

## Winston, Kathy

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**From:** Winston, Kathy  
**Sent:** Tuesday, June 2, 2015 8:09 AM  
**To:** 'Nancy Munoz'  
**Subject:** The Department's visit to Ricky's Oil and Environmental Services, Inc. on April 2, 2015  
**Attachments:** finalinspection\_report.pdf

The purpose of this email is to acknowledge return to compliance from the Department's inspection on April 2, 2015 at the above mentioned facility. Attached please find the final report for that inspection. Please feel free to contact me if you have any questions concerning this inspection or any other compliance issue. Thank you for your cooperation in this matter.

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Florida Department of Environmental Protection  
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Office Hrs – Monday to Thursday 6:30 am to 5:00 pm



Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report

**FACILITY INFORMATION:**

**Facility Name:** Ricky's Oil & Environmental Services LLC  
**On-Site Inspection Start Date:** 04/02/2015      **On-Site Inspection End Date:** 04/02/2015  
**ME ID#:** 53784      **EPA ID#:** FLD981019755  
**Facility Street Address:** 7209 Nw 66th St, Miami, Florida 33012  
**Contact Mailing Address:** PO BOX 669295, Miami, Florida 33166-9430  
**County Name:** Miami-Dade      **Contact Phone:** (770) 486-0727

**NOTIFIED AS:**

Non-Handler  
Used Oil

**INSPECTION TYPE:**

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

**INSPECTION PARTICIPANTS:**

Principal Inspector: Kathy R. Winston, Inspector  
Other Participants: Norva Blandin, Environmental Specialist; Terry Swaim, Manager

**LATITUDE / LONGITUDE:** Lat 25° 50' 2.7648" / Long 80° 18' 53.3203"

**SIC CODE:** 4953 - Trans. & utilities - refuse systems

**TYPE OF OWNERSHIP:** Private

**Introduction:**

Ricky's Oil Service, Inc. (ROS) is a permitted facility authorized to process used oil. ROS is also a registered used oil transporter, used oil transfer facility, used oil marketer, used oil filter transporter, and a used oil filter transfer facility. The facility consists of a tank farm inside secondary containment, two office trailers, and a small parking lot and is totally surrounded by a security fence. The facility is situated on a 0.7 acre site in a heavy industrial area, and is served by city water and sewer. The facility has been operating on this site for at least the last 30 years and employs 12 people.

**Compliance History:**

ROS was last inspected on November 5, 2013. Two container management issues and one minor recordkeeping violation were noted and the facility was allowed to return to compliance without enforcement.

Inspection Date: 04/02/2015

**Process Description:**

ROS has 11 tanks on site with a total capacity of 25,000 gallons. All oil is offloaded to tank eight unless it has a water content of less than five percent. If this is the case, the oil would be considered on-spec and is stored in one of ROS's finished product tanks for marketing to their customers. Only tank eight is used for processing and ROS only does passive processing; no heat is used. However, emulsifier is sometimes added to the tank to aid in oil/water separation. The waste water that is generated from this process is shipped to Cliff Berry's Miami facility (EPA ID #FLD058560699.) Also stored within the secondary containment structure are two 20 yard rolloffs, one for used oil filters and the other for oily solids. ROS ships the used oil filters to US Foundry (EPA ID #FLD004128336) in Miami and the oily solids are sent to the Central Landfill in Broward County.

**Facility Tour:**

During the facility tour, no issues were noted.

**Records Review:**

On several of the Bills of Lading brought in by ROS drivers, there was no signatures or dates indicating the load had arrived at the designated facility (ROS.) The person who should have been signing these documents as received was made aware of the situation. The inspector explained that even though their own drivers were bringing in the loads, these signatures were necessary to complete the acceptance protocols per the used oil regulations. All other records appeared to be in order: i.e. Contingency Plan, manifests, delivery logs, general facility inspection logs, training records, the waste analysis plan and the closure plan.

**New Potential Violations and Areas of Concern:****Violations**

Type:	Violation
Rule:	279.46(b)(5)(i)
Explanation:	On several of the Bills of Lading corresponding to loads brought in by ROS's drivers, the receiving facility (ROS) is not signing and/or dating the documents.
Corrective Action:	Please send several Bills of Lading from the month of April demonstrating that the bottom line is signed and dated indicating ROS as the designated facility.  On May 12, 2015, the facility submitted documentation demonstrating that all Bills of Lading being brought in by ROS drivers where being signed and dated as received by ROS.

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**Conclusion:**

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

Inspection Date: 04/02/2015

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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

4/6/2015  
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.

Inspection Date: 04/02/2015

**Used Oil Transporter**

40 CFR279 Subpart E --Transporter Standards		Potential Violation or AOC cited			
29.10	Is the facility exempt under any of the following? <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">On site transport?</td> </tr> <tr> <td style="padding: 2px;">Generator transporting &lt; 55 g /time to a collection center?</td> </tr> <tr> <td style="padding: 2px;">Transporter of &lt; 55 g /time from generator to aggregation point owned by same generator?</td> </tr> </table>	On site transport?	Generator transporting < 55 g /time to a collection center?	Transporter of < 55 g /time from generator to aggregation point owned by same generator?	
On site transport?					
Generator transporting < 55 g /time to a collection center?					
Transporter of < 55 g /time from generator to aggregation point owned by same generator?					
29.20	If the transporter also transports hazardous waste in the same trucks as are used to transport used oil, are the vehicles emptied per 261.7 after HW shipments? (If not, the used oil must be managed as hazardous).				
29.30	Does the transporter process used oil beyond what would be considered incidental to transport?				
29.40	If 'yes' are they in compliance with 279 Subpart F?				
29.50	Has the facility notified of used oil activities? Check EPA form 8700-12.				
29.60	Does the transporter only deliver used oil to other transporters, oil processors, off specification used oil burners with EPA ID numbers?				
29.70	Does the transporter comply with DOT requirements?				
29.80	If any oil is discharged during transport, does the transporter:				
29.90	Notify National Response Center and State Warning Point and Coast Guard per 33 CFR 153.203, as applicable?				
29.100	Report to DOT in writing per 49 CFR 171.16?				
29.110	Clean up any discharges until the discharge poses no threat?				
29.120	Does the facility also transport used oil filters?				
29.130	If so, are the filters stored in above ground containers which are:				
29.140	In good condition?				
29.150	Closed or otherwise protected from weather?				
29.160	Labeled "Used Oil Filters"?				
29.170	Stored on an oil impervious surface?				

Transporter Recordkeeping -279.46		Potential Violation or AOC cited
29.180	Do used oil acceptance records include:	
29.190	Name & Address of facility providing the oil for transport?	
29.200	EPA ID # of oil provider?	
29.210	Quantity of oil shipped?	
29.220	Date of acceptance?	
29.230	Signature of oil provider, dated upon receipt?	
29.240	Do used oil delivery records include:	
29.250	Name & Address of receiving facility or transporter?	
29.260	EPA ID # of receiving facility or transporter?	

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Transporter Recordkeeping -279.46		Potential Violation or AOC cited
29.260		
29.270	Quantity of oil delivered?	
29.280	Date of delivery?	
29.290	Signature of oil receiver, dated upon receipt?	
29.300	Do the above records also include:	
29.310	State required information on the type of oil?	
29.320	Destination or end use?	
29.330	Does the facility keep records on DEP Form 62-710.901(2) or equivalent?	
29.340	Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year?	
29.350	If not, is the facility an electric utility transporting only self generated used oil for recycling, which is exempt from state registration and reporting requirements?	
29.360	Does the transporter keep copies of the record and reports for three years at the street address of the facility?	

Transporter Certification (62-710 F.A.C.)		Potential Violation or AOC cited
29.370	Is the transporter certified? (local governments, and < 55g/time transporters are exempt)	
29.380	Does the facility maintain training records?	
29.390	Does the facility maintain insurance or financial assurance of \$1,000,000 combined single limit?	
29.400	Is the facility registration form and ID number displayed?	

Transfer Facility Standards -279.45		Potential Violation or AOC cited
29.410	Does the transporter store used oil at any transportation related facility (including parking lots) for more than 24 hours and not longer than 35 days during the normal course of transport? Transfer facilities storing used oil more than 35 days must comply with 279 Subpart F.	
29.420	Is the transfer facility registered per 62-710.500(1)(a) F.A.C?	
29.430	Does the transporter determine whether used oil stored at a transfer facility has total halogen content above or below 1,000 ppm?	
29.440	Is this done by testing?	
29.450	Is this done by process knowledge? Describe basis	
29.460	Are test records or copies of records providing basis for determination kept for 3 years?	
29.470	Have any analyses showed Exceedence of the 1,000 ppm level?	
29.480	If so, was the oil managed as hazardous waste?	
29.490	If not, was the oil exempt? Describe	
29.500	Is used oil stored only in tanks or containers, or units subject to 264 and 265?	

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Transfer Facility Standards -279.45		Potential Violation or AOC cited
29.500		
29.510	If the facility has tanks, do they comply with 62-761 and 62.762 rules?	
29.520	Describe, including number and size of tanks, noting registration numbers if applicable, and compliance status.	
29.530	Is secondary containment provided and adequate?	
29.540	Are containers and tank trailers in good condition and not leaking?	
29.550	Are containers provided with secondary containment with minimum requirements?	
29.560	Is the containment system impervious to oil so as to prevent migration?	
29.570	Are ASTs, UST tank fill lines and containers labeled "used oil"?	
29.580	Are used oil filters generated off-site stored more than 10 days?	
29.590	If so, is the facility a registered used oil filter transfer facility?	
29.600	Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable?	