

**From:** [Charles E Walz](#)  
**To:** [Epost HWRS](#)  
**Subject:** Re: CEMEX Construction Materials Florida, LLC, Miami;FLD 981 758 485;Notice of Deficiency  
**Date:** Wednesday, January 16, 2013 2:25:10 PM

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I have received the attached document and notice



**Charles E Walz**

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From: Epost HWRS <[EpostHWRS@dep.state.fl.us](mailto:EpostHWRS@dep.state.fl.us)>  
To: Charles E Walz/US/Cemex@CEMEX  
Cc: "Bahr, Tim" <[Tim.Bahr@dep.state.fl.us](mailto:Tim.Bahr@dep.state.fl.us)>, "Goddard, Charles" <[Charles.Goddard@dep.state.fl.us](mailto:Charles.Goddard@dep.state.fl.us)>, "Winston, Kathy" <[Kathy.Winston@dep.state.fl.us](mailto:Kathy.Winston@dep.state.fl.us)>, "Kantor, Karen E." <[Karen.E.Kantor@dep.state.fl.us](mailto:Karen.E.Kantor@dep.state.fl.us)>, "treed@kooglerassociates.com" <[treed@kooglerassociates.com](mailto:treed@kooglerassociates.com)>, "Miller, Randy J." <[Randy.J.Miller@dep.state.fl.us](mailto:Randy.J.Miller@dep.state.fl.us)>, "Bejnar, Tor" <[Tor.Bejnar@dep.state.fl.us](mailto:Tor.Bejnar@dep.state.fl.us)>, "louis.lopez@cemex.com" <[louis.lopez@cemex.com](mailto:louis.lopez@cemex.com)>, "Kothur, Bheem" <[Bheem.Kothur@dep.state.fl.us](mailto:Bheem.Kothur@dep.state.fl.us)>, "Tripp, Anthony" <[Anthony.Tripp@dep.state.fl.us](mailto:Anthony.Tripp@dep.state.fl.us)>  
Date: 01/16/2013 10:56 AM  
Subject: CEMEX Construction Materials Florida, LLC, Miami;FLD 981 758 485;Notice of Deficiency

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In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Regulation Section is forwarding the attached document to you by electronic correspondence "e-correspondence" in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us). (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Kim Thursby at (850) 245-8792.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at [www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html).

Please note that our documents are sent virus free. However, if you use Norton Anti-virus software, a warning may appear when attempting to open the document. Please disregard this warning.

Your cooperation in helping us affect this process by replying as requested is greatly

appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Tim Bahr  
Environmental Administrator  
Hazardous Waste Regulation  
Department of Environmental Protection  
E-Mail Address: [epost\\_hwrs@dep.state.fl.us](mailto:epost_hwrs@dep.state.fl.us)

*Please take a few minutes to share your comments on the service you received from the department by clicking on this link [DEP Customer Survey](#). [attachment "1-16-13 CEMEX letter.Receipt.pdf" deleted by Charles E Walz/US/Cemex]*



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

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TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

JENNIFER CARROLL  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

January 16, 2013

**SENT VIA E-MAIL**

[Charles.walz@cemex.com](mailto:Charles.walz@cemex.com)

Mr. Charles Walz  
Environmental Manager  
CEMEX Construction Materials Florida, LLC, Miami Facility  
1200 NW 137 Avenue  
Miami, Florida 33182

RE: CEMEX Construction Materials Florida, LLC, Miami Facility  
EPA I.D. No. FLD 981 758 485  
Permit Numbers: 56307-HO-004  
Used Oil Processing Facility Permit Application  
Notice of Deficiency

Dear Mr. Walz:

The Florida Department of Environmental Protection (the Department) has reviewed your permit application dated December 13, 2012 and received on December 14, 2012 to operate a Used Oil Processing Facility in Miami, Florida.

The review of the permit application indicates that it is incomplete. Please provide the information requested in the enclosed Attachment. In preparing your response, the Department recommends that you identify each comment followed by your response and also provide your revised pages of the application. The revised pages are to include the new revision date.

The Department will be contacting you to schedule a meeting or conference call to discuss these comments. Additional communications will be scheduled as needed prior to your submittal of an official response to minimize the time and effort required to formulate adequate replies to the comments. This exchange of ideas will assist you in developing a complete and adequate response that should eliminate the need for additional official responses and therefore accelerate the permit renewal process.

Mr. Charles Walz,  
January 16, 2013  
Page Two

Further action on processing your application is temporarily held in abeyance pending receipt of your complete response. Please submit one hard copy and one electronic copy of your written response to the Tallahassee Solid and Hazardous Waste Regulation Section, and one to the Southeast District Office. If you cannot submit all this information within 30 days, you must formally request an extension and provide a schedule, with dates, indicating when this information will be submitted.

Should you like to arrange a meeting or if you have any questions, please contact me at (850) 245-8781 or e-mail: [Bheem.kothur@dep.state.fl.us](mailto:Bheem.kothur@dep.state.fl.us)

Sincerely,



Bheem Kothur, P.E. III  
Hazardous Waste Regulation

BK/bk

Enclosure: Attachment

cc: Kathy Winston, FDEP/Southeast District, [kathy.winston@dep.state.fl.us](mailto:kathy.winston@dep.state.fl.us)  
Karen Kantor, FDEP/Southeast District, [karen.e.kantor@dep.state.fl.us](mailto:karen.e.kantor@dep.state.fl.us)  
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Louis Lopez, CEMEX Miami, [louis.lopez@cemex.com](mailto:louis.lopez@cemex.com)

## ENCLOSURE

CEMEX Construction Materials Florida, LLC, Facility  
Used Oil Processing Facility Operating Permit No.: 56307-HO-004  
First Notice of Deficiencies  
January 16, 2013

### **SPECIFIC COMMENTS:** Application Form for a Used Oil Processing Facility Permit

1. Florida DEP Application, Form # 62-710.901(6), B.1- Site Information, and Page 9: The facility latitude and longitude should identify with degrees, minutes, and seconds symbols. Please review and update the entry.
2. B. 2 Facility Size (area in acres), Page 9, Attachment 2, Facility Operation, First Paragraph: Please review the facility size and revise as appropriate (353.471 or 300.00 acres) and be consistent.
3. Attachment 5, ICP and SPCC Plan, External Emergency Contact and Notification List, Page iii and Page 75: The telephone number and the fax number for the Southeast District is not correct, it appears to be Tampa numbers. Please review and revise throughout the document as appropriate.
4. SPCC Plan, Sub-Section 21.4- Emergency Contacts and Reporting, Page 76: Atlantic Industrial Services, Inc. was purchased by Safety-Kleen Systems, Inc. Ocala. Please review and revise as appropriate for spill response contractor.
5. Sub-Section 4.9-Decontamination Procedures, tenth bullet, and Sub-Section 4.10-Waste Management, Page 15: The tenth bullet discusses decontamination runoff water which will be directed to suitable collection ditches, holding ponds, etc. , whereas in another waste management part of the document it says that all of these points then drain to mining pit. Please clarify the collection points are suitable and have with lined or anything because on the way to flowing to the mine pit. If this is the operation, you may be creating more places to clean up after the spill? Why not pump to closest available secondary containment or something lined where you are not causing more possible soil and groundwater contamination. This is just a suggestion and recommendation to think about it.
6. J. Integrating Testing: The Tanks were installed in year 1958. The facility must provide documentation of the tanks's last detailed inspection and certification to the Department. Please explain in detail the last time the thickness test was performed and a tank system integrity assessment was performed according to API 653 Code in-service inspection and engineering evaluation by a professional engineer registered in the State of Florida. Also, the facility must specify in the application the frequency of sludge removal from the tanks.

**GENERAL COMMENTS:**

1. The Facility needs to submit a site map in an electronic format (pdf preferred) so that this map can be inserted into the permit.
2. The Facility needs to submit a used oil tank table in an electronic format (pdf preferred) so that this can be inserted into the permit.
3. The facility Form 8700-12FL-Florida Notification of Regulated Waste Activity, C. Used Oil Activities: This form indicates that the facility is also a Used Oil Filter Transfer Facility. Please indicate on a site map where these activities take place.
4. Any oily wastes or sludge generated at the facility that cannot be managed for energy recovery, a hazardous waste determination will be conducted and the materials will be managed in accordance with 40 CFR Part 279.10 ( c) and (e).
5. Attachment 1, Figure 2-Facility Diagram: Facility diagram is not readable. Please provide a bigger Facility diagram.