



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 22 2006

4WD-RCRA

Michael Vardeman
CSR Rinker Incorporated - Cement Mill
1200 NW 137th Avenue
Miami, FL 33182

SUBJ: RCRA Compliance Evaluation Inspection
CSR Rinker, Inc - Cement Mill
EPA ID# FLD 981 758 485

Dear Mr. Vardeman:

On April 4, 2006, the United States Environmental Protection Agency (EPA), accompanied by the Florida Department of Environmental Protection (FDEP), conducted a lead Compliance Evaluation Inspection at the subject CSR Rinker Incorporated facility. EPA conducted the inspection to determine the facility's compliance status with RCRA Regulations.

Enclosed is the EPA RCRA Site Inspection Report that indicates that potential violations of RCRA were discovered during the inspection. A copy of this report has also been forwarded to the FDEP. If you have any questions, please contact Javier García, of my staff, at garcia.javier@epa.gov or (404) 562-8616.

Sincerely yours,

Jeffrey T. Pallas, Chief
South Enforcement and Compliance Section
RCRA Enforcement and Compliance Branch

Enclosure

cc: Tim Bahr, FDEP w/encl.
✕ Stephen Brown, FDEP w/encl.✕

RECEIVED
JUN 1 2006
DEPT OF ENV PROTECTION
WEST PALM BEACH, FL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
COMPLIANCE EVALUATION INSPECTION REPORT

1) **Inspector and Author of Report**

Javier E. García, Environmental Engineer
South Section, Enforcement and Compliance Branch
U.S. Environmental Protection Agency, Region 4 (EPA)
Phone: (404) 562-8616

2) **Facilities Information**

CSR Rinker Incorporated - Cement Mill (Rinker)
1200 NW 137th Avenue
Miami, FL 33182

EPA ID Number - FLD 981 758 485
Phone: (305) 229-2955

3) **Responsible Official**

Mr. Michael Vardeman, General Manager of Environmental Services

4) **Inspection Participants**

Michael Vardeman – Rinker
Jeffrey Passerello – Rinker
Patrick Petrillo - Rinker
Karen Kantor - FDEP
Michelle Matejka - FDEP
Javier García - EPA

5) **Date of Inspection**

April 4, 2006

6) **Applicable Regulations**

Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 270, and 279, and Florida Statute Part IV Resource Recovery and Management, Chapter 403, Part IV, Section 403.701 and 403.091, Florida Statutes, and the regulations promulgated and adopted by reference pursuant to and set forth at the Florida Administrative Code (F.A.C.) Annotated Chapter 62-710 and 62-730.

7) **Purpose of Inspection**

This was a Compliance Evaluation Inspection (CEI) to determine Rinker's compliance with the applicable State and Federal RCRA rules and regulations.

8) **Facilities Description**

Rinker is a permitted used oil processor, and is authorized to process oily wastewater and petroleum contact water. In addition, the facility is permitted to treat petroleum-contaminated soils and to burn used oil ("off-spec" and "on-spec"). With respect to its hazardous waste management activities, Rinker notified as a small quantity hazardous waste generator. The cement plant covers an area of 123 acres. An additional contiguous 3000 acres are designated for limestone quarrying. Rinker employs approximately 113 people at the facility.

The facility produces portland cement in a single dry-process kiln. The combustion process includes a pre-heater, a precalciner and a clinker cooler. The plant is capable of producing approximately 1,200,000 tons per year of clinker. Portland cement, the fundamental ingredient in concrete, is calcium silicate cement made with a combination of calcium, silicon, aluminum, and iron. The main ingredient, limestone, is mined onsite. Treated oil contaminated sand provides the silica, while fly ash from power plants provides for the iron.

The process starts by air-drying the limestone followed by a crusher to reduce the limestone to a less than 4-inch size. Rinker stores the crushed limestone in the incoming materials building. From this building, the limestone goes to a roll mill for further size reduction and then stored in a silo. The facility uses an online continuous monitoring system (gamma metric neutron analyzer) to monitor the raw materials and to establish the proper feed rate proportions. The raw feed materials, at the required proportions, are transferred to a raw feed silo and fed to the kiln in a dry state. Usually, Rinker operates the kiln with powdered coal as the main fuel source. In the kiln, raw materials reach temperatures of 2600°F to 3000°F. At 2700°F, a series of chemical reactions cause the materials to fuse and create cement clinker-grayish-black pellets, often the size of marbles. The clinker is discharged from the lower end of the kiln and transferred to the clinker cooling building.

Once cooled, the clinker is combined with gypsum and ground into a fine gray powder. The clinker is ground so fine that nearly all of it passes through a No. 200 mesh (75 micron) sieve. This fine gray powder is portland cement. Rinker has six finish mills, two pack houses, thirty-two cement silos, a rail and a truck bulk load-out facility, and a liquid fuel tank farm.

The tank farm consists of the following tanks:

Tank ID	Fuel Stored	Capacity, gal
B	Waste Oil	600,000
C	Waste Oil	600,000
D1	Waste Oil	25,000
D2	Waste Oil	25,000
D3	Waste Oil	25,000
D4	Waste Oil	25,000
E1	Oily Water	20,000
E2	Oily Water	20,000
F	Waste Oil	30,000
G	No. 2 Fuel Oil/ Waste Oil	30,000
H	Diesel Fuel	20,000

Besides the cement kiln, Rinker operates a small kiln for thermal treatment of petroleum-contaminated soil and non-hazardous coal tar contaminated soil. The major components of the system are the rotary dryer, a raw material gallery, material handling system (screens, inclined belt feeders, bucket elevator, crusher, and stacker), fuel systems, and a bypass stack. The kiln is 80 feet long and has a 7-foot diameter. Rinker operates this unit with used petroleum oil meeting the provisions of 40 CFR 266, Subpart E, propane, natural gas, and No. 2 fuel oil for the dryer, and on-specification used oil per 40 CFR 279.11, natural gas and propane for the afterburner.

9) Findings

The inspectors arrived to the facility and met Mr. Michael Vardeman. We proceeded to a conference room where the inspectors explained to Mr. Vardeman the purpose of the inspection and presented the credentials. After the introduction, Mr. Vardeman provided a description of the facility's operations. Following the facility's description, we toured the facility and conducted a file review. The following are the observations made during the inspection.

Maintenance Yard-Quarry Operations

In this area, Rinker maintains the equipment and vehicles used in quarry activities. Maintenance is conducted in an open ends awning type structure. (See picture 1). In an area of the building, Rinker had one 200-gallon used oil tank. The tank was properly identified, had secondary containment and appeared to be in good condition. In addition, Rinker had an open top caddy with used oil. This container was not labeled as containing used oil. Adjacent to the used oil tank, Rinker had two 55-gallon containers with used oil filters. The containers were not labeled as containing "used oil." (See picture 2)

When asked about the use of solvents in the area, Mr. Danny Alzamora informed the inspectors that they use a surfactant/phosphate blend cleaner. According to its MSDS,

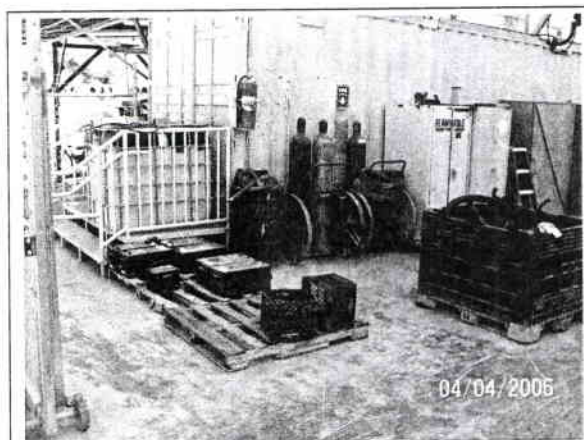
this cleaner has a 13.5 pH prior to use. Mr. Alzamora indicated that they generate around 10 gallons a month of spent cleaner. This waste is mixed with the used oil generated in the maintenance shop. In addition to the alkaline spent cleaner, Rinker generates a small amount of a low VOC non-chlorinated brake parts cleaner. It appears that the spent brake cleaner is also mixed with used oil. Rinker did not have documentation of the hazardous waste determination conducted on these spent cleaners. Also in this building, we observed several spent lead acid batteries accumulated on wooden pallets. The batteries were properly stored. (See picture 3)



Picture 1: Vehicle maintenance building at the quarry area



Picture 2: Unlabeled used oil containers at the quarry area vehicle maintenance building



Picture 3: Spent lead acid batteries at the quarry area vehicle maintenance building

Rinker appears to be in violation of amended Rule 62-710 Florida Administrative Code (F.A.C.), Used Oil Management. Specifically, Rule 62-710.850(5)(a), F.A.C., by failing to label the container used for the accumulation of used oil filters with the words "Used Oil Filters," and Rule F.A.C. 62-710.210 (which adopts by reference 40 C.F.R. § 279.22(c)(1), by failing to label the caddy used to collect used oil with the words "Used Oil."

Rinker appears to be in violation of F.A.C. 62-730.160 (which adopts by reference 40 C.F.R. § 262.40(c)) by failing to keep records of the waste determinations for the spent part cleaners.

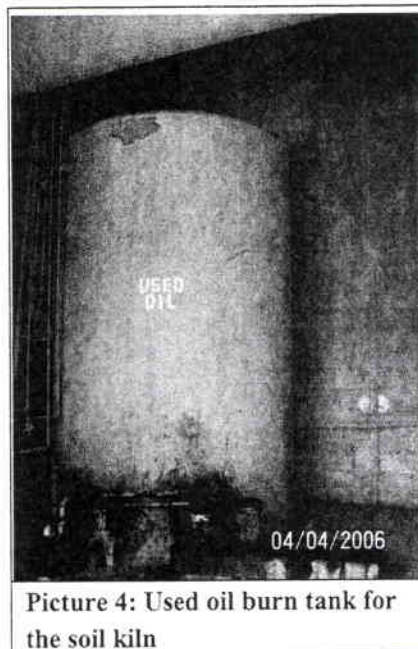
Used Oil Burn Tank

When burning used oil in the cement kiln, Rinker feeds the used oil from a 30,000-gallon-above ground storage tank. This tank is between the kiln building and the clinker storage building. The tank is in a contained area and appeared to be in good condition. However, the tank was not labeled with the words "Used Oil." In addition, Rinker had a 55-gallon container with oil filter sludge scrapings. The container was in good condition. However, it was not labeled with the words "Used Oil."

Rinker appears to be in violation of amended Rule 62-710 Florida Administrative Code (F.A.C.), Used Oil Management. Specifically, Rule F.A.C. 62-710.210 [which adopts by reference 40 C.F.R. § 279.22(c)(1)], by failing to label the cement kiln Burn Tank and the used oil container with the words "Used Oil."

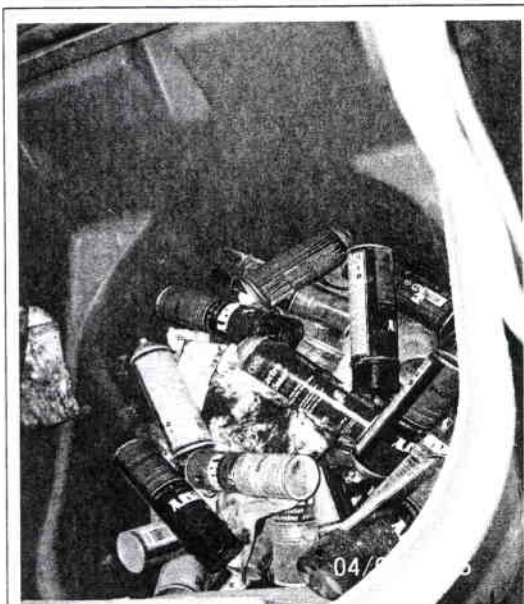
Resources Recovery Building

This building is in the south portion of the facility. Rinker stores the oil-contaminated soils inside the building, on a concrete slab. The concrete slab is 12-inch thick and it is slopped towards a sump. The slab appeared to be in good condition. In addition, the building includes the soil thermal desorber (soil treatment unit) and a 10,000-gallon used oil above ground storage tank. The tank appeared to be in good condition and properly labeled. (See picture 4) No violations were observed in this area.

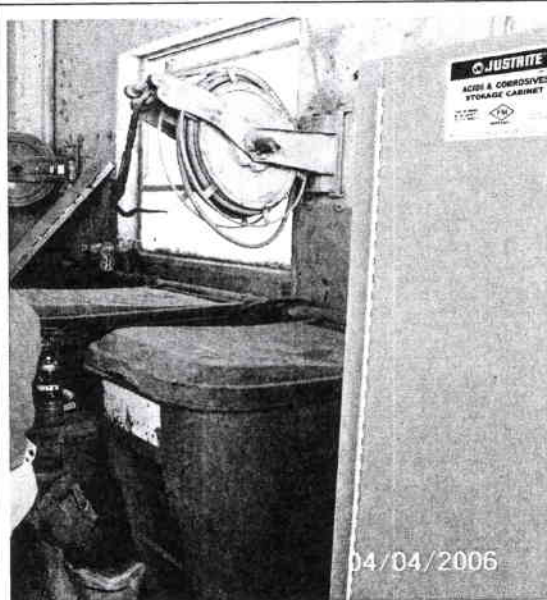


Maintenance Building

In this building, Rinker had two plastic containers for the accumulation of solvent containing aerosol cans. (See pictures 5 and 6) One container was not labeled and the other was labeled "Misty Cans." The containers included both empty and non-empty cans. According to Rinker's representatives, they would remove any residue in the cans prior to disposal of the cans. The liquid removed from the cans is used as a product. The inspectors asked Rinker to develop and implement a management plan for the spray cans and to incorporate the plan in the facility's training program. In addition, Rinker may want to consider labeling the accumulation containers indicating that the cans have to be empty prior to disposal.



Picture 5: Container in the mill maintenance building used for the accumulation of empty and non-empty aerosol cans.



Picture 6: Containers in the mill maintenance building used for the accumulation of empty and non-empty aerosol cans.

Laboratory

The laboratory includes a wet chemistry section for used oil contaminated soils and a dry chemistry section for cement analysis. Only the wet chemistry analyses generate a hazardous waste stream. This waste stream is accumulated in a container that is stored inside a locked cabinet. The container was properly labeled, in good condition and closed. No violations were observed in the laboratory.

Records Review

During the inspection, we reviewed the following documents:
Analysis results for received used oil/oil contaminated soils
Outgoing hazardous waste manifests

Personnel training

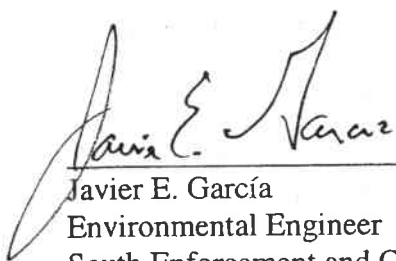
Financial assurance documents for used oil management activities

Rinker shipped one drum of hazardous waste in 2005. The training records and the used oil acceptance records looked adequate. Based upon the record review and inspection, it appears that Rinker generates less than 1000 kg of hazardous waste per month. However, due to the lack of information on the hazardous waste determination for the spent solvents generated at the quarry, EPA cannot determine if Rinker is regulated as a Conditionally Exempt Small Quantity Generator (CESQG) or as a Small Quantity Generator (SQG) of hazardous waste. This would depend on the monthly generation rate of any hazardous waste generated at the quarry maintenance shop.

Summary of Potential Violations:


- 40 C.F.R. § 279.22(c)(1): by failing to label the Burn Tank and the caddy used in the Quarry to collect used oil with the words "Used Oil."
- Rule 62-710.850(5)(a): by failing to label a container in the Quarry area with the words "Used Oil Filters."
- 40 C.F.R. § 262.40(c): by failing to keep records of the waste determinations for the spent part cleaners.

10) Author of Report:


 Javier E. García
 Environmental Engineer
 South Enforcement and Compliance Section

5/2/06
 Date

11) Concurrence and Approval:


 Jeffrey T. Pallas, Chief
 South RCRA Enforcement and Compliance Section
 RCRA Enforcement and Compliance Branch

5/16/06
 Date

Florida Integrated Environmental System Today

Project

EPA ID* FLD981758485 ME ID* 27064 Name RINKER MATERIALS - CEMENT MILL District SED
Project Id 297121 Project Name RINKER MATERIALS CEMENT MILL Open Date* 04/04/2006 Status CLOSED
Reason COMPLIANCE Coordinator KANTOR_KE Priority
Description Quarry and cement manufacture Accessibility

Prog Area(s) HW HAZARDOUS WASTE

Activity Browse

Violations Browse

Activity	Activity Description	Date Done	Date Due	Date Completed	EV
CWOE	COMPLIANCE W/O FORMAL ENFORCEMENT ACTION	05/23/2006			
RCL	RETURN TO COMPLIANCE LETTER	05/23/2006			
PCL	PROJECT CLOSED LETTER	05/23/2006			
SRVC	SUBMITTAL RECEIVED BY DEPARTMENT	04/19/2006			
CE	COMPLIANCE EVALUATION INSPECTION	04/04/2006			Y
IVR	INFORMAL VERBAL ENFORCEMENT	04/04/2006			



Department of Environmental Protection

Jeb Bush
Governor

MAY 23 2006

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

Mr. Michael D. Vardeman, Environmental Manager
Rinker Materials
1200 NW 137 Avenue
Miami, FL 33182

Miami-Dade County
HW - Rinker Materials

RE: Hazardous Waste Compliance Evaluation Inspection of Rinker Materials, 1200 NW 137 Avenue,
Miami, Florida 33182, EPA ID# FLD981758485

Dear Mr. Vardeman:

On April 4, 2006, the Department conducted a hazardous waste compliance evaluation inspection at your facility. The facility is a permitted Used Oil Processor, and appears to be a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste and a used oil generator. Enclosed, please find the checklists used to determine compliance at your facility. The inspection also found possible violations of Chapter 403, Florida Statutes (F.S.), Chapter 62-730 and Chapter 62-710, Florida Administrative Code (F.A.C.) regarding management of hazardous waste and used oil. Florida Statutes provide that facilities must comply with Title 40 Code of Federal Regulations (CFR) Parts 260 to 268 and Part 279, as adopted in Chapters 62-730 and 62-710, F.A.C.

Documents requested at the exit interview were provided to the Department within a reasonable time span. It appears that your facility has returned to compliance. The Department acknowledges that your facility now disposes of all parts washer and aqueous degreaser wastes (Quarry mobile shop included) as hazardous wastes. Be advised that if your facility chooses to re-establish the use of the aqueous parts cleaner in the future, all resultant waste(s) will require a hazardous waste determination to ensure the proper method of disposal. In addition, the Department has received your policy for the management of empty chlorinated Misty solvent cans. The Department recommends that your facility switch to the use of a non-chlorinated aerosol cleaning product to eliminate the potential for halogen contamination of your used oil.

This will conclude the Department's investigation into this matter, however, please be advised that the State will continue to conduct random and unannounced compliance evaluation inspections in the future.

If you have any questions about the inspection or any other compliance related issues, please contact Ms. Karen Kantor at 561/681-6720. Thank you for your cooperation.

Sincerely,

Kathy Winston
Environmental Manager
Hazardous Waste Compliance/Enforcement Section

cc: West Palm Beach DEP Files

Roberto Abrahante, Miami-Dade County DERM (AbrahR@miamidade.gov)

"More Protection. Less Process"

Printed on recycled paper.



Department of Environmental Protection

Jeb Bush
Governor

MAY 23 2006

Southeast District
400 N. Congress Ave. Suite 200
West Palm Beach, Florida 33401

Colleen M. Castille
Secretary

HAZARDOUS WASTE INSPECTION REPORT

1. INSPECTION REPORT ☐ Complaint ☒ Routine ☐ Follow-up ☐ Permitting

FACILITY NAME Rinker Materials DEP/EPA ID# FLD981758485

ADDRESS 1200 NW 137 Avenue, Miami, Florida 33182

COUNTY Miami-Dade PHONE (305) 229-2955 DATE 04/4/06 TIME 10:30 am

Generator

☒ Cond. Exempt S.Q.G

☐ Small

☐ Generator

☐ Non-Handler

☒ Used Oil

TYPE OF FACILITY:

Storage

☐ Container

☐ Tank

☐ Waste Pile

☐ Surface Impoundment

Treatment

☐ Tank

☐ Land Treatment

☐ Thermal

☐ Chem/Phys/Bio.

☐ Incinerator

☐ Surface

Transporter

☐ Transporter

☐ Transfer Station

Disposal

☐ Landfill

☐ Surface Impoundment

☐ Waste Pile

2. Applicable Regulations:

☒ 40 CFR 261.5 ☐ 40 CFR 262 ☐ 40 CFR 263 ☐ 40 CFR 264

☐ 40 CFR 265 ☐ 40 CFR 266 ☐ 40 CFR 268 ☒ 40 CFR 279

3. Responsible Official: (Name & Title)

Michael D. Vardeman, Environmental Manager

4. Survey Participants & Principal Inspector:

Rinker Materials: Michael D. Vardeman, Jeffrey Passarello, Joel Eite

DEP: Karen Kantor, Michelle Matejka

EPA: Javier Garcia, Region IV

5. Facility Latitude: 25° 47' 09.4648" Longitude: 80° 25' 20.5412"

6. Type of Ownership: FEDERAL STATE COUNTY MUNICIPAL PRIVATE

7. Pre-arranged Inspection: ☐ Yes ☒ No

"More Protection. Less Process"

Printed on recycled paper.

USED OIL PROCESSOR CHECKLIST

Facility Name: Rinker Materials Date: 4/4/06
Facility Representative: Michael D. Vardeman Facility ID : FLD981758485
Inspector: Karen Kantor, Michelle Matejka, Javier Garcia (EPA) Registration # 56307 HO 002

40 CFR 279 Subpart F -- Processor Standards

1. Is the facility exempt under any of the following? (279.50(a)) Y N X
Transporter or burner processing incidental to normal course of operations? Y N X
Processors who also generate, transport, market, dispose or burn used oil must comply with the applicable Subparts of Part 279.
2. Does the processor have an EPA ID Number? (279.51(a)) Y X N
3. Is the processor Registered? (62-710.500(1)(b)) Y X N
4. Does the processor have a general permit? 62-710.800(1)) Y X N
5. For new facilities, was the notification of intent to use the general permit submitted 30 days prior to beginning operation? For existing facilities, was "the notification for renewal submitted 30 days prior to expiration of the general permit?(62-710.800(2)) N/A
Y N

Oil Filter Processing Standards-- 62-710.850 F.A.C.

1. Does the facility process used oil filters by removing oil, draining, crushing or element separation? Describe in narrative. Generators who process their own filters are not regulated provided the filters are not disposed of in a landfill but are managed by a registered processor. N/A
Y N
Is the facility a registered used oil filter processor? (62-710.850) Y N
2. Are the filters stored in above ground containers which are: (62-710.850(6))
In good condition? Y N
Closed or otherwise protected from weather? Y N
Labeled "Used Oil Filters"? Y N
Stored on an oil impervious surface? Y N
3. Are records maintained on DEP Form 62-710.900(2) or equivalent that include: (62-710.850(5)(a))
Destination or end use of the processed filters? Y N
Name and street address of each destination or end user? Y N
Are copies kept at the facility's street address for 3 years? (62-710.850(5)(b)) Y N
4. Is an Annual Report submitted by March 1 for the previous calendar year summarizing the above records? (62-710.850(5)(c)) Y N

Oil Management Standards - 279.54

1. Is used oil stored only in tanks or containers? (Circle applicable units) Y X N _____
2. If the facility has tanks, do they comply with 62.761 and 62.762 F. A. C. rules?
(Applicable to USTs over 100 g and ASTs over 550 gallons. Describe in narrative, including number and size of tanks, noting registration numbers if applicable, and compliance status.)

Is secondary containment consisting of a floor and dike which are impervious to oil provided for ASTs? Applies to all ASTs regardless of size per 279.54(d & e) Y X N _____
3. Are containers and tanks in good condition and not leaking? (279.54(b)) Y X N _____
4. Are containers provided with secondary containment consisting of walls and floor at a minimum? (279.54(c)) Y X N _____

Is the containment system impervious to oil so as to prevent migration? Y X N _____
5. Are ASTs, UST tank fill lines and containers labeled "used oil"? (279.54(f)) Y X N _____
6. Does the facility stop operations and clean up releases of used oil, repairing or replacing any leaking units as applicable? (279.54(g)) Y X N _____

General Facility Standards - 279.52

1. Is the facility maintained and operated to prevent a fire, explosion or planned or unplanned release of used oil to the air, soil, or water which could threaten human health or the environment? (279.52(a)(1)) Y X N _____
2. Does the facility have an internal communication or alarm system capable of giving immediate emergency instruction to facility personnel? (279.52(a)) Y X N _____
3. Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance from local fire departments? (279.52(a)(2)(ii)) Y X N _____

Is there immediate access to this equipment by all personnel who are engaged in pouring, mixing, spreading or otherwise handled, either directly or by voice or visual contact with another employee? (279.52(a)(4)) Y X N _____
4. Describe fire control equipment. Is it adequate? (279.52(a)(2)(iii)) Y X N _____
Fire extinguishers
5. Is spill control and decontamination equipment present? (279.52(a)(2)(iii)) Y X N _____
6. If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? (279.52(a)(2)(iii)) **CO₂ deluge at cement kiln** Y X N _____
7. Is the emergency equipment inspected and tested periodically?
Frequency? Monthly, annually Y X N _____

Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? (279.52(a)(5i)) Y X N

9. Has the facility made emergency response arrangements with the following: (279.52(a)(6))

Fire Department: Onsite Fire Dept., Metro-Dade Fire Rescue Y X N

Police: Metro-Dade Police Y X N

Hospital: Kenwood Y X N

Emergency Response Contractor: Cliff Berry Y X N

10. If not, has the facility attempted to do so and is the refusal documented? Y N

Contingency Plans and Emergency Response -- 279.52(b)

1. Does the facility have a contingency plan? Y X N

2. Is it at the facility and easily available? Y X N

3. Does the plan include:

Fire Response Procedure: (compare to 279.52(b)(6)) N/A Y X N

Spill Response Procedures: " N/A Y X N

Explosion Response Procedures: " N/A Y X N

Instructions for handling contaminated materials & residues Y X N

A description of arrangements with local authorities: N/A Y X N

Emergency Coordinators: (Name) Bob Rogers Y X N

Addresses and telephone numbers of Emergency Coordinators: Y X N

Emergency equipment list: Y X N

Specifications and capabilities of emergency equipment: Y X N

Locations of emergency equipment: Y X N

An evacuation plan and routes: Y X N

Evacuation/alarm signals: Y X N

External reporting procedures: Y X N

Internal recordkeeping requirements: Y X N

4. 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? (279.52(b)(4)) Y X N

5. Has the plan been distributed to the local police, fire department, ERT and hospital? Circle omitted authorities. (279.52(b)(3)) Y X N

6. Is the emergency coordinator authorized to commit funds for incident response? Y X N

7. Has the processor noted in the operating record any incidents requiring implementation of the contingency plan? (279.52(b)(6)(ix)) Y N X

9. Were written reports made within 15 days to the DEP? (279.52(b)(6)(ix)) Y N/A N

Facility Name: Rinker Materials
Date: 4/4/06

Rebuttable Presumption and Analysis Plan -- 279.53, 279.55

1. Does the processor have a written analysis plan to determine whether used oil stored at the facility has a total halogen content above or below 1,000 ppm and whether the facility's used oil fuel meets the used oil specification? (279.55)(a)) Y X N
2. Is the 1,000 ppm halogen determination made by testing? Y X N
 If so, does the analysis plan cover: (279.55(a)(2))
 Sampling methods? Y X N
 Frequency of sampling? Y X N
 Analytical Methods? Y X N
 Is the 1,000 ppm halogen determination made by process knowledge? Y N X
 If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(a)(3)) Y N
3. Have any analyses showed exceedances of the 1,000 ppm level? Y N X
 If so, was the oil managed as hazardous waste? Y N
 If not, was the oil exempt? Describe basis for presumption rebuttal in narrative. (ex. analysis, refrigerant oil, etc.) N/A Y N
4. Is the used oil fuel specification determination made by testing? Y N
 If so, does the analysis plan cover: (279.55(b)(2))
 Sampling methods? Y X N
 Whether the oil will be tested before or after processing? Y X N
 Frequency of sampling? Y X N
 Analytical Methods? Y X N
 Is the used oil fuel specification determination made by process knowledge? Y N X
 If so, is the type of information that will be used to determine the halogen content stated in the analysis plan? (279.55(b)(3)) Y N
5. Are all oil processing residues managed as used oil, reclaimed, or used as asphalt manufacture feedstock? (279.59) N/A Y X N
 If not, has the processor conducted a hazardous waste determination? (279.10(e)) N/A Y N
6. Are test records or copies of records providing basis for determinations kept for 3 years? Y X N

Facility Name: Rinker Materials
Date: 4/4/06

Recordkeeping and Reporting -- 279.57, 62-710.510-520 F.A.C.

1. Do used oil acceptance records include: (279.56(a))

Name & address of the generator or off site source of the used oil?	Y	<u>X</u>	N	_____
EPA ID # of oil provider (if applicable)? (CESQGs or recorded in customer records)	Y	<u>X</u>	N	_____
Name & Address of the transporter delivering the oil to the facility?	Y	<u>X</u>	N	_____
EPA ID # of the transporter delivering the oil	Y	<u>X</u>	N	_____
Quantity of oil shipped?	Y	<u>X</u>	N	_____
Type of oil received (62-710.510(1)(c))	Y	<u>X</u>	N	_____
Date of shipment?	Y	<u>X</u>	N	_____

2. Do used oil delivery records include: (279.56(b), also check marketer requirements) **N/A, burned onsite for fuel**

Name & Address of receiving facility? (burner, processor or disposal site)	Y	_____	N	_____
EPA ID # of receiving facility?	Y	_____	N	_____
Name & Address of transporter delivering the oil?	Y	_____	N	_____
EPA ID # of transporter?	Y	_____	N	_____
Quantity of oil delivered?	Y	_____	N	_____
End Use of the oil? (62-710.510(1)(e))	Y	_____	N	_____
Date of delivery?	Y	_____	N	_____

3. Does the facility keep records on DEP Form 62-710.900(2) or equivalent? (62-710.501(1))

Y X N _____

4. Does the facility submit an annual report by March 1 summarizing the on site records for the previous calendar year? (62-710.520)

Y X N _____

If not, is the facility an electric utility processing only self generated used oil for recycling, which is exempt from state registration and reporting requirements? (62-710.530)?

Y _____ N _____

5. Does the transporter keep copies of the record and reports for three years at the street address of the facility? (62-710.510(2))

Y X N _____

Closure -- 62-710.800(3) F.A.C. and 279.54(h)

1. Has the facility submitted a written closure plan? (62-710.800(3)(a))

Y X N _____

2. Does the plan include procedures for removing containers of oil and residues?

Y X N _____

Cleaning and decontaminating tanks and ancillary equipment?

Y X N _____

Removing contaminated soils?

Y X N _____

Eliminating the need for further maintenance?

Y X N _____

If the facility operated tank systems, and not all contaminated soils can be practicably removed, the owner or operator must close the facility as a hazardous waste landfill.

CESQG CHECKLIST

Facility Name: Rinker Materials Date: 4/4/06
 Facility Representative: Michael D. Vardeman Facility ID : FLD981758485
 SIC Codes: 3241 Inspector: Karen Kantor, Michelle Mateika, Javier Garcia (EPA)

40 CFR 261.5

1. Describe the facility's hazardous and potentially hazardous waste streams 40 CFR 262.11:

WASTE DESCRIPTION	EPA Waste Codes	Generation Rate	Disposal Facility and EPA ID	Proper Waste ID?
Waste Mercuric Chloride	D009	3 gal/mo	Clean Harbors FLD980729610	yes
Waste Parts Washer Solvent	D001, D018, D039, D040	23 gal on 4/6/06	Safety Kleen FLD984171694	yes

(describe discrepancies in waste identification in narrative)

Standards for Conditionally Exempt Small Quantity Generators - 40 CFR 261.5

1. Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? Y X N
2. And less than 1kg/mo of acutely toxic (P-listed, 40 CFR 262.33) hazardous wastes? Y X N
3. Has the facility obtained an EPA ID #? (not required for CESQGs) Y X N
4. Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? (40 CFR 261.5) Describe discrepancies in narrative. Y X N
5. Is the facility disposing of hazardous waste by mixing with used oil? Y X N
6. Can the facility document proper disposal of all hazardous wastes? Y N N
7. Are any hazardous wastes treated or disposed of on site? Describe in narrative: Y N X
8. Are there any unpermitted discharges of other wastes to the environment? Y N X

See note below

Note: Facility was using a high-flash parts washer solvent and a dilute alkaline degreaser at the Quarry Mobile Shop, no hazardous waste determinations performed. The facility has chosen to eliminate the use of these products and contracted with Safety Kleen for the disposal of the material/waste onsite, and future product supply and waste disposal. Also, recommendation made to eliminate use of chlorinated aerosol degreaser (Misty product) to eliminate potential for halogen contamination of used oil.

USED OIL GENERATOR CHECKLIST

Facility Name: Rinker Materials Date: 4/4/06
 Facility Representative: Michael D. Vardeman Facility ID : FLD981758485
 SIC Codes: 3241 Inspector: Karen Kantor, Michelle Mateika, Javier Garcia (EPA)

40 CFR 279 Subpart C -- Generator Standards

1. Describe the facility's used oil streams:

WASTE DESCRIPTION	ON/Off Specification	Testing or Process Knowledge	Generation Rate	Disposal Facility and EPA ID
Used oil	On	Process	268 g/mo	Atlantic Industrial
Used oil filters	On	Process	220 P/mo	Atlantic Industrial
Oily waters		Process	123 gal/ mo	Atlantic Industrial

2. Does the generator mix hazardous waste with the used oil?(279.10)

Y X N

3. If so, is the facility a CESQG?

Y X N

4. If not, is the oil mixed with a characteristic hazardous waste?

Y N

(describe waste)

If so, does the facility document that the resultant mixture does not exhibit any characteristic of hazardous waste?

Y N

Or, if the hazardous waste is only D001, that the resultant mixture is not ignitable?

Y N

If the facility is not a CESQG, and oil is mixed with a listed hazardous waste, it must be managed as a hazardous waste.

5. Does the facility generate other materials contaminated with used oil?

Y X N

If so, are the materials burned for energy recovery as used oil?

Y N X

or, Does the facility have records documenting the residuals are not hazardous waste?

Y N

6. Does the generator claim that the used oil meets the specification in 279.11? Y N X

If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 CFR 279 Subpart H

Note: Facility was using a high-flash parts washer solvent and a dilute alkaline degreaser at the Quarry Mobile Shop, no hazardous waste determinations performed. The facility has chosen to eliminate the use of these products and contracted with Safety Kleen for the disposal of the material/waste onsite, and future product supply and waste disposal. Also, recommendation made to eliminate use of chlorinated aerosol degreaser (Misty product) to eliminate potential for halogen contamination of used oil.

NOTICE OF POTENTIAL HAZARDOUS WASTE NON-COMPLIANCE – Page 1 of 2

FACILITY NAME RINKER MATERIALS		TYPE OF INSPECTION: CAV: <input type="checkbox"/> CEI: <input checked="" type="checkbox"/> CI: <input type="checkbox"/> OTHER: <input type="checkbox"/>	
ADDRESS 1200 NW 137 AVE	CITY MIAMI	STATE FL	ZIP CODE 33182
EPA ID NUMBER FL098175X 485	DATE OF INSPECTION 4/4/06	PAGE 1	OF 2
FOLLOW UP CAV INSPECTION WITHIN 120 DAYS: <input type="checkbox"/> YES <input type="checkbox"/> NO			

A hazardous waste/used oil compliance inspection was made this date, under the authority of Section 403.091, Florida Statutes (F.S.), to determine your facility's compliance with Chapter 403, F.S. and Chapters 62-730 and 62-710, Florida Administrative Code (F.A.C.). Provisions of Title 40 Code of Federal Regulations (C.F.R.) Parts 260 through 268 and 279, which are cited on this form, have been adopted by reference as the state hazardous waste and used oil rules in Chapter 62-730 and 62-710, F.A.C. The following 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 which exist at the time of this inspection.**

GENERAL REQUIREMENTS:

- ☐ Failure to ensure delivery of HW to proper HW facility § 261.5
- ☐ Failure to provide hazardous waste determination § 262.11
- ☐ Failure to notify as generator § 262.12
- ☐ Failure to use a manifest or reclamation agreement § 262.20
- ☐ Failure to provide personnel training § 265.16, 262.34
- ☐ Evidence of release(s) of waste § 265.31
- ☐ Facility exceeds 90/180 day time limit § 262.34

CONTAINER MANAGEMENT:

- ☐ Unlabeled containers § 262.34
- ☐ Undated containers § 262.34
- ☐ Leaking or bulging containers § 262.34
- ☐ Open containers § 265.173
- ☐ Inadequate aisle space § 62-730.160

RECORDKEEPING REQUIREMENTS:

- ☐ Manifests § 262.40, § 262.44
- ☐ Training records § 262.34
- ☐ Contingency Plan § 262.34
- ☐ Weekly Inspection records § 62-730.160
- ☐ Information not posted by phone § 262.34
- ☐ Authorities not notified § 262.37

USED OIL VIOLATIONS:

- ☒ Failure to label containers § 279.22
- ☐ Failure to respond to releases § 279.22
- ☐ Failure to document used oil disposal § 279.10

MATERIALS PROVIDED to assist in accomplishing corrective actions

- | | | |
|--|---|---|
| <input type="checkbox"/> DEP Small Quantity Generator Handbook | <input type="checkbox"/> EPA <i>Managing Used Oil</i> | <input type="checkbox"/> Mercury Lamp Recyclers |
| <input type="checkbox"/> EPA <i>Understanding the Hazardous Waste Rules</i> | <input type="checkbox"/> Environmental Yellow Pages | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPA <i>Notification of Regulated Waste Activity</i> | <input type="checkbox"/> List of HW/Used Oil Transporters | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Florida Automotive Recyclers Handbook | <input type="checkbox"/> Antifreeze Recycling Vendors | <input type="checkbox"/> Other _____ |

Florida Fact Sheets

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Antifreeze for Recycling / Waste Antifreeze | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Hazardous Waste Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Summary of Used Oil/Used Oil Filter Regulations | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

HAZARDOUS WASTE INSPECTION EXIT INTERVIEW SUMMARY, NOTICE OF POTENTIAL VIOLATIONS
Page 2 of 2

ITEMS REQUESTED OR RECOMMENDATIONS BY THE "INSPECTOR":

- 1) "USED OIL" AND "USED OIL FILTERS" AND OTHER "OILY WASTE" CONTAINERS REQUIRE PROPER LABELING AS TO CONTENTS (ONE USED OIL FILTER DRUM AT QUARRY MOBILE SHOP; USED OIL CADDY AT QUARRY MOBILE SHOP; DAY TANK AT MILL; DRUM OF FILTER SLUDGE SCRAPINGS AT DAY TANK (MILL); AND USED OIL DRUM IN FORMER MAINTENANCE) → SEND PHOTOS OF CORRECTIONS
- 2) PROVIDE DISPOSAL MANIFESTS FOR THE FOLLOWING FROM THE QUARRY MOBILE SHOP: USED OIL, USED OIL FILTERS, SPENT BATTERIES, RAG SERVICE, PARTS WASHER WASTE; ALKALINE DEGREASER WASTE. ① PROVIDE MSDS FOR PARTS WASHER SOLVENT.
- 3) REPORT MANAGEMENT: DISPOSITION OF FLUORESCENT BULBS.
- 4) PROVIDE WRITTEN MANAGEMENT PLAN / POLICY FOR USE OF MISTY INDUSTRIAL CLEANER (OTHER SOLVENT).


OWNER/OPERATOR COMMENTS:

The owner/operator is hereby requested to submit in writing, within 14 days of this inspection, 1) a description of all corrective actions taken, 2) a schedule for completion of corrective actions to be taken and 3) a description of efforts to prevent recurrence of the above items to the person signing as "**INSPECTOR**", Florida Department of Environmental Protection, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401. The actions taken within 14 days of this notice will be considered in determining whether enforcement, including the assessment of penalties, should be initiated.

IF YOU HAVE QUESTIONS, contact: KAREN KANTOR at (561) 681-6600. ⁶⁷²⁰

"INSPECTOR" (signature): Karen Kantor Date: 4/4/06

The undersigned person hereby acknowledges that he/she received a copy of this notice and has read and understands the same.

SIGNATURE: 	PRINTED NAME: <u>Michael VAROIAN</u>
TITLE: <u>Cement Div Environmental Mgr</u>	DATE: