



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 7, 2020

Environmental Management Conservation Oil Corporation
Attn: Maria Leon, President
8470 NW 68th Street
Miami, FL 33166-2661

Re: EMC Oil – In-Compliance Letter
Facility ID: FLR000000166
Miami-Dade County

Dear Ms. Leon:

Department personnel conducted an inspection of the above-referenced facility on February 27, 2020. Based on the information provided during and following the inspection, the facility was determined to be in-compliance with the Department's rules and regulations. A link of the inspection report is attached for your records.

The Department appreciates your efforts to maintain this facility in compliance with state and Federal rules. Should you have any questions or comments, please contact Jared Heyns at 561-681-6616 or via e-mail at jared.heyns@floridadep.gov.

Sincerely,

A handwritten signature in blue ink, appearing to be "NB", with a stylized flourish at the end.

Norva Blandin, MSEM
Environmental Administrator
Southeast District
Florida Department of Environmental Protection

NB/jh

Enclosure: [Hazardous Waste Final Inspection Report](#)

cc: Jared Heyns, Norva Blandin- FDEP Southeast District
Eugenio Rojas, Safety Manager, EMC Oil, emc_erojas@bellsouth.net



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

FACILITY INFORMATION:

Facility Name: Environmental Management Conservation Oil Corp
On-Site Inspection Start Date: 02/27/2020 **On-Site Inspection End Date:** 02/27/2020
ME ID#: 56326 **EPA ID#:** FLR000000166
Facility Street Address: 8470 NW 68th St, Miami, Florida 33166-2661
Contact Mailing Address: 8470 NW 68th St, Miami, Florida 33166-2661
County Name: Miami-Dade **Contact Phone:** (305) 477-7497

NOTIFIED AS:

Transporter, Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Transporter:** Commercial Waste **Used Oil:** On-Spec, Oil Filters **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Transport:** Mercury Containing Lamps, Mercury Containing Devices **Transfer Facility:** Mercury Containing Lamps, Mercury Containing Devices **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

INSPECTION TYPE:

Routine Inspection for Hazardous Waste Transporter Facility
Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility Facility
Routine Inspection for Universal Waste Transporter Facility
Routine Inspection for VSQG (<100 kg/month) Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Jared T Heyns, Inspector
Alannah Irwin, Environmental Specialist III; Maria Leon, President; Eugenio Rojas, Safety
Other Participants: Manager

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

NAIC: 562910 - Remediation Services

TYPE OF OWNERSHIP: Private

Introduction:

On February 27, 2020 (02/27/2020), Jared Heyns with the Florida Department of Environmental Protection (DEP) conducted a Compliance Evaluation Inspection (CEI) at Environmental Management Conservation Oil Corporation (EMC), located at 8470 NW 68th Street in Miami, Florida. EMC was inspected to determine the facility's compliance with the state and Federal hazardous waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-268, adopted and incorporated by reference in Rule 62-730, Florida Administrative Code (F.A.C.). The inspector was accompanied by Alannah Irwin from the DEP.

The inspectors were escorted around the facility by Maria Leon, President and Eugenio Rojas, Safety Manager. Upon arrival at the facility the inspectors presented their credentials and explained the purpose of the inspection.

EMC occupies approximately 38,000 square feet and is connected to public water and sewer. EMC has been operating at its current location since 1994 and employs 18 staff. The facility's office operates normal business hours, but the fleet responds to emergencies 24/7.

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Notification History:

EMC is currently registered (as of 03/07/2019) as a Universal Waste (UW) transporter and transfer facility, Hazardous Waste (HW) transporter, Used Oil/Used Oil Filter transporter and transfer facility, and a Very Small Quantity Generator (VSQG) of HW. This registration for the facility is valid through 06/30/2020.

Inspection History:

The facility was previously inspected by the Department on 01/10/2019 as a Universal Waste (UW) transporter and transfer facility, Hazardous Waste (HW) transporter, Used Oil/Used Oil Filter transporter and transfer facility, and a Very Small Quantity Generator (VSQG) of HW and was found to be out of compliance at the time of inspection. The violations pertained to the SPCC plan, liability insurance, and manifest issues. The violations were resolved without formal enforcement action on 03/06/2019.

Steel-toed boots, safety glasses, and hard hats were the only Personal Protective Equipment (PPE) required to enter the facility.

Process Description:

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

EMC's Operations:

Hazardous Waste and Universal Waste shipments are either directly transported within 24 hours to Triumvirate Environmental Services Inc. (EPAID FLD981018773) or picked up on-site by Chem Klean Corporation (EPAID FLR000231258) within 24 hours. Used oil and used oil filters collected from its customers 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 in Miami, FL. The rail car has a capacity of 26,000 gallons. The used oil is then taken to the designated facility - Noble Oil Services, Inc (EPAID NCD986172476) located at 5617 Clyde Rhyne Drive in Sanford, NC. The used oil filters are transported directly to the destination facility - U.S. Foundry & Manufacturing Corporation (EPAID FLD004128336) in Miami, FL.

Tank Farm:

EMC has a total of seven tanks on-site; however, the facility is currently using only three tanks. The remaining four tanks are not in service. The three tanks in use consist of: one 8,000 gallon tank for used oil, one 10,000 gallon tank for used oil, and one 10,000 gallon decanter tank. All tanks are situated in a secondary containment capable of holding 30,000 gallons. A large spill kit was observed near the tanks. EMC has two 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 rolloff dumpster. EMC also has one 20 cubic yard rolloff dumpster designated to collect oily rags. During the inspection, this rolloff dumpster was observed to be closed and labeled.

EMC's Fleet:

EMC currently has a total of 14 vehicles in its fleet consisting of: 11 collection trucks, two box trucks, and one tractor trailer. All trucks are equipped with the proper registration (expires 08/17/2020), liability insurance certifications, and spill kits. The collection trucks are equipped with a halogen screening kit capable of detecting 4000 PPM of chlorine in used oil. EMC performs its own routine light maintenance on its fleet vehicles in a mechanics bay located on-site.

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

Spill Investigation:

Department inspectors also investigated a spill that occurred on-site on 01/15/2020 at 7:05 PM. Approximately 7,000-8,000 gallons of used motor oil spilled from multiple oil tankers during a fire on-site. There was no damage to any of the tanks, tank farm, or secondary containment. As a result of the fire, EMC lost 5 vehicles from its fleet. The facility did not endure any downtime from this incident and no injuries were recorded. The storm drain in the center of the property was closed via a magnetic seal during this incident, and no known waterways were affected.

As of the date of this inspection report, the local responding Fire Department has not issued a cause of the fire. The facility enacted its SPCC plan during the fire and the response thereafter and has been complying with all reporting and recordkeeping requirements. The Department inspectors confirmed via visual inspection that there

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was no damage to the tank farm.

Preparedness and Prevention measures:

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

Records Review:

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

- Acceptance and Delivery records for all used oil activities - all records for 2017, 2018, and 2019 were available for review and were observed to be complete and accurate.
- Hazardous Waste Manifests – all records for 2017, 2018, and 2019 were available for review and were observed to be complete and accurate. The Department inspectors observed no instances where hazardous waste was located on-site greater than 24 hours.
- Tank inspection records – weekly documentation of tank inspections for 2017, 2018, and 2019 were available for review.
- Full Contingency/SPCC plan – last updated in 02/2018. The SPCC plan was sufficient for the facility's spill response and contains all required information.
- Notifications to local authorities – available for review at the time of the inspection and were up-to-date.
- Employee training plan – last three years of training records were reviewed. Last round of training occurred in 06/2019. The training plan is adequate and is conducted for each new hire initially and annually thereafter.
- Permits and registrations were posted on-site in the office.
- Liability insurance policies – The facility's liability insurance was reviewed during the inspection. The policy contains \$1,000,000 for pollution liability and is insured via Risk Strategies Company in Hollywood, FL. This policy expires 08/17/2020.
- Annual report for used oil and used oil filters – These reports have been completed accurately and submitted to the Department on-time.

PHOTO ATTACHMENTS:

Tank farm located in secondary containment



Labeled & insured vacuum truck



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Used oil filter crusher



Spill kit located in yard



Conclusion:

EMC was inspected as a Universal Waste (UW) transporter and transfer facility, Hazardous Waste (HW) transporter, Used Oil/Used Oil Filter transporter and transfer facility, and a Very Small Quantity Generator (VSQG) of HW and was found to be in-compliance at the time of the inspection.

The Department provided an exit interview via email on 03/02/2020 with information pertaining to the Department's planned HW Transporter Workshop. The workshop has been postponed, but EMC staff plans to attend the workshop when it is rescheduled.

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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)			✓

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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)			✓
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

Jared T Heyns

Principal Investigator Name



Principal Investigator Signature

Inspector

Principal Investigator Title

DEP

Organization

04/01/2020

Date

Alannah Irwin

Inspector Name

Environmental Specialist III

Inspector Title

DEP

Organization

Maria Leon

Representative Name

President

Representative Title

EMC

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.

Eugenio Rojas

Representative Name

Safety Manager

Representative Title

EMC

Organization

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

Report Approvers:

Approver:

Norva Blandin

Inspection Approval Date:

04/02/2020