



**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: 03/20/2013 **On-Site Inspection End Date:** 03/20/2013
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 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: Bridjette Bucell, 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-H0-005, whose permit was recently renewed and will now expire on February 12, 2018. 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 105 people. The facility is currently on septic tanks and a well; however, the facility is in the process of connecting to the county's utility system.

Compliance History

This visit was a routine compliance evaluation inspection; the district is obligated to inspect each of their used oil processors at least every other year. Cemex is permitted because of the amount of used oil that is stored on site. The last inspection was conducted on December 19, 2011 and revealed several minor violations at the facility. On February 22, 2012, the facility returned to compliance without formal enforcement.

Process Description:

The facility tour only revealed a few small compliance issues. The first issue noted concerned a drum of used oil situated underneath the used oil tank for the kiln. It was an open top 55-gallon

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drum labeled "Used Oil" which was not properly closed as the ring around the top was not fastened. This could have resulted in an accidental spill; however, the impact would be minimal, as the drum was situated within the secondary containment for the large used oil tank.

In the Equipment Wash area were several drums for oily rags and used oil filters that had appropriate labels on them but also had older labels visible indicating that the containers held different contents.

Located in the Quarry Maintenance area were several drain pans with used oil in them and one 55-gallon drum that were all labeled "Waste Oil."

The last issue that was encountered during the actual facility inspection was noted in the hazardous waste storage area. The only drum that was in this area didn't have the facility's EPA ID number in the appropriate area on the label.

Record Review

There were a few recordkeeping issues noted during this inspection. The first concerned the disposition of their mercury containing lamps. The facility was having them picked up by Vieola but couldn't produce certificates of recycling at the time of the inspection. The facility could not prove that the latest revision of its Contingency Plan had been distributed to local authorities. The Department's contacts on their Emergency Response Contact List had not been updated since the Department's reorganization and the Department's address also needed to be updated. The inspector supplied the facility with the address correction and promised to forward the new organizational chart upon their return to the office. All other records appeared to be in order: training records, manifests, used oil delivery logs, and the general facility inspection log.

New Potential Violations and Areas of Concern:

Violations

Type:	Violation
Rule:	279.52(b)(3)
Question Number:	28.360
Question:	Has the plan been distributed to the:
Explanation:	At the time of the inspection, the facility could not produce documentation showing that the most recent revision of their Contingency Plan had been supplied to local authorities.
Corrective Action:	Please see if these notification to local authority letters can be located. Also, once the appropriate pages in the plan have been updated concerning the Department reorganization and the name change of what was formerly Miami-Dade DERM; please send the updated pages out to local authorities through certified mail and supply the Department copies of the certified mail receipts. Documentation was provided to the Department on April, 18, 2013 demonstrating that the corrective actions needed to resolve this violation have been performed.

Type:	Violation
Rule:	279.54(f)
Explanation:	In the Quarry Maintenance area, several of the oil drain pans and on 55-gallon drum that was also marked "Used Oil Filters" had the words "Waste Oil" attached to them.

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Corrective Action: Please correct the wording on the drain pans to the words "Used Oil", also confirm the contents of the aforementioned 55-gallon drum and properly label it either "Used Oil" or "Used Oil Filters." Please send pictures for documentation of compliance. Documentation was provided to the Department on April 18, 2013, demonstrating that the corrective actions needed to resolve this violation had been performed.

Areas of Concern

Type: Area Of Concern

Rule: 273.11(a)

Question Number: 30.30

Question: Does the facility properly ship all universal waste off-site?

Explanation: The facility's Universal Waste was being removed by Vieola; however, they were not providing the facility with certificates of recycling.

Corrective Action: Please get with Vieola and have them supply the facility with certificates of recycling for the last shipment of Universal Waste that went offsite. Also, remind them that from this point forward, the facility needs to obtain certificates of recycling for all Universal Waste that goes offsite. Documentation was provided to the Department on April, 18, 2013 demonstrating that the corrective actions needed to resolve this violation have been performed.

Type: Area Of Concern

Rule: 279.52(b)(4)

Question Number: 28.350

Question: Is the plan up to date, with no changes to the list of emergency equipment, list of emergency coordinators, applicable regulations or contingency plan failures since the last revision?

Explanation: The facility's Contingency Plan had emergency contact information that was not up-to-date because of the changes in the Department's staff assignments, as well as, a change in the Department's address and the new name for Miami-Dade Co. environmental department.

Corrective Action: After the inspector provides the facility with the Department's reorganization chart, please update the appropriate pages of the Contingency Plan. Documentation was provided to the Department on April, 18, 2013 demonstrating that the corrective actions needed to resolve this issue have been performed.

Type: Area Of Concern

Rule: 62-710.401(6)

Explanation: The facility had a 55-gallon drum for used oil storage underneath the 30,000 gallon tank for the kiln that was not being kept closed. It was noted that the drum was in a bermed area that would have supplied secondary containment had the container been turned over.

Corrective Action: The Department recommends that the facility get a drum with a bung in the lid, which when closed would prevent spills if the container were to be knocked over. Documentation was provided to the Department on April, 18, 2013 demonstrating that the corrective actions needed to resolve this issue have

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been performed.

Conclusion:

The facility was not in compliance at the time of the inspection and was given 21 days to return to compliance.

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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. 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**

6/19/2013

DATE**Supervisor:** Karen Kantor

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.