

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

FACILITY NAME <i>Cemex - alias "Linker"</i>		TYPE OF INSPECTION: CAV: ☐ CEI: ☒ CI: ☐ OTHER: ☐	
ADDRESS <i>1200 NW 137th Ave</i>	CITY <i>Miami</i>	STATE <i>FL</i>	ZIP CODE <i>33182</i>
EPA ID NUMBER <i>FLD 981 758 48 S</i>	DATE OF INSPECTION <i>2/21/08</i>	PAGE <i>1</i>	OF <i>2</i>
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: ☐ YES ☒ 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

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

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

Florida Fact Sheets

- | | |
|--|---|
| ☐ Antifreeze for Recycling / Waste Antifreeze | ☒ Other: <u>stencils and labels</u> |
| ☐ Summary of Hazardous Waste Regulations | ☐ Other: _____ |
| ☐ Summary of Used Oil/Used Oil Filter Regulations | ☐ Other: _____ |
| ☐ Other: _____ | ☐ Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS
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ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- 1) Label totes of oily water (4) and one drum ~~oily water~~ labelled oil filters in drum wash area properly. Send photos
- 2) Properly box + label fluorescent bulbs in electrical ^{Dept.} storage area - send photos
- 3) In SC maintenance ^{area}, please make one designated labelled container for empty aerosols - send photos
- 4) Contingency Plan - provide ^{emergency} equipment list with locations + also provide mail receipts to show plan has been provided to local authorities
- 5) Need receipts for used oil, used oil filter, batteries, + parts washer fluid for three years
- 6) Please describe how you manage fluorescent bulbs, CPU's, lithium batteries, etc. - Provide receipts
- 7) Please provide manifest for waste from AT labs.

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: Kathy Winston at (561) 681-⁶⁷⁵⁶~~6600~~.

"INSPECTOR" (signature): [Signature] Date: 2/21/08

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>A & E.T.E.</u>
TITLE: <u>General Manager</u>	DATE: <u>02/21/08</u>