



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

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**FACILITY INFORMATION:**

**Facility Name:** Ricky's Oil & Environmental Services LLC  
**On-Site Inspection Start Date:** 02/11/2019      **On-Site Inspection End Date:** 02/11/2019  
**ME ID#:** 53784      **EPA ID#:** FLD981019755  
**Facility Street Address:** 7209 Nw 66th St, Miami, FL 33166  
**Contact Mailing Address:** PO BOX 669295, Miami, FL 33166-9430  
**County Name:** Miami-Dade      **Contact Phone:** (770) 486-0727

**NOTIFIED AS:**

Non-Handler  
Used Oil

**INSPECTION TYPE:**

Routine Inspection for Used Oil Generator facility  
Routine Inspection for Used Oil Processor facility  
Routine Inspection for Used Oil Transporter facility  
Routine Inspection for Used Oil Marketer facility

**INSPECTION PARTICIPANTS:**

Principal Inspector: Robert Berberena, Environmental Specialist III  
Other Participants: Rick Smeerkers, General Manager

**LATITUDE / LONGITUDE:** Lat 25° 50' 2.7648" / Long 80° 18' 53.3203"

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

**TYPE OF OWNERSHIP:** Private

**Introduction:**

A Compliance Evaluation Inspection was conducted on Ricky's Oil & Environmental Services LLC (ROS) and performed by Environmental Specialist III Robert Berberena (Inspector) on behalf of the Florida Department of Environmental Protection (DEP) on February 11, 2019. The Inspector was accompanied by ROS representatives Rick Smerkers; General Manager.

Ricky's Oil & Environmental Services LLC (ROS) is situated on a 0.72 acre site in a heavy industrial area. The facility has been in operation at this site for approximately 67 years, and there are currently twelve (12) employees. The entire facility is connected to city water and sewer.

**NOTIFICATION HISTORY:**

The facility's most recent Used Oil Handler Notification was filed with the Department on 06/8/2018, which characterized ROS as a Used Oil Processor, a Used Oil Transporter, a Used Oil Transfer facility, a Used Oil Marketer, a Used Oil Filter Transporter, and a Used Oil Filter Transfer facility. The Notification Form registration is set to expire on 06/30/2019.

**INSPECTION HISTORY:**

The facility was most recently inspected by the DEP on 08/3/2017. Four (4) violations were observed, and Compliance with formal enforcement was pursued. The facility returned to compliance on 11/22/2017.

Personal Protective Equipment (PPE) was required to enter this facility. The inspector wore safety glasses and safety boots through the inspection.

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### Process Description:

ROS is a permitted facility authorized to handle, process, transport, and market used oil and used oil filters. The facility consists of a tank farm contained within secondary containment, two office trailers, and a small parking lot. The ROS facility is completely surrounded by a security fence.

Mr. Rick Smerkers accompanied the inspector throughout the used oil compliance evaluation inspection of the ROS facility.

Since the last inspection conducted on 8/3/2017, ROS has not made any changes to the layout of the facility or it locations of the tanks. ROS has eleven (11) tanks on site that have a total aggregate capacity of 160,000 gallons. ROS maintains a fleet of eleven (11) vehicles, with which facility personnel transport used oil from ROS' clients (i.e. used oil generating facilities) to the ROS facility site. All used oil shipments arriving at the facility are offloaded into Tank Eight, unless the shipment's water content is less than five percent. If this is the case, the shipment's used oil is considered on-spec. The on-spec used oil is then stored in one of ROS's finished product tanks and marketed to the facility's used oil customers. Only Tank Eight is used for used oil processing, and ROS only engages in passive processing (i.e. no heat is used to process the used oil). However, an emulsifier is sometimes added to Tank Eight to aid in oil/water separation. The waste water that is generated as a result of this emulsifying process is collected, handled, and stored as oily water waste in properly closed and labeled containers within the facility's main storage area. ROS also uses an oil filtration system as a part of its oil processing operations. More specifically, ROS filters the used oil shipments determined to be on-spec before storing them in the facility's finished product tanks. Any sludge waste generated from this oil filtration process is collected, handled, and stored as oily solid waste (i.e. stored along with the facility's oily rag waste in properly closed and labeled containers) in the facility's main storage area.

Upon arrival at the facility, any used oil filters are completely drained by facility personnel. The drained used oil filters are then accumulated on-site in one (1) large, open container. Once the used oil filter container is completely filled, ROS personnel remove the filters and pack them into properly labeled and sealed containers, which are stored in the facility's main storage area and are ultimately shipped off-site as scrap metal for recycling.

The facility also has two (2) roll-offs in its tank farm area. These two (2) roll-offs each have a volume of twenty (20) cubic yards, and are located within the tank farm's secondary containment. One of the roll-offs is used to store used oil filters, while the other is used to store oily solids waste. The inspector observed both roll-offs covered with a waterproof tarp to protect from the elements, and labeled.

The inspector did not observe any other violations pertaining to ROS' used oil and used oil filter processing/handling operations. The facility's eleven (11) tanks all appeared to be in good condition, and were all properly closed and labeled. The facility's eleven (11) used oil storage tanks and two (2) roll-offs were all located within properly constructed and sufficiently sized secondary containment. All oily water and oily solid wastes generated by the facility are handled and stored within properly closed and labeled containers. No used oil spills or active used oil releases were observed within either the tank farm or the main storage area by the inspector. The inspector did not observe used oil leaking from any of the used oil filters accumulated on-site, and all the containers used to store the drained used oil filters destined for transport off-site were properly labeled, completely closed, and adequately sized. The used oil filter containers destined for off-site transport also all appeared to be in good condition, and were located on an adequately sized oil-impermeable surface.

The inspector also observed that ROS maintained multiple Safety Preparedness Areas throughout the facility, in which fire extinguishers and spill kits were present.

DOT (Department of Transportation) placards were displayed on the side of all trucks, and the transporter kept copies of the permits, notifications, contingency plan (in case of an emergency) and manifests on the truck. The trucks are also properly identified as used oil transporters, and have spill kits available for use.

### Record Review:

All permits and documentation required by the inspectors were available for review on-site. All three years worth of records for used oil were available for review. The inspectors reviewed the following:

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- Used Oil Acceptance and Delivery Records and were kept on site and include information regarding to EPA ID's of the generators. All oily water is sent to Cliff Berry (EPA ID FLD058560699) for processing. Used oil filters are sent to US Foundry (EPA ID FLD004128336) as scrap metal for recycling. Used oil rags and absorbents are sent to Central Landfill, a permitted facility in Broward County authorized to incinerate oily solid wastes as a means of energy recovery.
- No hazardous waste activities are conducted at this facility neither management of hazardous wastes from generators.
- Halogen Screening Procedure: Used oil transporters use halogen leak detectors (sniffers) for the testing of used oil halogen content and document them in their shipping documents. If the load does test over 1000 PPM for halogens, the used oil is rejected at the generator facility. Records were available for review during the inspection.
- The facility provided a Contingency Plan/ SPCC Plan which contained the emergency coordinator, emergency contacts, emergency response strategy and reporting, spill control actions, spill control equipment, and discharge notification procedures. Last revised on August 9, 2017.
- Arrangements with Local Authorities: Proof of emergency response arrangements with the local authorities were available for review. Letters were sent on August 10, 2017.
- Weekly visual inspections for tanks and secondary containment are conducted. Last container inspection was 02/8/2019.
- Annual Report for Used Oil and Used Oil filters (last submitted on June 2018) for the last three years were reviewed. Based on the last submitted annual report, ROS managed approximately 172,810 gallons of used oil and oily waste, and 15,598 used oil filters.
- Employee Training Plan (last training was conducted March 2018). All employees receive initial and annual used oil training, storage, and spill cleanup procedures.
- Financial Assurance Reports, Cost Estimation, and Closure Plan: Certificate of liability insurance, cost estimation form, and closure plan were available for review. Pollution liability policy# PEC001679804, expires on 5/1/2019. The closure cost estimation form was last submitted to the Department and approved on 03/07/2019.

## PHOTO ATTACHMENTS:

Tank Farms



Spill Kit



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Collection Truck



Roll off Dumpster for Used Oil Filters



Halogen Tester



**Conclusion:**

According to the observations of the inspector, ROS operates as a Used Oil Transporter/Processor/Marketer/Transfer Facility and a Used Oil Filter Transporter/Transfer Facility, and was found to be in compliance during the time of the inspection.

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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.

Robert Berberena	Environmental Specialist III
<b>Principal Inspector Name</b>	<b>Principal Inspector Title</b>

<i>Robert Berberena</i>	DEP	03/25/2019
<b>Principal Inspector Signature</b>	<b>Organization</b>	<b>Date</b>

Rick Smeerkers	General Manager
<b>Representative Name</b>	<b>Representative Title</b>

Ricky's Oil & Environmental Services  
LLC

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**Organization**

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

**Report Approvers:**

<b>Approver:</b> <u>Norva Blandin</u>	<b>Inspection Approval Date:</b> <u>03/25/2019</u>
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