

Thursby, Kim

From: Charles E Walz <charlese.walz@ext.cemex.com>
Sent: Thursday, January 11, 2018 1:59 PM
To: Epost HWRS
Subject: RE: CEMEX Miami Cement Plant; FLD 981 758 485; First Request for Additional Information (RAI)

received

From: Thursby, Kim [mailto:Kim.Thursby@dep.state.fl.us] **On Behalf Of** Epost HWRS
Sent: Thursday, January 11, 2018 10:21 AM
To: Charles E Walz <charlese.walz@ext.cemex.com>
Cc: Baker, Bryan <Bryan.Baker@dep.state.fl.us>; Walker, Kim (Waste) <Kim.Walker@dep.state.fl.us>; Cinquino, Dawn <Dawn.Cinquino@dep.state.fl.us>; Kothur, Bheem <Bheem.Kothur@dep.state.fl.us>; McBride, Ashanti <Ashanti.McBride@dep.state.fl.us>; Eldredge, Susan F. <Susan.F.Eldredge@dep.state.fl.us>; Blandin, Norva <Norva.Blandin@dep.state.fl.us>; Acosta, Kayla <Kayla.Acosta@dep.state.fl.us>; 'mlee@kooglerassociates.com' <mlee@kooglerassociates.com>; 'treed@kooglerassociates.com' <treed@kooglerassociates.com>; Buselli, Bradley <Bradley.Buselli@dep.state.fl.us>
Subject: CEMEX Miami Cement Plant; FLD 981 758 485; First Request for Additional Information (RAI)

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Hazardous Waste Program and Permitting 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. (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.

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.

Bryan Baker, P.G.
Environmental Administrator
Hazardous Waste Program & Permitting



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Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

REQUEST FOR ADDITIONAL INFORMATION

January 11, 2018

Charles E. Walz, Environmental Manager
CEMEX Miami Cement Plant
1200 NW 137th Ave
Miami, Florida 33182
Charlese.Walz@ext.CEMEX.com

RE: First Request for Additional Information (RAI)
Miami-Dade County – Hazardous Waste
Facility Name: CEMEX Miami Cement Plant
EPA ID Number: FLD 981 758 485
Current Permit Number: 56307-005-HO
DEP Application Number: 56307-006-HO

Dear Mr. Walz:

Thank you for your application for renewal of the Used Oil Processing Permit for the above referenced Facility. The Department has assigned DEP Application No. 56307-006-HO to the application. A Department staff review of the application and supporting documentation submitted on December 11, 2017, indicates the application is incomplete. Pursuant to the provisions of Rule 62-730.220 F.A.C. and Rule 62-730.220(6), F.A.C., please provide the information in the attached document and refer to this correspondence in your response. The response to this correspondence must be signed, sealed, and dated by a registered Florida Professional Engineer.

In order for the Department to continue processing your application, please submit the requested information as soon as possible. The Department must receive a response within 30 days of the date of this letter, February 12, 2018, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Rule 62-730.220(6), F.A.C. and Section 120.60, F.S., failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

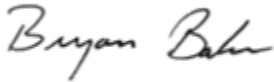
Please submit the response in electronic format to HWPP@dep.state.fl.us, with a copy to Bradley.Buselli@floridadep.gov. If the file is very large, you may post it to a folder on this

Mr. Charles E. Walz
Page 2 of 7
January 11, 2018

office's ftp site at: [ftp://ftp.dep.state.fl.us/pub/incoming/DWM/\[name of folder\]](ftp://ftp.dep.state.fl.us/pub/incoming/DWM/[name of folder]). After posting the document, send an e-mail to HWPP@dep.state.fl.us, with a copy to Bradley.Buselli@floridadep.gov, alerting us that it has been posted.

If you have any questions, please contact Bradley Buselli by telephone at 850-245-8989 or by e-mail at Bradley.Buselli@floridadep.gov

Sincerely,



Bryan Baker, P.G., Administrator
Hazardous Waste Program and Permitting

Attached: List of Requested Information

cc:

Dawn Cinquino, DEP Headquarters, Dawn.Cinquino@floridadep.gov
Bheem Kothur, DEP Headquarters, bheem.kothur@dep.state.fl.us
Ashanti McBride, DEP OGC, ashanti.mcbride@dep.state.fl.us
Susan Eldredge, DEP Headquarters, susan.f.eldredge@floridadep.gov
Norva Blandin, DEP Southeast District, norva.blandin@floridadep.gov
Kayla Acosta, DEP Southeast District, kayla.acosta@floridadep.gov
Maxwell R. Lee, Koogler and Associates, Inc., mlee@kooglerassociates.com
Tammy L. Reed, Koogler and Associates, Inc., treed@kooglerassociates.com

Attachment: List of Requested Information

Facility Name: CEMEX Miami Cement Plant
EPA ID Number: FLD 981 758 485
Current Permit Number: 56307-005-HO
DEP Application Number: 56307-006-HO

Review Comments: Comments for the used oil permit renewal application are included below. Please submit any necessary revisions electronically for our record, unless a physical copy is otherwise noted or requested.

1. Application, DEP Form 62-710.901(6), Part I:

- a. Item #A.2: The revision number should be 0, not 5 as this is the first submittal of this renewal application (e.g., it is the number of revisions, not the number of renewals). Please confirm.
- b. Item #A.9: The email address of the Contact Person is omitted. Please provide the email address.
- c. Item #B.1: The County should be Miami-Dade, not "N/A". Please revise.

2. Application, DEP Form 62-710.901(6), Part II:

- a. Pages 5, 6, & 7 of 8 – Operator, Facility Owner, and Land Owner Certifications:
It is the Department's understanding that CEMEX Construction Materials Florida, LLC is listed as the current operator, facility and land owner. If Luis Lopez is an authorized representative, please attach a letter of authorization; otherwise, resubmit these certification forms with an authorized signature.
- b. Page 8 of 8 – P.E. Certification: The facility i.d. number provided is incorrect. That is the permit number. The facility i.d. number for this facility is FLD 981 758 485. You do not need to resubmit the certified page, but please note for the next renewal application.

3. Attachment 3, Detailed Process Description:

- a. As noted during the recent site inspection, the facility is no longer conducting soil thermal treatment. Please state this in the facility description section of the permit application and attach a copy of the closure report for reference.
- b. Tables 1 & 2 – Tank and Product Inventory:
 - (1) The product / content descriptions for some of the tanks listed in these tables do not match the descriptions listed in the Facility Diagram (Attachment 1, Figure 2). Specifically, the tables state that Tank ID's 5, 6, & 13 are used for "Waste Oil," and the site plan diagram indicates they are used for "Fuel Oil." In addition, the expected removal date for Tank ID's 7-12 is given as 2022 in the tables, whereas the site plan diagram indicates a date of 2020. Please clarify and revise as necessary.
 - (2) The Department believes the terms "waste oil" and "fuel oil" were mistakenly used throughout this attachment and others. The term "waste oil" refers to used oil that has been mixed with a hazardous waste, whereas "fuel oil" is commonly considered an oil that is used as fuel. While it is understood that

used oil is generally a type of fuel utilized in your operations, the terms “waste oil” and “fuel oil” are not interchangeable with the term “used oil.” Please resubmit any affected figures.

4. **Attachment 4, Facility Operation Plan:** The first page of this attachment lists the title as “Attachment 4: Detailed Process Description.” The table of contents lists this attachment as the “Facility Operation Plan.” Please review and revise as needed.

5. **Attachment 5, ICP and SPCC Plan:**

- a. **Contact Lists (pages ii-iii, viii, xi, 12, 75-78, & Attachment E):**

- (1) The contingency plan must list the names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinators in accordance with 40 CFR 279.52(b)(iv).
 - (a) Several pages listed in this comment are missing the address for emergency coordinators identified under the plan. Please provide the home addresses for all emergency coordinators at this facility.
 - (b) The office phone number listed for Luis G. Lopez is different than the number listed for this individual in Part I of the application. Please clarify.
 - (c) The same cell phone number is listed for Vernon Clark, Earl Haines, Tom Sadowski and Anthony Debow. Do these individuals share a single facility cell phone or is this the cell phone number for one of these individuals? Please clarify and/or list the cell phone numbers for these individuals.
 - (d) Local authorities should be notified of revised emergency contacts. Please provide proof of notification to local authorities of the updated ICP.
- (2) Many of the pages listed in this comment also refer to the “Miami Dade County RER (Department of Resources and Environmental Regulation)” or some variation. The current name of this agency is the Department of Environmental Resources Management – Pollution Regulation & Enforcement Division (DERM).
- (3) State Emergency Contacts: The contacts for the state agencies should be reviewed and updated. For example, Bryan Baker at 850-245-8787 is the current Hazardous Waste Administrator (not Tim Bahr). The contact for SE District Hazardous Waste Section: Karen E. Kantor, should be updated since she no longer works for the Department. This should be changed to Norva Blandin, Environmental Manager (561) 681-6728.

- b. **Table of Contents (page xvii):** Sections IV-25 (Inspections, Tests, and Records) and IV-27 (Security) are omitted in the Table of Contents. Please revise the Table of Contents and resubmit this page.
- c. **Management Approval (page xviii):** Please sign, date, and resubmit this page.
- d. **Section II-4.7, Equipment (page 12):**
 - (1) There appear to be inconsistencies between the equipment listed on pages 13-14 and the list on page 38. Please clarify, and revise as necessary.
 - (2) The location, physical description, and brief outline of the capabilities of each listed emergency equipment item at the facility must be included as part of the contingency plan in accordance with 40 CFR 279.52(b)(v). Please revise and

resubmit an updated list of the emergency equipment locations, a schedule or description of how the equipment is maintained, and include a map showing the locations of each item.

- e. Section IV-14.0, Professional Engineer's Review and Certification (page 56): The Certification form has not been signed, sealed, and dated by a registered Florida Professional Engineer. Please resubmit a properly certified page.
 - f. Section IV-17.4, Bulk Storage Container Inventory (pages 62-65): Please refer to comment number 3 (Attachment 3, Detailed Process Description) above, and ensure consistency for any revisions to tank tables within this section.
 - g. Section IV-19.1, Secondary Containment (pages 69-70): It is stated within this section that "a spill from any of the bulk storage tanks would be contained within the secondary containment structures..." Although the adequacy of secondary containment has been certified by the Project Engineer, the Department requests that you provide the total secondary containment capacity and include any calculations or narrative as to how this capacity was determined within this section of the SPCC Plan.
 - h. Section IV-21.4, Emergency Contacts and Reporting (pages 75-81):
 - (1) In addition to the reporting requirements of 40 CFR 112.4(a) stated within this section, the details of any incident requiring the implementation of the contingency plan must be documented and submitted in writing, to the Regional Administrator within 15 days after an incident [40 CFR 279.52(b)(6)(ix)]. The information provided this report must include:
 - (a) Name, address, and telephone number of the owner or operator and the facility;
 - (b) Date, time, and type of incident;
 - (c) Name and quantity of material(s) involved;
 - (d) The extent of injuries, if any;
 - (e) An assessment of actual or potential hazards to human health or the environment, where applicable; and
 - (f) The estimated quantity and disposition of recovered material that resulted from the incident.
 - (2) Please revise this section to reflect the additional reporting requirement.
 - i. Appendix A, Figure 1 – Site Plan: Please refer to comment number 3 (Attachment 3, Detailed Process Description) above, and ensure consistency for any revisions.
 - j. Appendix C, Substantial Harm Criteria Checklist: This form is not signed and dated; please resubmit a signed and dated copy for our records.
 - k. Appendix J, Integrity Testing Plan and Procedures: Please refer to comment number 3 (Attachment 3, Detailed Process Description) above, and ensure consistency for any revisions to tank tables within this section. Additionally, the title incorrectly refers to tanks with capacities "< 5,001 gallons" instead of greater than.
6. **Attachment 8, Facility Closure Plan**: While it's difficult to prepare a comprehensive Site Closure Plan prior to actual closure, the included plan requires more detail than provided. Please provide additional details regarding the closure

plan. The plan should be sufficiently detailed enough so that a third party can implement it. Several elements of the plan state that a third party will be contracted to do the work but the specifics of that work are not provided. Additional details are needed regarding soil assessment and reporting. For example, how many soil samples are anticipated? Where will you likely take those samples? Page 67 of Attachment 5 states that unloading of oil occurs at two locations. Do you anticipate sampling at those two locations? Any others? Will the samples be discreet grab samples? What will you analyze those samples for? Will a closure report be submitted and what will it include? Instructions for sampling during closure of above-ground storage tanks can be found on the Department's website at <http://www.dep.state.fl.us/waste/categories/tanks/pages/rules.htm> (Instructions for Conducting Sampling during Aboveground Storage Tank Closure, April 2016).

Citation Errors: Please note that the following citation errors were observed in the permit application. Please review, revise, and resubmit the appropriate pages electrically:

1. **Attachment 6, Unit Management Plan:** Please update each instance of the underlined citations below as indicated.
 - a. **paragraph b)(i):**
 - (1) Rule 62-762.500: Please reference Rule 62-762.501, F.A.C. Storage Tank System Requirements for Shop Fabricated Storage Tanks
 - (2) Rule 62-762.510: Remove, does not exist
 - (3) Rule 62-762.520: Remove, does not exist
 - (4) Rule 62-762.600: Please reference Rule 62-762.601, F.A.C. Release Detection for Shop Fabricated Storage Tanks
 - (5) Rule 62-762.700: Please reference Rule 62-762.701, F.A.C. Repairs, Operation and Maintenance of Shop Fabricated Storage Tanks
 - (6) Rule 62-761.500: Please reference Rule 62-761.500, F.A.C. Storage Tank System Requirements
 - (7) Rule 62-761.520: Remove, does not exist
 - (8) Rule 62-761.600: Please reference Rule 62-761.600, F.A.C. Release Detection Requirements
 - (9) Rule 62-761.620: Remove, does not exist
 - (10) Rule 62-761.630: Remove, does not exist
 - (11) Rule 62-761.700: Please reference Rule 62-761.700, F.A.C. Repairs, Operation and Maintenance
 - (12) The last sentence of this paragraph should state that all above-ground storage and process systems meet the applicable requirements of Rule 62-762, F.A.C. and all underground storage and process systems meet the applicable requirements of Rule 62-761, F.A.C.
 - b. **paragraph b)(ii), Rule 62-762.800:** Please reference Rule 62-762.801, F.A.C. Out of Service and Closure Requirements for Shop Fabricated Storage Tanks
 - c. **paragraph b)(iii):**
 - (1) Rule 62-761.600: Please reference Rule 62-761.600, F.A.C. Release Detection Requirements

(2) Rule 62-762.600: Please reference Rule 62-761.601, F.A.C. Release Detection for Shop Fabricated Storage Tanks

- d. It is the Department's understanding that the facility does not have any regulated underground storage tanks; please clarify and either revise or remove the above references to Chapter 62-761, F.A.C.

2. Attachment 7, Employee Training Program:

- a. Section 3.0, Applicability (page 2): The citation listed in the title of this section, 40 CFR 279.40, is specific to Used Oil Transporter and Transfer Facilities; according to the DEP Form 8700-12FL dated February 13, 2017, this facility is not registered as such. The correct citation for general applicability is 40 CFR 279.10, whereas, other relevant citations include 40 CFR 279.50 for Used Oil Processors, and 40 CFR 279.60 for Used Oil Burners.
- b. Section 8.0, Management of Used Oil Filters (page 6): Reference to the "provisions of Chapter 770, F.A.C." should be changed to Chapter 62-780, F.A.C. Contaminated Site Cleanup Criteria; all provisions of Chapter 62-770, F.A.C. have been repealed and incorporated into Chapter 62-780, F.A.C.