



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

FACILITY INFORMATION:

Facility Name: Environmental Management Conservation Oil Corp
On-Site Inspection Start Date: 01/10/2019 **On-Site Inspection End Date:** 01/10/2019
ME ID#: 56326 **EPA ID#:** FLR000000166
Facility Street Address: 8470 NW 68th St, Miami, FL 33166-2661
Contact Mailing Address: 8470 NW 68th St, Miami, FL 33166-2661
County Name: Miami-Dade **Contact Phone:** (305) 477-7497

NOTIFIED AS:

Transporter
Used Oil
VSQG

INSPECTION TYPE:

Routine Inspection for Transporter facility
Routine Inspection for Transfer Facility facility
Routine Inspection for VSQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Justin Stark, Environmental Specialist I
Other Participants: Norva Blandin, Environmental Manager; Maria Leon, President; Helys Abraham, Compliance Manager

LATITUDE / LONGITUDE: Lat 25° 50' 4.6497" / Long 80° 20' 7.5499"

SIC CODE: 4959 - Trans. & utilities - sanitary services, nec

TYPE OF OWNERSHIP: Private

Introduction:

A Compliance Evaluation Inspection was conducted on Environmental Management Conservation Oil Corp (EMC) and performed by Environmental Specialist I Justin Stark (Inspector) on behalf of the Florida Department of Environmental Protection (DEP) on January 10, 2019. The Inspector was accompanied by DEP representative Norva Blandin; Environmental Manager. The Inspector was also accompanied by EMC representatives Maria Leon; President, and Helys Abraham; Compliance Manager.

This facility is located on approximately 38,940 square feet and uses public water and sewer. This facility has operated onsite since 1994 and has about fifteen (15) employees.

NOTIFICATION HISTORY:

Current registration last updated: 6/27/18 --- this new registration is currently in effective from 6/30/18 to 6/30/19. -- EMC is a registered Very Small Quantity Generator (VSQG), Transporter and Transfer facility for hazardous waste, used oil, used oil filter, and universal waste.

INSPECTION HISTORY:

EMC has been inspected one (1) time in the last five (5) years.
- The last inspection took place on 8/26/2014 and the facility was in compliance. No further actions was required by DEP.

Personal protective equipment was required to enter this facility. The Inspectors was equipped with steel toe boots, safety goggles, and hard hats during the inspection.

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Process Description:

EMC is a transporter/transfer facility who specializes in transporting hazardous waste, used oil, and universal waste from various customer's.

EMC's Operations:

Hazardous waste, and universal waste are directly transported within 24 hours to Triumvirate Environmental (Florida), Inc. (EPA ID FLD981018773). EMC used oil collected from its customer's are stored on-site. EMC transports the used oil stored on-site every week to a rail station called Savage Services located at 3601 NW 62nd Street Miami, FL 33417. The rail car is capable of holding 26,000 gallons. The used oil is then taken to the designated facility; Noble Oil Services, Inc (EPA ID NCD986172476).

Tank Farms:

EMC has a total of seven (7) tanks. However, the facility is currently using three (3) tanks, the remaining four (4) are not in service. One (1) 8,000 gallon tank for used oil, One (1) 10,000 gallon tank for used oil. and one (1) 10,000 gallon decanter tank. All tanks are situated in a secondary containment capable of holding 30,000 gallons. A spill kit is located near the tanks as well. EMC has two (2) used oil filter crusher machines that are protected from the elements with secondary containment. The crushed used oil filters are then put into a closed, and labeled 20 cubic yard rollover dumpster. EMC also has one (1) 20 cubic yard rollover dumpster designated to collect oily rags. During the inspection, this rollover dumpster was closed, and labeled.

EMC's Fleet:

EMC has a total of eight (8) trucks. Six (6) of which are collection trucks, and two (2) of which are box trucks. All trucks are equipped with the proper registration (expires 12/31/2019), and spill kits. The collection trucks are equipped with a halogen screening kit that is capable of detecting 4000 PPM of chlorine in used oil. EMC also performs its own maintenance on its fleet vehicles.

EMC does not conduct any used oil processing at this location.

Preparedness and Prevention measures:

Spill kits, internal communication procedures, emergency phone numbers and fire extinguishers are stationed throughout the facility for easy access and all employees carry cellular phones.

Record Review

All permits and documentation required by the inspectors were available for review on site. The inspectors reviewed the following:

- > Acceptance and delivery records for used oil activities - Based on the file review, the inspectors observed some discrepancies on the facility's acceptances and delivery records. The facility was missing the EPAID of the generator Aerothrust Holdings, LLC. Also, the manifests used to transport EMC's used oil store on-site to Noble Gas were missing both of the facilities EPAID (Pursuant to 40 CFR 279.46(a)(2)).

- > Hazardous waste manifests - Based on the file review, the inspectors observed some discrepancies on the facility's hazardous waste manifests. EMC was missing the EPAID of the generator CTS Engines, LLC (Pursuant to 40 CFR 263.20(a)(1)). EMC was also missing three years worth of manifests with the returned signed copies from the designated facility (Pursuant to 40 CFR 263.20(d)(2)).

- > Daily and weekly visual inspections for tanks and secondary containment are conducted; however no recent documentation was provide to the Department.

- > EMC operation logs (for used oil <35 days) for the last three years were reviewed Based on the operation logs, EMC keeps its used oil on-site for no longer than 7 days.

- > EMC weekly inspection logs (for hazardous wastes <10 days) - EMC is registered as a transfer station for hazardous waste but according to Mrs. Leon EMC does not keep any hazardous waste on-site. No hazardous waste was observed on-site during the inspection. After further review of the facility's manifests, it was confirmed that EMC transports its hazardous waste from its clients directly to Triumvirate Environmental (Florida) Inc on the same day.

- > Full Contingency Plan/SPCC Plan (last revision 2/2018) - During the time of the inspection, EMC's SPCC was not incomplete. The Inspector observed that the SPCC was revised on 2/2018, but the contents of it were out of date. DEP requested EMC to provide a complete version of the SPCC/Contingency Plan via email.

- > Notification to Local Authorities - EMC was able to provide documentation during the inspection showing that the local authorities have been notified (2003). However, If EMC made revisions (specifically to its site plan) to its SPCC plan, another notification would have to be sent.

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- > Employee Training Plan (last training was conducted 1/19) for the last three years were reviewed.
- > Permits and registrations were on site and displayed in a visible area.
- > The Waste Analysis Plan was available for review. The plan included copies of any rejected wastes described in the rejection folder. Sample records for kept for three (3) years.
- > Closure Plan and Cost Closure Estimates - Even though EMC is registered as a Transfer facility for hazardous waste, EMC is not acting as a transfer facility. Therefore, the Department has decide to waive this. However, the inspectors advise Mrs. Leon that if EMC starts operating as a transfer facility of hazardous waste this requirement shall be met.
- > Liability Insurance Policies - During the inspection, a copy of the liability insurance was provided by EMC. The Inspector observed that the policy had expired on 8/17/2018 (Policy # G24311016006, Amount \$1 million). The inspector requested a copy of the most update liability insurance.
- > Annual Report for Used Oil and Used Oil filters (last submitted on March 2018) for the last three years were reviewed. Based on the last submitted annual report, EMC managed approximately 2,483,217 gallons of used oil and oily waste, and 984,650 used oil filters.

New Potential Violations and Areas of Concern:**Violations**

Type: Violation

Rule: 263.20(d)(2), 263.22(a)

Question Number: 6.12

Question: Does the transporter retain one copy of the manifest signed and dated by the designated facility or other transporter? 263.20(d)(2)

Explanation: A transporter who delivers hazardous waste to another transporter, or to the designated facility must ensure it receives a final copy from the designated facility. EMC failed to obtain the final copy from the designated facility and keep it on-site for at least three years.

Corrective Action: Please beginning to retain copies from the designated facility. These records must be kept for at least three (3) years.

Violation corrected on 1/22/2019 by documentation sent to DEP

Type: Violation

Rule: 263.20(a)(1)

Question Number: 6.7

Question: If NO, is the waste exempt from the manifest requirement? 263.20(a)(1)

Explanation: A transporter of hazardous waste must ensure; if applicable, that the generators EPAID is listed on the manifests. The facility was missing the EPAID for a facility called CTS Engines which is registered with DEP as a Small Quantity Generator.

Corrective Action: Please beginning to ensure that if a facility has an EPAID that it is listed on the manifests. Please provide to the Department at least two weeks' worth of manifests showing this.

Violation corrected on 1/22/2019 by documentation sent to DEP

Type: Violation

Rule: 279.46(a)(2)

Explanation: A transporter of used oil must ensure; if applicable, that the generators EPAID is listed on the manifests. The facility was missing the EPAID for a facility called Aerothrust Holdings LLC which is registered with DEP as a Large Quantity Generator, and also generates used oil. Also, the manifests which EMC Oil uses to transport its used oil stored on-site to Noble Gas did not have both facilities EPAID going back three years.

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Corrective Action: Please beginning to ensure that if a facility has an EPAID that it is listed on the manifests. Please provide to the Department at least two weeks' worth of manifests showing this.

Violation corrected on 1/22/2019 by documentation sent to DEP

Type: Violation

Rule: 279.45

Explanation: EMC Oil did not have it's most up to date SPCC plan ready for review during the time of the inspection.

Corrective Action: Please send the most up-to-date SPCC plan to DEP. If any revisions are required after DEP's review, EMC shall implement them and properly notify the local authorities.

Type: Violation

Rule: 62-710.600(2)(e)1.a

Explanation: A transporter of used oil must ensure it maintains a Liability Insurance policy and must keep it up-to-date at all times and must submit proof at a timely fashion. EMC has a Liability Insurance Policy but failed to submit proof in a timely matter to the Division of Waste Management in Tallahassee for approval..

Corrective Action: Please continue to maintain a up-to-date Liability Insurance policy, and submit proof every time the policy is renewed.

PHOTO ATTACHMENTS:

Used Oil tanks



Used Oil Filter Crusher



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Collection Truck



Halogen Tester



Halogen Kit



Conclusion:

According to the observations of the inspector, EMC is a Transporter and Transfer facility for hazardous waste, used oil, used oil filter, and universal waste. All records that are required of a Transporter and Transfer facility for hazardous waste, used oil, used oil filter, and universal waste were reviewed by the inspector, and five (5) non-compliance issue were observed.

After the inspection, the Inspector requested the following additional information: Proof of annual employee training, copy of the most up-to-date SPCC plan, and corrective actions.

On January 22, 2019 EMC sent the requested information. After further review, three (3) out of the five (5) non-compliance issues were corrected (40 CFR 263.20(d)(2), 263.20(a)(1), 279.46(a)(2)). The remaining two non-compliance issues (40 CFR 279.45, 62-710.600(2)(e) F.A.C.) are still pending since the SPCC plan remains incomplete, and the Liability Insurance appears to remain expired.

On February 11, 2019 the Inspector spoke with Mrs. Leon regarding the documentation sent on 1/22/2019 (Incomplete SPCC plan, and expired Liability Insurance). Mrs. Leon informed the inspector that the aforementioned documentation were the incorrect ones and would send the correct ones by 2/12/2019.

On February 12, 2019 EMC sent proof that its Liability Insurance was renewed on 8/19/2018. Even though EMC had a Liability Insurance policy, it failed to submit proof in a timely fashion, a transporter of used oil shall keep its insurances updated at all times, and shall submit proof in a timely fashion to the Division of Waste Management in Tallahassee for approval (pursuant to 62-710.600(2)(e)). The violation pertaining to the updated SPCC Plan is still pending.

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6.0 - Transporters Checklist**Requirements:**

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

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

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

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

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Signed:

A hazardous waste compliance inspection was conducted on this date, to determine your facility's compliance with applicable portions of Chapters 403 & 376, F.S., and Chapters 62-710, 62-730, 62-737, & 62 -740 Florida Administrative Code (F.A.C.). Portions of the United States Environmental Protection Agency's Title 40 Code of Federal Regulations (C.F.R.) 260 - 279 have been adopted by reference in the state rules under Chapters 62-730 and 62-710, F.A.C.

Justin Stark

Principal Inspector Name

Environmental Specialist I

Principal Inspector Title
Principal Inspector Signature

DEP

Organization

02/22/2019

Date

Norva Blandin

Inspector Name

Environmental Manager

Inspector Title

DEP

Organization

Maria Leon

Representative Name

President

Representative Title

EMC Oil

Organization

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Helys Abraham

Representative Name

Compliance Manager

Representative Title

EMC Oil

Organization

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Report Approvers:**Approver:**

Norva Blandin

Inspection Approval Date:

02/22/2019