



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

FACILITY INFORMATION:

Facility Name: Emaxx Miami LLC
On-Site Inspection Start Date: 03/18/2021 **On-Site Inspection End Date:** 03/18/2021
ME ID#: 129965 **EPA ID#:** FLR000227546
Facility Street Address: 7496 NW 69th Ave, Medley, Florida 33166
Contact Mailing Address: 7400 NW 77 Terrace Ave, Medley, Florida 33166
County Name: Miami-Dade **Contact Phone:** (305) 934-4727

NOTIFIED AS:

Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG **Used Oil:** On-Spec

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Romina J Lancellotti, Inspector
Other Participants: Lazaro Mendez, Operations Manager

LATITUDE / LONGITUDE: Lat 25° 49' 20.424" / Long 80° 18' 34.6644"

NAIC: 423930 - Recyclable Material Merchant Wholesalers

TYPE OF OWNERSHIP: Private

Introduction:

On March 18, 2021 (03/18/2021), Romina Lancellotti with the Florida Department of Environmental Protection (FDEP) conducted a routine compliance evaluation inspection (CEI) at Emaxx Miami, LLC. (hereinafter EM2 or facility), located at 7496 NW 69th Ave, Medley, FL 33166. EM2 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 260-264, and 279 adopted and incorporated by reference in Rule 62-730, and 62-710, Florida Administrative Code (F.A.C.).

The inspector was escorted around the facility by Lazaro Mendez, Operations Manager. Post inspection, Mr. Matt Gudorf, assisted the Department by providing submittals and corrective actions via email. Upon arrival at the facility the inspector her presented her credentials and explained the purpose of the inspection.

EM2 occupies 3,600 square feet. The estimated square footage of the rail yard that EM2 operates in is 43,307 square feet with both sets of tracks. There in not office or public services at this location. EM2 occupies this site since 03/08/2017 and employs 4 staff. The facility operates Monday through Friday 7 am to 3 pm.

Notification History:

EM2 initially notified with the Department as a Very Small Quantity Generator (VSQG), and as a transfer facility of on-spec used oil on 07/11/2018. The facility was assigned the EPA Identification (EPAID) Number FLR000227546. The facility most recently notified as VSQG of hazardous waste and as a transfer facility of on-spec used oil 12/13/2019.

Inspection History:

The facility was previously inspected by the Department on 05/18/2018 as a Used Oil Transporter, Hazardous Waste Transporter, Universal Waste Transporter, Used Oil Transfer, and Hazardous Waste Transfer Facility and

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was found to be in compliance at the time of inspection. The notes of the inspection are included in the report of the main facility (EPA ID FLR0002233130) because EM2 was not registered. The inspector requested the company to register the facility and obtain an EPA ID.

Personal Protective Equipment (PPE) was not required to enter the facility. Department personnel were equipped with steel-toed boots.

Process Description:

EM2 specializes in regulated used oil transportation.

Used oil is loaded daily onto rented railcars at Florida East Coast Railway, LLC and shipped off to used oil processing facilities for recycling.

The property is owned by Florida East Coast Railway, LLC. and is rented and operated by Emaxx Miami, LLC. The space is shared with Ricky's Oil where one track stores used oil on railcars from Emaxx and one stores used oil from Ricky's Oil. The railcars capacity varies between 29,000 and 40,000 gallons and are shipped out when full, every 2-3 weeks. Therefore, the facility complies with the 35-day storage limit, according to 40 CFR 279 subpart F.

During the inspection, the inspector observed two rail cars for used oil. The railcar located on the east track was being operated by a Ricky's Oil employee. The inspector also observed one 29,966-gallon capacity black railcar, located on the west track. Additionally, there is a piece of concrete next to the tracks to store spill kit. No leaks or spills were observed in this area.

EM2 does not store used oil in any other part of this transfer facility. The facility uses a metal scaffolding structure tool which is placed on top of the railcar and locks the used oil transferring hose in while the used oil is being transferred from the used oil truck to the railcar. The scaffolding structure ensures that the valves and the hose stay sealed and in place while transferring.

The transporters carry spill pans and spill kits in the truck for this process as well as fire extinguishers. No hazardous waste or universal waste is stored at this location.

Record Review:

A) Transport, receiving and shipping records were available for review at the time of inspection. The facility has maintained all records of transportation and training at least for 3 years. The facility was using an equivalent form [62-710.901(2) F.A.C.]. Each acceptance and delivery records comply with the requirements described in 40 CFR part 279.46. Bill of lading were available for used oil via railway from 7496 NW 9th Ave, Medley, FL 33166 which is then sent to a used oil processing facility for recycling. These include: Vertex Energy (EPA ID LA0000145797) in Marrero, LA, Noble Oil (EPA ID NCD986172476) in Sanford, NC, or Synergy LLC. (EPA ID GAR000048009) in Kingsland, GA. Last shipment of used oil occurred on 03/05/2021; the facility transported 195,583 lbs. of used oil to Synergy Recycling LLC., located at 105 Industrial Park Dr., Kingsland, GA 31548 (EPA ID GAR000048009). The facility samples and tests every load of used oil before shipment to ensure the used oil is on-spec to be recycled. Samples are sent to the laboratory American Testing technologies, Inc. and are tested for arsenic, cadmium, chromium, lead, PCBs, water, sulfur, total halogens, and others.

In case a sample results to be off the limits of on-spec., the facility maintains samples of all batches picked up from customers that would be analyzed to discover the source of the off-spec oil.

B) Insurance Liability - the facility provided for transportation, proof of Pollution Liability Site & Transported Cargo Off Site Operations Insurance (Acord) in the amount of \$5,000,000 Policy #FE-EIL-27913-00 Exp. Date: 10/04/2023 and the automobile liability from M & T Insurance Agency, Inc., in the amount of \$2,000,000 Policy #MWTB31237021 Exp. Date: 03/01/2022.

D) Employee Training - Employees receive initial and annual training on hazardous waste operations, emergency response, halogen field testing, used oil management training, sample collection procedures and contamination prevention. The facility provided HAZWOPER 8hr Annual Refresher Certificate of completion for all employees. Last training was conducted on 09/29/2020.

E) Halogen Screening Procedure - The facility uses Robinair TIFRX-1A Automatic Halogen Leak Detector for the

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testing of used oil halogen content. If the load does test over 1000 ppm for halogens, the transporter uses Dexsil Clor-D-TEGT test to verify. If the test results over 1000 ppm, the used oil is rejected at the generator facility.

F) At the time of inspection, the facility provided an Oil Spill Contingency/ SPCC Plan which contained the emergency coordinator which is Mr. Laz Mendez, emergency contacts, emergency response strategy and reporting, spill control actions, spill control equipment, and discharge notification procedures. The SPCC plan was not up to date with emergency contacts and map of the facility. On 04/16/2021, the facility provided the updated SPCC plan, signed and stamped by a Professional Engineer (P.E.). Updated on 04/15/2021.

G) The facility maintains a certificate issued by FDEP as used oil Transporter, used oil transfer facility, used oil filter transporter, used oil filter transfer facility Exp. 06/30/2021.

H) On 02/24/2021, the facility submitted their 2020-2021 annual report for UO activities as required in 62-710.510(5) F.A.C. This registration expires on 06/30/2021.

PHOTO ATTACHMENTS:

29,966-gallon Railcar (northeast view)



29,966-gallon Railcar (southeast view)



Conclusion:

EM2 was inspected as a used oil transporter and transfer facility and was found to be in compliance at time of inspection.

On 04/30/2021, the inspector called Mr. Matt Gudorf and explained that railcars meet the definition of container of used oil. Per 40 CFR 279.1, container means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled. Therefore, the facility shall label the tank with the words "Used Oil" to comply with labeling requirements under 40 CFR 279.22(c). Mr. Gudorf stated that the facility will use magnetic labels to attach to the railcar while used as a container for storage and accumulation of used oil.

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1.0: Pre-Inspection 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.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11			✓

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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

Romina J Lancellotti	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	05/03/2021
Principal Investigator Signature	Organization	Date
Lazaro Mendez	Operations Manager	
Representative Name	Representative Title	
	Emaxx Miami, LLC.	
	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:	Alannah B Irwin	Inspection Approval Date:	05/03/2021
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