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: 12/19/2011 **On-Site Inspection End Date:** 12/19/2011

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) 229-2942

NOTIFIED AS:

CESQG (<100 kg/month)
Used Oil

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility

Routine Inspection for CESQG (<100 kg/month) facility

Routine Inspection for Used Oil Generator facility

INSPECTION PARTICIPANTS:

Principal Inspector:	Roger E. Carman, Inspector
Other Participants:	Kyle Brown, Environmental Specialist; Charles Walz, Environmental Manager; Arthur J. Eite, CES Manager

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

SIC CODE: 3241 - Manufacturing - cement, hydraulic

TYPE OF OWNERSHIP: Private

Introduction:

On December 19, 2011, representatives of the Florida Department of Environmental Protection (FDEP) conducted a hazardous waste and used oil compliance evaluation inspection at Cemex LLC - Miami Cement Mill (Cemex) and its associated SQL Quarry. Cemex was represented by Mr. Charles Walz, Environmental Manager and Mr. Arthur (Joel) Eite, Plant Manager. FDEP-SED was represented by Mr. Roger Carman and Mr. Kyle Brown.

Cemex is a permitted used oil processor operating under permit number 56307-H0-003, which will expire on February 12, 2013. Thermal treatment of petroleum-contaminated soil is another permitted activity. Cemex is also a registered used oil filter transporter and used oil filter processor; however, these activities are not taking place at this time. Cemex has also notified the Department as a Conditionally Exempt Small Quantity Generator of hazardous waste and as an off-specification used oil burner. The permitted activities are situated on 300 acres of land and there is additional contiguous 3,000 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 currently uses septic tanks and uses onsite water wells as sources for industrial and treated potable water supplies.

Compliance History
The last inspection conducted on July 15, 2010, revealed several minor violations at the facility. On October 8, 2010, the Department notified Cemex that it appeared the facility had returned to compliance based on the information submitted. No formal enforcement was required by the Department to achieve compliance.

Process Description:

Cemex primarily receives on-specification used oil, but occasionally receives some off-specification used oil. The off-spec used oil has a flashpoint less than 100 degrees F due to mixing with diesel fuel at off-site suppliers. Used oil is burned during kiln startups to preheat the kiln to 1900 degrees F and may also be burned as supplemental fuel, such as during coal mill problems. Some used oil is used as fuel for the contaminated soil thermal treatment kiln.

Used Oil Storage Tank Farm and Unloading Station
This area consists of two 600,000-gallon aboveground used oil storage tanks, a tanker truck unloading station, and six 25,000-gallon aboveground oily water storage tanks that are inactive. All tanks were labeled "Used Oil". Used oil is unloaded from trucks and transferred via pumps to the tanks. Used oil pump filter residue is mixed with the contaminated soil for processing. Oily water from the truck unloading containment area is removed by Cliff Berry, Inc. (CBI).

Kiln Feed Tank
The kiln feed tank (day tank) is a 30,000-gallon horizontal steel tank used to store used oil fuel for the kiln. It was labeled "Used Oil" and lies within a covered, concrete secondary containment area. A small container under a pipeline filter was labeled as 'Waste Oil" instead of "Used Oil". This area also had one 55-sallon drum of used oil, one 55-gallon drum of oily rags and four 5-gallon used oil collection containers. A Safety-Kleen parts washer is located within the secondary containment area and is seldom used. Any oily water that collects in this secondary containment area is removed by CBI. The inspectors observed used oil that had been absorbed with oil dry material under the tank. Based on information provided by Cemex in an email dated 02/22/2012, the spilled used oil was caused by a leak in the used oil recirculation pipeline above the kiln tank, and the leak will be repaired during the next kiln shutdown in March 2012.

New Oil Drum Storage and Equipment Wash Area
This area had one 55-gallon drum of used oil filters, one 55-gallon drum of empty aerosol cans, one 55-gallon drum of oily rags, one 55-gallon drum of empty grease canisters, and seven 300-gallon plastic totes of used oil. All containers were properly labeled. This area also has an equipment wash bay. Oily water from this bay is removed by CBI. A used oil filter crusher is also located in this area.

Small Engine Repair Shop
One 55-gallon drum collecting used oil drained from used oil filters was not labeled "Used Oil". One collection/transfer container was labeled "Waste Oil" rather than "Used Oil". Lead-acid batteries were being stored in this area on a table. The batteries are managed under the Universal Waste regulation, but were not marked as universal waste batteries. The shop has a System One parts washer which is not in use. In the past, the solvent was determined to be nonhazardous and was removed by Ricky's Oil Service.

Main Warehouse- Electrical Shop
Spent fluorescent lamps are accumulated in the Main Warehouse's Electrical Shop and managed as Universal Waste lamps. The inspectors observed that two boxes of spent lamps were open and not labeled or marked as Universal Waste lamps. Accumulation time is tracked by dating the containers or noting the date of the last manifested shipment of lamps.

Laboratory
Acidified sample waste from the atomic absorption (AA) analyzer is collected in small containers. The AA waste is primarily nitric acid and mercuric chloride. One 3-gallon collection container was observed connected to the AA analyzer via tubing. One, full, 5-gallon container of AA waste acid was also observed in the lab. The containers are transferred from the lab to the hazardous waste storage area and placed in a metal cabinet. A glycerol, ethanol, and barium chloride waste is also generated by the lab and managed as a hazardous waste. The amount generated is about one 55-gallon drum every 12 to 18 months based on the volume of cement production. This waste is also transferred to the hazardous waste storage area and placed in 55-gallon drums. All containers observed in the lab were being properly managed.

Hazardous Waste Storage Area
Hazardous waste from the laboratory is stored in this area. Two 55-gallon drums of the glycerol, ethanol, and barium chloride waste were observed. All containers observed were being properly managed. A record of the hazardous waste transferred to this area is kept in the metal storage cabinet.

Used Oil Tank for Soil Thermal Treatment Facility
This tank is a 10,000-gallon vertical tank that supplies used oil fuel to the contaminated soil treatment kiln. The tank was labeled "Used Oil". Treated soil is used by Cemex as a silica source in the raw cement mix. The contaminated soil thermal treatment system is operated under a separate solid waste permit.

Emergency and Safety Equipment
All emergency and safety equipment observed during the inspection, such as eye wash stations, fire extinguishers, etc., appeared satisfactory.

SCL Quarry Shop
The SQL Quarry provides crushed limestone to Cemex and is covered under Cemex's EPA Identification Number FLD981758485. This Quarry Shop originally had a canopy covered work area; however, the hurricanes of 2004 and 2005 left it without a roof. Although the canopy has not been replaced, the used oil storage area has been provided with a metal roof. The inspectors observed the some oily rain water had accumulated in the secondary containment area of the 500-gallon used oil tank. Containers of used oil filters and oily rags were protected from the elements, properly labeled and stored on containment pallets. No hazardous waste is generated at this shop.

Record Review
Manifests, the contingency plan, and analytical records that were reviewed appeared satisfactory. The contingency plan is part of Cemex's Integrated Emergency Management Plan.

New Potential Violations and Areas of Concern:

Universal Waste Batteries

Type:	Area Of Concern
Rule:	273.14(a)
Question Number:	36.40
Question:	Are batteries or containers of batteries labeled with either "Universal Waste Batteries" or "Waste Batteries" or "Used Batteries"?
Explanation:	Ten lead-acid batteries stored in the Small Engine Repair Shop were not marked or labeled as universal waste batteries per 40 CFR 273.14(a).
Corrective Action:	Label each universal waste battey or store the batteries on a common containment pallet marked as universal waste batteries.

Universal Waste Lamps

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:	Two boxes of universal waste lamps in the Electrical Shop were not labeled or marked per 40 CFR 273.14(e).

Corrective Action: Label or mark each container of universal waste lamps.

Used Oil Generator Checklist

Type:	Area Of Concern
Rule:	279.22(c)(1)
Question Number:	5.40
Question:	Are containers/tanks storing used oil marked with the words "Used Oil"?
Explanation:	One 55-gallon drum in the Small Engine Repair Shop was not labeled with the words "Used Oil". Two small collection containers were labeled "Waste Oil" rather than "Used Oil".
Corrective Action:	Label each container of used oil with the words "Used Oil".

Checklist Independent Potential Violations and Areas of Concern

Type:	Violation
Rule:	273.13(d)(1)
Explanation:	Two boxes of universal waste lamps in the Electrical Shop were not closed.
Corrective Action:	Close each container of unversal waste lamps.

Summary of Potential Violations and Areas of Concern:

Potential Violations

Rule Number	Area	Date Cited	Explanation
Universal Waste Lamps			
62-737.400(5)(b)		12/19/2011	Two boxes of universal waste lamps in the Electrical Shop were not labeled or marked per 40 CFR 273.14(e).
Checklist Independent Violations			
273.13(d)(1)		12/19/2011	Two boxes of universal waste lamps in the Electrical Shop were not closed.

Areas of Concern

Rule Number	Area	Date Cited	Explanation
Universal Waste Batteries			
273.14(a)		12/19/2011	Ten lead-acid batteries stored in the Small Engine Repair Shop were not marked or labeled as universal waste batteries per 40 CFR 273.14(a).
Used Oil Generator Checklist			
279.22(c)(1)		12/19/2011	One 55-gallon drum in the Small Engine Repair Shop was not labeled with the words "Used Oil". Two small collection containers were labeled "Waste Oil" rather than "Used Oil".

Conclusion:

Based on the inspection, it appeared Cemex had a few minor violations of the used oil processing and universal waste rules and regulations. Cemex appeared to still be classified as a CESQG of hazardous waste. The facility was provided 30 days to return to compliance with the items noted during the exit meeting. On January 9, 2012, Cemex submitted an email with photographs attached showing corrective actions taken to return to compliance with the items cited during the inspection. In an email dated January 12, 2012, DEP-SED requested additional information from Cemex regarding the items observed during the inspection on December 19, 2011. On February 22, 2012, Cemex submitted an email providing the requested information and photographs. The additional information was incorporated into this inspection report.

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.

Roger E. Carman	Inspector	
PRINCIPAL INSPECTOR NAME	**PRINCIPAL INSPECTOR TITLE**	
Roger E. Carman	FDEP	1/5/2012
PRINCIPAL INSPECTOR SIGNATURE	**ORGANIZATION**	**DATE**

Kyle Brown	Environmental Specialist
INSPECTOR NAME	**INSPECTOR TITLE**
NO SIGNATURE	FDEP
INSPECTOR SIGNATURE	**ORGANIZATION**

Charles Walz	Environmental Manager
REPRESENTATIVE NAME	**REPRESENTATIVE TITLE**
NO SIGNATURE	Cemex, LLC Miami Cement Plant
REPRESENTATIVE SIGNATURE	**ORGANIZATION**

Arthur J. Eite	CES Manager
REPRESENTATIVE NAME	**REPRESENTATIVE TITLE**
NO SIGNATURE	Cemex, LLC Miami Cement Plant
REPRESENTATIVE SIGNATURE	**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.