



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

FACILITY INFORMATION:

Facility Name: CEMEX LLC - Miami Cement Mill & SCL Quarry
On-Site Inspection Start Date: 07/15/2010 **On-Site Inspection End Date:** 07/15/2010
ME ID#: 27064 **EPA ID#:** FLD981758485
Facility Street Address: 1200 NW 137th Ave, Miami, Florida 33182-1803
Contact Mailing Address: 1200 NW 137th Ave, Miami, Florida 33182-1803
County Name: Miami-Dade **Contact Phone:** (305) 229-2955

NOTIFIED AS:

CESQG (<100 kg/month)
Used Oil

INSPECTION TYPE:

Routine Inspection for CESQG (<100 kg/month) facility
Routine Inspection for Used Oil Processor facility
Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector: Kathy R. Winston, Inspector
Other Participants: Ben Fisch, Environmental Specialist; Charles Walz, Environmental Manager

LATITUDE / LONGITUDE: Lat 25° 47' 9.4648" / Long 80° 25' 20.5412"

SIC CODE: 3241 - Manufacturing - cement, hydraulic

TYPE OF OWNERSHIP: Private

Introduction:

Cemex Miami Cement Mill & SCL Quarry (Cemex) is a permitted used oil processor, permit number 56307-H0-004, expires on February 12, 2013. Thermal treatment of petroleum-contaminated soil is the facility's main permitted activity. Cemex is also a registered used oil filter transporter and used oil filter processor; however, this activity is not taking place at this time. The permitted activities are situated on 300 acres of land and there is additional contiguous 3000 acres designated for limestone quarrying. Cemex was formally known as Rinker Materials of Florida, Inc. from 1958 through April 2009, and employs approximately 100 people. The facility is currently on septic tanks and a well.

Compliance History

The last inspection conducted on February 21, 2008, revealed several minor violations at the facility. On April 15, 2008, the facility returned to compliance without formal enforcement

Process Description:

Terminal Garage

In the Terminal Garage, it was noted that a container of used oil was improperly labeled as "Waste Oil" instead of "Used Oil". The mislabeled container also had some used oil and debris sitting on the top of the drum which would indicate poor housekeeping. Also, in this area, there was a used oil filter drum open and exposed to the elements.

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SCL Quarry Shop

This shop originally consisted of canopy covered work area; however, the hurricanes of 2004 and 2005 left it without a roof, and repairs have never been completed. In this area, inspectors noted several containers were improperly labeled "Waste Oil" instead of "Used Oil". And although the drums were afforded secondary containment, they were not properly sealed allowing for the collection of oily rainwater and the potential for discharges.

Main Warehouse

The facility stores their Universal Was lamps here. It was noted that the storage container was not properly labeled.

Drum Process Building

Inspection of this area revealed a container of used oil filters, which was not protected from the elements allowing for collection of oily rainwater and the potential for discharges.

Kiln Feed Tank

Containers under the sample spigots were improperly mislabeled "Waste Oil" instead of "Used Oil".

Heavy Equipment Shop

Drums that contained used oil were not properly labeled.

Record Review

During the record review, the facility was unable to provide manifests from the date of the last inspection to the present. The facility's Contingency Plan had deficiencies; the home addresses of the emergency coordinator's were not included, and the phone numbers for the local police and fire station and hospital were not provided. It was also noted during the review that the last revision of the Contingency Plan had not been distributed to local authorities.

New Potential Violations and Areas of Concern:

CESQG Checklist - 40 CFR 261.5

Type:	Violation
Rule:	62-730.030(3)
Question Number:	7.50
Question:	Can the facility document proper disposal through written receipts or records?
Explanation:	The facility was unable to provide manifests from 2/08 (last inspection) to the present.
Corrective Action:	Please provide receipts for used oil filters, parts washer fluid, batteries, and laboratory waste.

Universal Waste Lamps

Inspection Date: 07/15/2010

Type: Violation

Rule: 62-737.400(5)(b)

Question Number: 39.40

Question: Is each lamp or container labeled or marked clearly with either "Spent Mercury Containing Lamps for Recycling", "Universal Waste Mercury Lamps", "Waste Mercury Lamps" or "Used Mercury Lamps"?

Explanation: Universal Waste lamps were not properly labeled.

Corrective Action: Please provide picture showing Universal Waste lamps have been properly labeled with the words "Universal Waste - Mercury Containing Lamps for Recycling."

Used Oil Generator Checklist

Type: Violation

Rule: 279.22(c)(1)

Question Number: 5.40

Question: Are containers/tanks storing used oil marked with the words "Used Oil"?

Explanation: Containers in all these areas were improperly labeled "Waste Oil" instead of "Used Oil". Those areas are Terminal Garage, whose used oil drum also needs some housekeeping, SCL Quarry shop, containers under sample spigots under kiln oil feed tank, and heavy equipment shop

Corrective Action: Please send pictures showing these containers are properly labeled. In the case of the Terminal garage, please send picture showing used oil filter drum was moved further under cover and in SCL quarry shop, please line up all waste drums, properly cover and label and send pictures to Department.

Used Oil Processor

Type: Violation

Rule: 279.52(b)(2)

Question Number: 28.340

Question: Does the plan include the following?

Explanation: The emergency coordinator's home addresses and phone numbers of the local fire and police station and hospital were not included in the Contingency Plan.

Corrective Action: Please performed requested updates.

Type: Violation

Rule: 279.52(b)(3)

Question Number: 28.360

Question: Has the plan been distributed to the:

Explanation: A revised Contingency Plan had not been redistribute to local authorities.

Corrective Action: Please redistribute Contingency Plan to local authorities and send certified mail receipts to Department.

Inspection Date: 07/15/2010

Summary of Potential Violations and Areas of Concern:Potential Violations

Rule Number	Area	Date Cited	Explanation
CESQG Checklist - 40 CFR 261.5 62-730.030(3)		07/15/2010	The facility was unable to provide manifests from 2/08 (last inspection) to the present.
Universal Waste Lamps 62-737.400(5)(b)		07/15/2010	Universal Waste lamps were not properly labeled.
Used Oil Generator Checklist 279.22(c)(1)		07/15/2010	Containers in all these areas were improperly labeled "Waste Oil" instead of "Used Oil". Those areas are Terminal Garage, whose used oil drum also needs some housekeeping, SCL Quarry shop, containers under sample spigots under kiln oil feed tank, and heavy equipment shop
Used Oil Processor 279.52(b)(2)		07/15/2010	The emergency coordinator's home addresses and phone numbers of the local fire and police station and hospital were not included in the Contingency Plan.
279.52(b)(3)		07/15/2010	A revised Contingency Plan had not been redistribute to local authorities.

Areas of Concern

No Areas of Concern

Conclusion:

The facility was not in compliance at the time of the inspection. The facility was given 30 days to return to compliance.

Inspection Date: 07/15/2010

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. The above noted 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 discovered during the inspection.

Kathy R. Winston

PRINCIPAL INSPECTOR NAME

Inspector

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

7/14/2010

DATE

Ben Fisch

INSPECTOR NAME

Environmental Specialist

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Charles Walz

REPRESENTATIVE NAME

Environmental Manager

REPRESENTATIVE TITLE**REPRESENTATIVE SIGNATURE**

Cemex

ORGANIZATION

7/15/2010

DATE

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.