner. The Department's Enforcement Section (phone 561/681-6600) is willing to provide assistance, within the Department's capabilities, limitations, time constraints and workload. In addition, if not already done, the Department suggests that a copy of the hazardous waste regulations (40 CFR 260-268) be obtained from local public, college or law library or EPA Region IV or the U.S. Government Printing Office. Please be advised that the Department does not have copies of 40 CFR 260-268 to hand out.

SUMMARY OF POTENTIAL VIOLATIONS

40 CFR 262.11

HAZARDOUS WASTE DETERMINATION

EMC failed to perform a hazardous waste determinations on 250-gallon solvent tank, 55-gallon drum of unknown waste generated at the crushed used oil filter process machine.

40 CFR 279.22(c)

USED OIL LABELING

EMC failed to label a 250-gallon used oil tank, 15 55-gallon used oil drums, and 35 55-gallon drums of crushed used oil filters with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY CONTAINMENT

EMC failed to provide secondary containment for a used oil tank, and 55-gallon drums of used oil.

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

EMC failed to protect 55-gallon drums of crushed used oil filters from weather and stored on an oil-impermeable surface.

CORRECTIVE ACTIONS

40 CFR 262.11

HAZARDOUS WASTE
DETERMINATION

Within 30 days, EMC shall perform a waste determination the solvent tank, and on the 55-gallon drum of unknown waste.

Documentation shall be submitted to the DEP Southeast District Office within 10 days of the determination. The DEP will then advise what further action, if any, is needed.

40 CFR 279.22(c)

USED OIL LABELING

EMC needs to provide to the Department pictures of a 250-gallon tank and the 35 55-gallon drums with the words "Used Oil" and "Used Oil Filters."

40 CFR 279.45

SECONDARY
CONTAINMENT

EMC, shall establish a containment system for their used oil tank and 55-gallon drums of used oil. This system must consist of a floor that has at a minimum, dikes, berms, or retaining walls.

For further guidance, research Title 40 Code of Federal Regulation 279.45(d)-(f).

RULE 62-710.850(6)(a) F.A.C.

STORAGE OF USED OIL
FILTERS

Henceforth, EMC shall seal, contain and protect all used oil filters from weather and store these drums on an oil-impermeable surface.

Future reinspections may be conducted to ensure proper management of hazardous waste.

Report prepared by:

James H. Bussey
James H. Bussey

Environmental Specialist

Hazardous Waste Compliance/Enforcement Section

Date: 7-17-97

Report approved by:

Jeffrey A. Smith
Jeffrey A. Smith

Environmental Manager

Hazardous Waste Compliance/Enforcement Section

Date: 7/17/97



Florida Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW

FACILITY: Emc Oil DATE: 4-16-97 TIME: 12:16 pm
INTERVIEW PARTICIPANTS: James Bussey, Tiffany Holmes, Maria Perez-Leon

This exit interview is the Department's attempt to advise you early in the process of possible violations of Florida Administrative Code Chapter 17-730, which adopts 40 CFR Parts 260-266 by reference. It is possible that the list of violations noted (checked) is incomplete. After a complete internal file review by the Department an inspection report will be finalized. In most cases, the violations noted by the inspector will not change in the final report, therefore, you are advised to immediately begin correcting these deficiencies noted below.

Please also be aware that the Department has signed an enforcement agreement with the U.S. Environmental Protection Agency which calls for the assessment and collection of monetary penalties when violations, such as these, are noted. While your quick response in correcting the violations may not reduce the calculated penalties, continued non-compliance may result in greater penalty liability.

The following violations have been tentatively identified:

- ☒ 1. Hazardous Waste Determination [262.11]. on drum of contaminated rags and
garbage can with debris
- ☐ 2. Notification as a generator [262.12].
- ☐ 3. Manifest Deficiencies [262 Subpart E].
- ☐ 4. Recordkeeping [test results, manifest, biennial report].
- ☐ 5. Personnel Training [265.16; 262.34(d)].
- ☐ 6. Contingency Plan [265 Subpart D; 262.34(d)(5)].
- ☐ 7. Preparedness and prevention [265 Subpart C; 262.34(d)(4)].
- ☐ 8. Container Requirements [265 Subpart I; 262.34(d)(2)].
- ☐ 9. Tank requirements [265 Subpart J].
- ☐ 10. Exceeding accumulation storage time [262.34(a); 262.34(d)].
- ☐ 11. Accumulation start date & labels on containers [262.34(a)(2)&(3)].
- ☐ 12. Accumulating >1000 kg without meeting SQG standards [261.5].
- ☐ 13. Not ensuring delivery of HW to a proper TSD facility [261.5].
- ☐ 14. Notification as a TSD facility [264.11].
- ☐ 15. Treatment, storage or disposal without a permit [F.A.C. 17-730].
- ☐ 16. Ground water monitoring [265 Subpart F].
- ☐ 17. Security Requirements [265.14].
- ☐ 18. Storing HW less than 50 feet from the property line [265.176].
- ☐ 19. "No Smoking" signs, ignitable/reactive requirements [265.17].
- ☐ 20. Closure/Post-closure [265 Subpart G].
- ☐ 21. Financial Responsibility [264 Subpart H].
- ☐ 22. Failure to comply with the provisions of a Department Issued Permit or with the provisions of the Consent Order.
- ☐ 23. Other _____

COMMENTS: Used oil filters labels, 3/ Stone used oil/oil filters on a non-imperious
soil, 3/ 250 gallon weed "used oil" labeled on outside drum

RECEIPT ACKNOWLEDGED BY Maria E. Leon

INVESTIGATOR James Bussey