

Florida Department of Environmental Protection Hazardous Waste Inspection Report

FACILITY INFORMATION:

Facility Name: CEMEX Miami Cement Plant & SCL Quarry

On-Site Inspe	ection Start Date	: 04/25/2019	On-Site Ins	spection	End Date:	04/25/2019
ME ID#: 27	064		EPA ID#:	FLD981	758485	
Facility Stree	t Address:	1200 NW 137th Ave, M	/liami, FL 33	182-1803		
Contact Maili	ng Address:	1200 NW 137th Ave, M	/liami, FL 33	182-1803		
County Name	: Miami-Dade		Contact Pl	none:	(305) 229-2949	
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NOTIFIED AS:

Used Oil

VSQG

INSPECTION TYPE:

Routine Inspection for Used Oil Processor facility Routine Inspection for VSQG (<100 kg/month) facility

INSPECTION PARTICIPANTS:

Principal Inspector: Norva Blandin, Inspector

Other Participants: Romina Lancellotti, ESII; Justin Stark, ESII; Maria Rodriguez, Environmental Assistant

LATITUDE / LONGITUDE: Lat 25° 47' 9.4648" / Long 80° 25' 20.5412"

NAIC 327310 - Cement Manufacturing

TYPE OF OWNERSHIP:Private

Introduction:

On April 29, 2019 a representative of the Florida Department of Environmental Protection (FDEP) conducted an used oil compliance inspection at Cemex Miami Cement Mill & SCL Quarry (Cemex). CEMEX is a permitted used oil processor operating under permit number 56307-006-HO, which was issued on April 25, 2018 and will expire on February 12, 2023. Used oil is the main fuel used for firing the cement kiln; however, the facility is authorized to use tire fluff as an alternative fuel.

The facility already has natural gas lines hooked up at the plant but they haven't been connected to kiln due to initial installation cost. 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 3,000 acres designated for limestone quarrying. The facility has been in operation at this site since 1958, employs approximately 100 people and is connected to both county water and sewer services and septic tanks.

During the inspection, CEMEX was represented by Mrs. Maria Rodriguez, Assistant Site Manager of the facility. The DEP was represented by Norva Blandin, Environmental Manager, and Romina Lancellotti and Justin Stark, Environmental Specialists II.

Notification History

2/21/2019- re-notified as used oil burner, used oil processor, a VSQG and Small Quantity Handler of Universal Waste. For the used oil burner operations, the registration expires on 6/30/2020.

Also, it was noted that the facility is currently registered under the Storage Tanks Program under the facility ID #8521974.

Inspection History 11/8/2017- FDEP Inspection. In Compliance

2/24/2015- FDEP Inspection. Minor out of compliance- One violation was cited and returned to compliance without enforcement (CWOE).

PPE was required by the facility (hard hats, gloves, safety vest, safety glasses, safety boots and ear protection) and also a brief safety training was conducted by Mrs. Rodriguez prior to entry the facility.

Process Description:

Cemex primarily receives on-specification used oil, but occasionally receives some off-specification used oil. The off-spec used oil has a flashpoint less than 100 degrees F due to mixing with diesel fuel at off-site suppliers. Used oil is burned during kiln startups to preheat the kiln to 1900 degrees F and may also be burned as supplemental fuel, such as during coal mill problems.

The inspectors toured the facility with CEMEX representative through the following areas: Aggregates Plant-SCL Quarry Shop, Used Oil Storage Tank Farm and Unloading Station, Mechanic Shop/Maintenance Warehouse,New Oil Drum Storage/Equipment Wash Area, QC Laboratory and Hazardous waste storage area (VSQG amounts).

SCL Quarry Shop

The SCL Quarry provides crushed limestone to Cemex and is covered under Cemex's EPA Identification Number FLD981758485. This Quarry Shop has a canopy covered work area; the used oil storage area has been provided with a metal roof. The inspectors observed that the secondary containment area of the 500-gallon used oil tank was clean and free of debris.

The following containers were observed:

> four (4) 55 gallon metal drums of used oil filters

> one (1) 55 gallon metal drum of oily rags

> two (2) 30 gallon metal buckets of used oil

All containers described above were protected from the elements, properly closed, labeled and stored on containment pallets. No hazardous waste is generated at this shop. Spill kits and fire extinguishers were observed during the inspection.

Used Oil Storage Tank Farm and Unloading Station

This area consists of two (2) 600,000-gallon above ground used oil storage tanks (AST's), a tanker truck unloading station, and six (6) 25,000-gallon above ground oily water storage tanks that are inactive. All tanks were labeled "Used Oil". Used oil is unloaded from trucks and transferred via pumps to the tanks. Used oil pump filter residue is mixed with the contaminated soil for processing. Oily water from the truck unloading containment area is removed by Cliff Berry, Inc. (CBI). Near to this area, the facility has spill kits and fire extinguishers up to date.

The inspectors observed a System One parts washer that was in use during the inspection. However, during the walk it was noted inadequate secondary containment condition. The inspectors observed that the secondary containment of 30,000 gallon tank of used oil is not free of debris or materials, pursuant to 40 CFR 297.54(d)(2) and Rule 62-710.401(6), F.A.C.. It was observed that ¼ of the secondary containment was full of dust or material which compromise the 110% capacity of the secondary containment. The Department inspectors requested a corrective action should be taken and provide a photo of secondary containment properly clean and free of debris.

Small Engine Repair Shop

At this area, lead-acid batteries were being stored in this area on a pallet. The batteries are managed under the Universal Waste regulation and were marked as universal waste batteries. Also, the inspectors observed three (3) boxes of universal wastes- spent mercury lamps- properly closed, labeled and dated (11/30/2018, 2/4/2019 and 3/3/2019). Near to this area, the inspectors observed an area designated to collect and drain used oil. The container was not properly labeled during the inspection. Compliance assistance was provided, and labels. Violation was corrected on site. Additionally, one (1) 55 gallon drum of soil contaminated debris (labeled as non hazardous) were observed labeled and closed.

New Oil Drum Storage and Equipment Wash Area The inspectors observed the following in this area: > one (1) closed, labeled 55-gallon metal drum of used oil filters > one (1) closed 55-gallon metal drum of empty aerosol cans

- > one closed/labeled (1) 55-gallon metal drum of hazardous waste (Aerosol puncture system)
- > three (3) closed and labeled 55 gallon metal drum of used oil filters
- > three closed (3) 55- gallon metal drum of oily rags and two (2) 55 gallon drum of product.

This area also has an equipment wash bay. Oily water from this bay is removed by CBI. A used oil filter crusher is also located in this area. No major changes occurred from the last DEP inspection.

QC Laboratory

At this area, CEMEX conducts quality control sampling for their materials and generates hazardous wastes at this point. Acidified sample waste from the atomic absorption (AA) analyzer is collected in small containers. The AA waste is primarily nitric acid and mercuric chloride. One 2-gallon collection plastic container was observed connected to the AA analyzer via tubing. One, full, 5-gallon container of AA waste acid was also observed in the lab. The containers are transferred from the lab to the hazardous waste storage area and placed in a metal cabinet. A glycerol, ethanol, and barium chloride waste is also generated by the lab and managed as a hazardous waste. The amount generated is about one 55-gallon drum every 12 to 18 months based on the volume of cement production. This waste is also transferred to the hazardous waste storage area and placed in 55-gallon metal drum. A record of the hazardous waste transferred to this area is kept in the metal storage cabinet. All containers observed in the lab were being properly managed.

The inspectors observed fourteen (14) closed- 2 gallon plastic containers of waste glycerol designated as satellite accumulation area (SAA's). All containers were labeled. Only one (1) - 2 gallon container was observed open during the inspection and corrective action was taken.

Hazardous waste storage area

Located near to the New Oil Drum Storage and Equipment Wash Area, the inspectors observed one closed and labeled (1)- 55 gallon metal drum of waste glycerol, ethanol and barium chloride. The hazardous waste drum was protected from the elements and located in an enclosed area.

Closure Report of 30,000 gallon Above Storage Tank (AST's)

During the inspection, Mrs. Rodriguez indicated that CEMEX conducted a closure and removal of a 30,000 gallon above storage tank (AST) of used oil last year. The inspectors requested a copy of the closure report and documentation related to the closure activities. A final report was provided for review via email on May 8, 2019.

After further review, it was found:

> Based on the Tank Closure Assessment Report (TCAR) dated on October 8, 2018, this report was submitted to the Department of Regulatory and Economic Resources - Miami Dade County (DERM) for approval. The report delineated the closure activities for:

a. Removal of a 30,000 gallon AST of used oil

- b. Removal of the underlying slab and enclosing building for the AST
- c. Indication that a Full Site Assessment (SAR) will be submitted to DERM on March 5, 2019.

> Summary of the Report

- On behalf CEMEX, Cliff Berry was hired to conduct the closure and removal activities on May 30, 2018. On June 5, 2018, during the closure activities, it was found release of used oil to the ground and beneath of the concrete slab. CBI notified via email to DERM on behalf of CEMEX on June 5, 2019. Therefore, CBI proceeded to conduct the removal of the slab and impacted soils on July 2018. The source removal of approximately a total of 289.89 tons of contaminated soil and 35,800 gallons of petroleum contaminated water (PCW). No soil or groundwater samples were taken or collected during the removal of the contaminated soil neither PCW. It is unclear if CBI conducted an additional testing after August 20, 2018.

On November 14, 2018, DERM issued a letter to CEMEX indicating that CEMEX failed to comply with the closure requirements for an AST and also, for the source removal under 62-780, F.A.C. Therefore, a SAR is required to confirm if the removal activities were conducted according to the aforementioned state rule.

In accordance to the 40 CFR 279.54(h), the Permittee shall remove:

(1) All tanks, piping, secondary containment and ancillary equipment will be emptied, cleaned and decontaminated, and all materials removed and managed;

(2) Aboveground storage tanks and process tanks and all integral piping will be closed pursuant to Rule 62-

762.801, F.A.C. Closure of ASTs shall include:

(a) Testing of residue in the tanks. If the residue is hazardous, follow the steps outlined in the Closure Plan. In accordance with 40 CFR 279.54(h), the Permittee must remove or decontaminate used oil residues in

- tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste.
 - (b) Remove and properly dispose any non-hazardous residue.
 - (c) Triple rinse the tanks, piping and ancillary equipment.
 - (d) Remove the tanks and piping to a scrap steel dealer or document the re-use of the tanks and piping.

Based on that the facility only removed one (1) 30,000 gallon tank of used oil (out of service) according to 62-762.801 F.A.C and properly notified DERM and FDEP (Storage Tanks Program), no violation will be cited related to the closure of this 30,000 gallon tank of used oil under the Hazardous Waste Program. This case is ongoing under Storage Tanks Program and pending for determination.

Emergency and Safety Equipment

All emergency and safety equipment observed during the inspection, such as eye wash stations, fire extinguishers, etc., appeared satisfactory.

Record Review:

> Disposal Records: pick-up and acceptance records were provided at the time of inspection. At least of three years were available for review. This facility only accepts used oil (on-spec or off spec) from Cliff Berry (CBI) EPA ID FLR00003071. During the inspection, all records related to the acceptance of used oil (if any) or on-spec oil were available from review. CEMEX only have contract with CBI as a transporter/marketer. After further review, CEMEX did not received any used oil during the last three years. No delivery or transportation of used oil is conducted by CEMEX. Also, the facility acted as a used oil burner not processing any used oil in this location.

A. For Hazardous waste - CEMEX use the services of CBI as transporter and as designated facility uses PSC/Allworth (EPA ID #ALD094476793); last disposal 1/14/19. Based on manifest review, the facility operates as a VSQG.

B. For Universal waste - CEMEX use the services of Veolia.

> SPCC/Contingency Plan/Notification to Local Authorities -the facility has a hard copy of their current Contingency Plan available during the inspection. It was noted that information of their emergency coordinator job description information was not updated; as a result, the emergency response arrangements and distribution of the plan to local authorities must be redistributed. the other elements required by rule were included in the Contingency Plan, including Closure Plan, Waste Analysis Plan (WAP), Emergency Response Procedures, SPCC, among others. Last update 2/6/2018.

> Employee Training - All employees receive initial and annual hazardous waste and used oil training, including training concerning the facility's proper hazardous waste and used oil handling, storage, and spill cleanup procedures. The facility maintained and have records for Used Oil Transporter certification for their employees and also for the hazardous waste training (RCRA 101). Last training was conducted on 9/27/2018.

> All DEP permits, forms, liability insurances policies and inspection reports displayed on-site appeared to be complete and in-order. In addition, the facility prominently displayed all permits and licenses issued by Miami Dade County for its used oil handling activities in accessible locations on-site. The inspector observed that these county permits/licenses appeared to be complete and in-order.

> The facility's Used Oil and Used Oil Filter Annual Reports from the last three years were also available to the inspector for review. The most recent Annual Report appeared to be complete and in-order. Last report was dated. Also, Closure Estimates, Financial Assurance and Closure Plan from the last three years were available. Last approval 2/22/2019.

 > Waste Analysis Plan and Waste Profiles - documentation related to the on-spec oil received provided by CBI appeared in order and in compliance with the 40 CFR 279.55 and 40 CFR 279.72
 > Daily Monthly Inspection Logs -the facility conduct monthly visual inspections for the tanks and drums located inside the facility. Last inspection date was 4/22/2019.

New Potential Violations and Areas of Concern:

Violations

Туре:	Violation
Rule:	262.15(a)(4)
Question Number:	3.53
Question:	Does the generator keep satellite containers closed during storage, except when adding or removing waste? 2262.15(a)(4)
Explanation:	In the QA/QC Laboratory, the inspectors observed a Satellite Accumulation Area (SAA) plastic container of 2- gallon hazardous waste was observed open during the inspection.
Corrective Action:	The lab manager closed the container during the inspection. ***** Violation corrected on site *****
Туре:	Violation
Rule:	279.22(c)(1), 62-710.401(6)
Question Number:	5.4
Question:	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)
Explanation:	The inspectors observed one- oil drain pan for used oil filters – that collects used oil of approximately 25 gallon that was unlabeled.
Corrective Action:	The inspectors provided a label and it was corrected at the time of inspection.
	**** Violation corrected on site ****
Туре:	Violation
Rule:	279.54(d)(2), 62-710.401(6)
Explanation:	Inadequate secondary containment condition - The inspectors observed that the secondary containment of 30,000 gallon tank of used oil is not free of debris or materials. It was observed that ¼ of the secondary containment was full of dust or material which compromise the 110% capacity of the secondary containment.
Corrective Action:	Please provide a photo of secondary containment properly clean and free of debris.
	*** Violation corrected via submittal of photo of the clean up conducted on May 8, 2019

PHOTO ATTACHMENTS:

30,000 gallon tank - secondary containment need cleanup



Used oil filter and material drums - labeled secondary containment



Eye wash and Extinguisher



Registrations posted in the facility



Hazardous Waste gated area



Cemex plant - outside photo



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Used oil and coolant tanks secondary containment



Tank No. 4 Removal Site Area



Conclusion:

Based on the inspector observations, the facility appeared to be out of compliance with RCRA and Used Oil Processing facility standards. An exit interview was provided to the facility on May 2, 2019. The Department requested the completeness of the corrective actions shall be taken within 15 days.

On May 8, 2019, Mr. Maurice Hogg, Environmental Manager provided the following documentation via email: - Evidence of the corrective actions taken related to the violation of the inadequate secondary containment condition

- Copy of the 30,000 gallon tank closure report and communications between DERM and CEMEX
- Employee Training Logs, Inspection Logs and Waste Manifests

On June 3, 2019, based on the DERM letter dated on March 15, 2019, the Department requested additional information regarding the SAR, the source removal activities in March of 2018, and the closure of the 30,000 gallon used oil tank.

On June 4, 2019, the Department had a teleconference with Mr. Maurice Hogg and Ms. Maria Rodriguez, and CEMEX provided more clarification regarding the timeline and details of the closure. Mr. Hogg provided via email additional documentation including, a copy of the SAR, copy of DERM notification form and DERM determination related to the SAR submitted on February 2019.

On June 5, 2019, after further review of the Used Oil Processing Permit, attachment B, it was discovered that the tank removed was identified as Tank No. 4 which indicates that the tank held diesel product not used oil. On the same day, the inspector contacted Mr. Hogg to confirm if indeed the Tank 4 held diesel or used oil. In a response to our question, Mr. Hogg clarified that the Tank ID No. 4 (Legend ID no. 9 in the Permit) held used oil, not diesel fuel. Although that the tank held used oil, the facility complied with the requirements delineated in the permit conditions related to the closure of an AST. Therefore, when the time comes to conduct the renewal of the used oil permit [60 days before expiration (February 12, 2023], the Permittee shall

Used oil rags and Spill Kit labeled



include information related to the removal of the Tank No. 4 and then, update Attachment B of the permit to avoid any confusion or misunderstanding.

The Storage Tank Program delegated to DERM in Miami Dade County is taking the lead in this case at the moment which is currently open. For the purpose of this inspection, the non compliance items cited in this report were corrected. The facility returned to compliance on May 8, 2019.

04/25/2019

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2.0 - VSQG Checklist

Inspection Date:

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Note: Checklist items with shaded boxes are for informational purposes only.

ltem No.	Standards for Very Small Quantity Generators	Yes	No	N/A
2.1	Generator Size Determination (If the answer is No for any one question then facility is not a VSQG)			
2.2	Does the facility generate less than 100 kg/mo (220 lb/mo) of all hazardous wastes? 262.14(a)(1)	~		
2.3	Does the facility generate less than 1kg/mo of acutely toxic (P-listed, 40 CFR 261.33(e)) hazardous wastes? 262.14(a)(1)	~		
2.4	Does the facility accumulate onsite no greater than 1,000 Kilograms (2,200 pounds) of hazardous waste at any one time? 262.14(a)(4)	~		
2.5	Does the facility accumulate onsite less than a total of 1 kg of acute hazardous waste listed in 261.31 or 261.33(e)? 262.14(a)(3)	~		
ltem No.	Hazardous Waste Determination	Yes	No	N/A
2.6	 Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11 Is it excluded under 261.4? Is it listed in subpart D of 261 or appendix IX of 261? Has the waste been analyzed? Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied? 	>		
ltem No.	Record Keeping	Yes	No	N/A
2.7	Has the facility documented delivery of its hazardous waste to a facility permitted or authorized to accept the waste? (Check any that are not OK) 262.14(a)(5) Name and address of the generator and TSD/authorized facility. Type and amount of hazardous waste delivered. Date of shipment	~		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(2)	~		

3.0 - Small Quantity Generator Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Note: Checklist items with shaded boxes are for informational purposes only.

Item No.	40 CFR 262 Subpart A General Standards	Yes	No	N/A
3.1	Has the facility properly identified all hazardous waste streams? 262.11	~		
3.2	Has the facility obtained an EPA ID number? 262.18(a)	~		
3.3	Is the facility disposing of all its hazardous wastes to facilities permitted to accept the waste? 262.18(c)	~		
3.4	Are any hazardous wastes treated or disposed of on site?			
3.5	If YES, did the facility meet an exclusion or exemption from hazardous waste permit requirements? 268.7(a)(5), 62-730.240(1)	>		
ltem No.	Land Disposal Restrictions	Yes	No	N/A
3.6	Does the facility ensure restricted waste streams are not diluted as a substitute for treatment? 268.3(a)	>		
3.7	Is the generator managing and treating prohibited waste or contaminated soil in tanks, containers, or containment buildings to meet applicable LDR treatment standards found at 268.40? 268.7(a)(5)	~		
3.8	Has the generator developed a waste analysis plan (WAP) describing procedures they will carry out to comply with the treatment standards? 268.7(a)(5)	<		
3.9	If the generator has a WAP, is it based on a detailed chemical and physical analysis of the prohibited waste(s) being treated? 268.7(a)(5)(i)	<		
3.10	If the generator has a WAP, does it include all the information necessary to treat the waste(s), including selected testing frequency? 268.7(a)(5)(i)	~		
3.11	Is the waste analysis plan in the facility's on-site files and available to inspectors? 268.7(a)(5)(ii)	~		
3.12	Did the generator comply with the notification requirements of 268.7(a)(3) for treated wastes shipped off-site? 268.7(a)(5)(iii)	~		
3.13	Has the generator determined all applicable hazardous waste codes associated with hazardous waste generated? 268.9(a)	~		
3.14	If the waste is characteristic hazardous waste (and not D001 nonwastewater treated by CMBST, RORGS, or POLYM of 268.42 Table 1) did the generator identify reasonably expected underlying hazardous constituents? 268.9(a)	>		
3.15	If the hazardous waste is land disposed, did it meet the treatment standard requirements of 268.40? 268.40(a)	>		
3.16	If the waste or contaminated soil does not meet the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(2)	>		
3.17	If the generator choses not to determine if the waste meets the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(2)	>		
3.18	If the waste or contaminated soil met the treatment standards did the generator send a one-time written notice to the TSD containing all required information? 268.7(a)(3)	>		
3.19	Did the generator retain on-site a copy of all notices, certifications, waste analysis data, and other documentation produced for at least 3 years from the date the waste was last shipped? 268.7(a)(8)	>		
3.20	Is the generator managing lab packs using the alternative treatment standard for lab packs in 268.42(c)? 268.7(a)(9)			
3.21	Did the generator meet the requirements identified in 268.7(a)(9) for use of the alternative treatment standards for lab packs? 268.7(a)(9)	~		
3.22	Is the generator a small quantity generator (SQG) using a tolling agreement pursuant to 40 CFR 262.20(e)?			
3.23	Did the SQG comply with the applicable notification and certification requirements of 268.7(a) for the initial shipment of waste subject to the agreement? 268.7(a)(10)	~		
3.24	Has the SQG retained on-site a copy of the notification and certification, along with the tolling agreement, for at least 3 years after termination or expiration of the agreement? 268.7(a)(10)	~		

Item No.	The Manifest	Yes	No	N/A
3.25	Did the facility use a properly completed manifest for all its hazardous waste shipments? (Check			
	Item 1. Generator's U.S. EPA Identification Number			
	Item 2. Page 1 of "X" (total number of pages used to complete the manifest)			
	Item 3. Emergency Response Phone Number (must meet requirements below)			
	Item 4. Manifest Tracking Number			
	Item 5. Generator's Mailing Address, Phone Number and Site Address			
	Item 6. Transporter 1 Company Name & U.S. EPA ID Number			
	Item 7. Transporter 2 Company Name & U.S. EPA ID Number			
	Item 8. Designated Facility Name, Site Address, Phone Number, and U.S. EPA ID Number			
	 Item 9. U.S. DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number and Packing Group. Item 10. Containers (Number and Type) 			
	 Item 11. Total Quantity (Round to nearest whole unit; container capacities are not acceptable as estimates) Item 12. Units of Measure (Weight/Volume) 	•		
	Item 13. Waste Codes. Enter up to 6 of the most representative waste codes.			
	Item 14. Special Handling Instructions and Additional Information			
	Item 15. Generator's / Offeror's Certifications			
	Item 16. International Shipments (Import or Export must be noted)			
	Item 17. Transporter's Acknowledgment of Receipt (printed name, signature, date			
	of receipt)			
	waste received by facility)			
	Item 19. Hazardous Waste Report Management Codes			
	Item 20. Designated Facility Owner or Operator Certification of Receipt (printed name, signature, date of receipt)			
3.26	Did the facility designate on the manifest one facility which is permitted to handle the waste described on the manifest? 262.20(b)	<		
3.27	Did the generator sign the manifest certification by hand? 262.23(a)(1)	~		
3.28	Did the generator obtain the handwritten signature of the initial transporter and date of acceptance on the manifest? 262.23(a)(2)	<		
3.29	Did the generator retain one copy of the manifest for 3 years or until a copy of the signed manifest was received from the Designated Facility (TSD)? 262.23(a)(3)	~		
3.30	For any bulk shipments within the U.S. solely by water did the generator provide 3 copies of the signed and dated manifest to the Designated Facility? 262.23(c)	~		
3.31	For rail shipments originating at the site of generation did the generator provide at least 3 signed and dated manifests to one of the entities below: (Check items below that are not in compliance) 262.23(d)			
	The next non-rail transporter?	~		
	The Designated Facility if transported solely by rail?			
	The last rail transporter to handle the waste in the U.S. if exported by rail?			
3.32	If the generator did not receive a signed return copy of the manifest from the designated facility within 60 days of shipment, did the generator file an exception report? 262.42(b)	~		
3.33	Did the generator maintain manifests for 3 years? 262.40(a)	~		
3.34	Did the facility have any rejected shipments of hazardous waste or container residues returned by the Designated Facility?			
3.35	If YES, did the generator meet the requirements of 40 CFR 262.23(f)? 262.23(f)	~		
Item No.	Pre Transport Requirements	Yes	No	N/A
3.36	Before transporting or offering hazardous waste for transport off-site, did the generator package the waste in accordance with 49 CFR parts 173, 178, and 179? 262.30	~		
3.37	Before transporting or offering hazardous waste for transport off-site, did the generator label each package in accordance with 49 CFR part 172? 262.31	~		
3.38	Before transporting or offering hazardous waste for transport off-site, did the generator mark each package in accordance with 49 CFR part 172? 262.32(a)	~		
3.39	Before transporting or offering hazardous waste for transport off-site, did the generator mark each container of 119 gallons or less with the following? (Check items below that are NOT in compliance)	~		

Item No.	Pre Transport Requirements	Yes	No	N/A
	262.32(b) Generator's Name and Address? Generator's EPA ID Number? Manifest Tracking Number?	~		
3.40	Before transporting or offering hazardous waste for transport off-site, did the generator offer the initial Transporter the appropriate DOT Placards? 262.33	~		
ltem No.	Accumulation Requirements	Yes	No	N/A
3.41	Does the facility accumulate hazardous waste on-site prior to treatment or disposal? 262.16	<		
3.42	Check the applicable accumulation unit if the facility accumulates hazardous waste on-site prior to treatment or disposal Containers - Complete Container Checklist below Tanks - Complete Tanks Checklist below			
3.43	Does the facility comply with the 180-day accumulation time limit? 2262.16(b)	<		
3.44	If NO, has the facility been issued an extension by the Department? 2262.16(d)	<		
3.45	Does the facility comply with the 6000 kg maximum accumulation of hazardous waste? 262.16(b)(1)	<		
3.46	Has the generator ensured the accumulation start date is visible for inspection on each hazardous waste container? 262.16(b)(6)(i)(C)	<		
3.47	Has the generator ensured each hazardous waste container and tank is labeled or marked clearly with the words "Hazardous Waste" 262 16(b)(6)(i)(A)	~		
3.48	Are Satellite Accumulation points used? (If No, mark all items below as N/A.)			
3.49	Are satellite containers at, or near, the point of generation where wastes initially accumulate? 262.15(a)	~		
3.50	Are satellite containers under the control of the operator of the process generating the waste? 262.15(a)	<		
3.51	Are satellite containers in good condition? (Check for leaks, corrosion, dents, bulges, etc.) 2262 15(a)(1)	~		
3.52	Are satellite containers in use made of, or lined with, materials that are compatible with the hazardous waste to be stored? 2262 15(a)(1)	~		
3.53	Does the generator keep satellite containers closed during storage, except when adding or removing waste? 2262 15(a)(4)		<	
3.54	Has the generator marked satellite containers with the words "Hazardous Waste"? 262.15(a)(5)	<		
3.55	Is greater than 55 gallons of hazardous waste or 1 quart of acutely hazardous waste accumulated in the Satellite point?			
3.56	If YES, after 3 days did the generator mark an accumulation start date on the excess waste container? 262 16(b)(6)(i)(C)	<		
3.57	If YES, after 3 days did the generator label the excess waste container with the words "Hazardous Waste"? 262.16(b)(6)(i)(A)	~		
Item No.	Emergency Information/Personnel Training	Yes	No	N/A
3.58	Has the facility identified at least one employee to act as the Emergency Coordinator?	~		
3.59	Has the facility posted required emergency information next to a telephones or in areas directly involved in the generation and accumulation of hazardous waste? (Check items below that are NOT in compliance) 262.16(b)(9)(ii) Name and telephone number of the Emergency Coordinator	>		
	 Location of fire extinguishers and spill control material, and, if present, fire alarm Telephone number of the fire department, unless the facility has a direct alarm 			
2.60	(911 is acceptable)	54		
3.00	relevant to their responsibilities during normal facility operations and emergencies? 262.16(b)(9)(iii)	~		
3.61	Has the facility had to respond to any emergencies in the past 3 years?			
3.62	If YES, did the facility respond in a manner described below, or other appropriate manner? (Check items below that are NOT in compliance) 262.16(b)(9)(iv) FIRE - Call fire department or attempt to extinguish with a fire extinguisher SPILL - Contain the waste and clean up any hazardous waste and contaminated materials and soil FIRE, EXPLOSION, or RELEASE that posed threat - Notify the State Watch Office and National Response Center and report	>		

Item No.	Use and Management of Containers	Yes	No	N/A
3.63	Does the generator use hazardous waste containers that are in good condition? (Check for leaks, corrosion, dents, bulges, etc.) 262.16(b)(2)(i)	<		
3.64	Does the generator use hazardous waste containers that are made of, or lined with, materials compatible with the hazardous waste to be stored? 262.16(b)(2)(ii)	>		
3.65	Has the generator keep hazardous waste containers closed during storage, except when adding or removing waste? 262 16(b)(2)(iii)(A)	~		
3.66	Does the generator ensure hazardous waste containers are not opened, handled, or stored in a manner that may runture the container or cause it to leak? 262 16(b)(2)(iii)(B)	~		
3.67	Does the generator conduct weekly inspections of areas where hazardous waste containers are	~		
3.68	Does the generator properly document the weekly inspections? This should include at a minimum: (Check items below that are NOT in compliance) 62-730 160(3)			
	Date and Time of inspection			
	Legibly printed name of inspector			
	Number of hazardous waste containers	~		
	Condition of containers			
	Notation of observations made			
	Date and nature of any repairs or remedial actions			
3.69	If the facility places incompatible wastes, or incompatible waste and materials in the same container, is it done in compliance with 40 CFR 262.16(b)(2)(v)(A)? 262.16(b)(2)(v)(A)	>		
3.70	If the facility places hazardous waste in an unwashed container that previously held incomplatible wastes or materials, is it done in compliance with 40 CFR $262.16(b)(2)(v)(B)$? $262.16(b)(2)(v)(B)$	~		
3.71	Are containers holding a hazardous waste that are stored near incompatible waste or other materials protected from that waste or material (kept apart)? 262.16(b)(2)(v)(C)	<		
ltem No.	Tanks Requirements for SQGs	Yes	No	N/A
3.72	Does the facility treat or store hazardous waste in tanks?			
3.73	If YES, does the facility comply with the requirements of 40 CFR 265.17(b)? 262.16(b)(3)(ii)(A)			~
3.74	Has the facility ensured no hazardous waste or treatment reagent is placed in a tank that could cause the tank or inner liner to runture, leak, corrode, or otherwise fail? 262 16(b)(3)(ii)(B)			~
3.75	Are uncovered tanks operated to ensure at least 60 centimeters (2 feet) of freeboard, unless the tank is equipped with containment that meets or exceeds the volume of the top 2 feet of the tank? $262 \cdot 16(b)(3)(ii)(C)$			~
3.76	If hazardous waste is continuously fed into a tank, is the tank equipped with a means to stop this inflow (waste feed cut off or by pass system)? 262 16(b)(3)(ii)(D)			~
3.77	Does the facility inspect, where present, the following at least once each operating day:			
3.78	Discharge Control Equipment (waste feed cut-off, by-pass, and drainage systems)? 262.16(b)(3)(iji)(A)			~
3.79	Data gathered from monitoring equipment (e.g., pressure and temperature gauges)?			~
3.80	The level of waste in the tank? 262.16(b)(3)(iii)(C)			~
3.81	Does the facility inspect the following at least weekly:			
3.82	The construction materials of the tank to detect corrosion or leaking of fixtures or seams? 262.16(b)(3)(iii)(D)			~
3.83	The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) to detect erosion or obvious signs or leakage? 262 16(b)(3)(iii)(E)			~
3.84	Does the facility accumulate waste in tanks or tank systems that have full secondary containment and either leak detection equipment to alert facility personnel to leaks or established workplace			
3.85	practices to ensure leaks are promptly identified? If YES, does the facility inspect Discharge Control Equipment, Data, and Level of waste in tanks at			
3.86	least weekly? 262.16(b)(3)(iv) Is the use of the alternate inspection schedule (weekly versus daily) documented in the facility's			×
3.87	operating record? 262.16(b)(3)(iv)			~
5.07	262.16(b)(3)(iv)			~
3.88	upon closure of the facility, was all hazardous waste removed from tanks, discharge control equipment, and confinement structures? 262.16(b)(3)(vi)			~
3.89	Does the facility manage ignitable or reactive waste in tanks?			
3.90	If YES, does the facility meet one of the following 3 conditions? (Check the condition that applies below) 262.16(b)(3)(vii)(A) If ignitable or reactive waste is placed in a tank is the waste treated, rendered, or mixed before or immediately after placement in the tank so that (A) the resulting mixture no longer meets the definition of ignitable or reactive waste and (B) the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to			>

ltem No.	Tanks Requirements for SQGs	Yes	No	N/A
	integrity of the device, etc are met?			
	 If ignitable or reactive waste is placed in a tank is the waste treated or stored in such a way that it is protected from any material or conditions that may cause the waste to ignite or react? If ignitable or reactive waste is placed in a tank is the tank used solely for emergencies? 			>
3.91	If the facility treats or stores ignitable or reactive waste in a covered tank does the facility comply with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code"? 262.16(b)(3)(vii)(B)			~
3.92	If incompatible wastes or incompatible waste and materials are placed in the same tank does the facility comply with the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to integrity of the device, etc are met? 262.16(b)(3)(vii)(C)(1)			~
3.93	If hazardous waste is placed in an unwashed tank which previously held an incompatible waste or material does the facility comply with the requirements of 265.17(b) - no risk of fire, explosion, fumes, gases, damage to integrity of the device, etc are met? 262.16(b)(3)(vii)(C)(2)			<
Item No.	Preparedness and Prevention	Yes	No	N/A
3.94	Is there no evidence of a fire, explosion or release of hazardous waste or hazardous waste constituents to the environment? 262.16(b)(8)(i)	٢		
3.95	Does the facility have an internal communication or alarm system? 262.16(b)(8)(ii)(A)	<		
3.96	Is there a telephone, alarm, 2-way radio or other device at the scene of operations immediately available and capable of summoning assistance? 262.16(b)(8)(ii)(B)	<		
3.97	Is the fire control equipment adequate? 262.16(b)(8)(ii)(C)	<		
3.98	Is spill control and decontamination equipment present? 262.16(b)(8)(ii)(C)	<		
3.99	If sprinklers, water hoses or foam producing equipment is part of the facility fire control equipment, is water available at adequate volume and pressure? 262.16(b)(8)(ii)(D)	<		
3.100	Is the emergency equipment inspected and tested periodically? 262.16(b)(8)(iii)	~		
3.101	Is there adequate aisle space to allow unobstructed movement of facility personnel and emergency equipment to any area of the facility where needed? 262.16(b)(8)(v)	<		
3.102	Has the facility made emergency response arrangements with the following: 262.16(b)(8)(vi)(A)			
	 Fire Department Police Hospital Emergency Response Contractor 	>		
3.103	If NO has the facility attempted to do so and is the refusal documented? 262.16(b)(8)(vi)(B)	~		
Item No.	Record keeping and Reporting	Yes	No	N/A
3.104	Is the generator keeping records of exception reports? 262.42(b)	~		
3.105	Is the generator keeping records of test results, waste analysis or other determinations made in accordance with 262.11? 262.11(f)	~		
3.106	Are the records kept on-site? 262.40	~		
3.107	Are records kept for a minimum of 3 years? 262.40	~		
3.108	Has the generator exported any waste outside the U.S.? (If No, mark item below as N/A.)			
3.109	If YES, did the generator provide EPA with notification of the intended export 60 days before the initial shipment was inteneded to be shipped off-site? 262.83(b)	~		
3.110	Has the generator imported any hazardous waste into the U.S.? (If No, mark item below as N/A.)			
3.111	If YES, did the generator meet all of the requirements of 40 CFR 262.83? 262.83	~		

5.0 - Used Oil Generator Checklist

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Note: Checklist items with shaded boxes are for informational purposes only.

ltem No.	Used Oil Container and Tank Management	Yes	No	N/A
5.1	Does the facility store used oil only in tanks, containers or permitted hazardous waste storage units? 279.22(a)	~		
5.2	Are used oil containers/tanks in good condition? 279.22(b)(1)	~		
5.3	Are used oil containers/tanks not leaking? 279.22(b)(2)	~		
5.4	Are used oil containers/tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(1)		~	
5.5	Are fill pipes used to fill underground tanks labeled or marked clearly with the words "Used Oil"? 279.22(c)(2)	~		
ltem No.	Secondary Containment	Yes	No	N/A
5.6	Are containers/tanks 55-gallons or smaller that are stored inside:			
5.7	Stored on an oil-impermeable surface? 62-710.401(6)	~		
5.8	Are containers/tanks larger than 55-gallons that are stored inside:			
5.9	Stored on an oil-impermeable surface? 62-710.401(6)	~		
5.10	Does the building provide adequate secondary containment, or are the containers/tanks double- walled, or stored within or on engineered secondary containment that has the capacity to hold 110% of the volume of the largest container/tank, or are the containers/tanks portable/wheeled and typically emptied every 24 hours? 62-710.401(6)	~		
5.11	Are containers/tanks (regardless of size) that are stored outside:			
5.12	Closed or otherwise protected from the weather? 62-710.401(6)	~		
5.13	Double-walled or stored on an oil-impermeable surface with engineered secondary containment that has the capacity to hold 110% of the volume of the largest container within the secondary containment? 62-710.401(6)	~		
ltem No.	Used Oil Releases	Yes	No	N/A
5.14	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.15	stop the release? 279.22(d)(1)	~		
5.16	contain the released oil? 279.22(d)(2)	~		
5.17	clean up and manage properly the released used oil and other materials? 279.22(d)(3)	~		
5.18	if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service? 279.22(d)(4)	~		
5.19	Is the facility in compliance with the prohibition against discharges of used oil into soils, sewers, drainage systems, septic tanks, surface or ground waters, watercourses, or marine waters? 62-710.401(2)	~		
5.20	Is the facility in compliance with the prohibition against using used oil for road or pavement oiling for dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment? 62-710.401(5)	~		
ltem No.	Used Oil Filter Container Management	Yes	No	N/A
5.21	Does the facility store used oil filters in containers? 62-710.850(5)(a)	~		
5.22	Are the used oil filter containers clearly labeled "Used Oil Filters"? 62-710.850(5)(a)	~		
5.23	Are the used oil filter containers in good condition? 62-710.850(5)(a)	~		
5.24	Are the used oil filter containers not leaking? 62-710.850(5)(a)	~		
5.25	Are the used oil filter containers closed or otherwise protected from weather? 62-710.850(5)(a)	~		

Item No.	Used Oil Filter Container Management	Yes	No	N/A
5.26	Are the used oil filter containers stored on an oil-impervious surface? 62-710.850(5)(a)	>		
Item No.	Releases from Used Oil Filter Containers	Yes	No	N/A
5.27	Has the generator, upon detection of a release, done all of the following, as applicable:			
5.28	stop the release? 62-710.850(5)(b)	>		
5.29	contain the released oi62-710.850(5)(b)	~		
5.30	clean up and manage properly the released oil and any subsequent oily waste? 62-710.850(5)62-710.850(5)(b)	>		
5.31	repair or replace any leaking used oil filter storage containers prior to returning them to service? 662-710.850(5)(b)4	>		
ltem No.	Used Oil Mixtures	Yes	No	N/A
	Is the facility a VSQG that mixes hazardous waste with used oil and manages the mixture under 279? Note: VSQGs can mix both listed and characteristic wastes with used oil.			
	Is the facility a SQG or LQG that is mixing listed waste (except for listed waste that only is listed because it exhibits a characteristic - see question below) with used oil? [VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.32	Is the mixture being managed as listed hazardous waste? 279.10(b)(1)	>		
	Is the facility a SQG or LQG that mixes only characteristic waste (or listed waste that only exhibits a characteristic) with used oil? [NOTE: This is also considered HW Treatment and other rules apply. However, VSQGs may mix HW and used oil, but they must maintain disposal documentation per 62-730.030(3), FAC.] If so:			
5.33	Is ignitability the only characteristic of the hazardous waste prior to mixing (or is the HW listed only for ignitability)? If so:			
5.34	Is the mixture managed as HW if it exhibits the ignitability characteristic? 279.10(b)(2)(iii)	>		
5.35	Does the hazardous waste exhibit ANY characteristic other than ignitability prior to mixing (or is the HW listed only for a characteristic other than ignitability)? If so:			
5.36	Is the mixture managed as HW if it exhibits ANY characteristic (even if the characteristic of the mixture is from the used oil, rather than from the HW)? 279.10(b)(2)(i)	<		
5.37	Does the facility generate mixtures of other materials contaminated with used oil (i.e. absorbents, rags, dirt)? If so:			
5.38	Are UO-contaminated materials that contain visible free-flowing UO managed under 279 used oil standards? 279.10(c)(3)	~		
5.39	Does the facility either manage UO-contaminated materials that do not contain visible free-flowing UO as hazardous waste have records documenting the materials are not hazardous waste? 279.10(c)(1)(ii)	>		
5.40	Are UO-contaminated materials that will be burned for energy recovery being managed as used oil under 279? (Used oil-contaminated materials should have a heating value of at least 5000 Btu/pound to be burned for energy recovery under 279, so low-Btu-value materials like contaminated soils and clay absorbents are solid waste, subject to 262 HW determinations.) 279.10(c)(3)	~		
5.41	Does the facility generate mixtures of used oil with fuel of fuel products? If so:			
5.42	[Note: 279.10(d)(2) allows on-site mixing of UO with diesel fuel for use in the generator's own vehicles.] 279.10(d)(1)	>		
5.43	Is the facility in compliance with the prohibition against mixing or commingling used oil with solid waste that is to be disposed of in landfills or directly disposing of used oil in landfills? (Persons unknowingly disposing into a landfill used oil or used oil filters which have not been properly segregated or separated from other solid wastes by the generator are not subject to this prohibition. Oily waste, sorbents or other materials used for maintenance or clean up as a result of spills or release are not subject to this prohibition.) 62-710.401(3)	>		
5.44	Is the facility in compliance with the prohibition against mixing or commingling used oil with hazardous substances that make it unsuitable for recycling or beneficial use? (Notwithstanding the provisions found in 40 CFR 279.10(b)(3)). 62-710.401(4)	>		
Item No.	Space Heaters	Yes	No	N/A
5.45	Does the generator burn used oil on-site in a used oil-fired space heater? [Generators who burn off site, non household oil, or burn oil in devices not meeting the space heater exemption must comply with 40 CFR 279 - Subpart G.]			
5.46	If so, does the facility burn only used oil generated on-site or only household DIY used oil? 279.23(a)			~
5.47	If so, does the heater have a capacity of no more than 0.5 million BTU/hr? 279.23(b)			~
5.48	If so, are combustion gasses vented to the atmosphere? 279.23(c)			~

ltem No.	Off-site Shipments	Yes	No	N/A
5.49	Does the generator only use transporters who have received EPA Identification numbers? (Include names and numbers in report narrative) 279.24			~
5.50	Self transport to collection centers - Does the generator only transport their own used oil and used oil from household DIY to a used oil collection center? If so:			
5.51	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(a)(1)			٢
5.52	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(a)(2)			<
5.53	Does the generator transport the used oil to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil ? 279.24(a)(3)			<
5.54	Self transport to aggregation points - Does the generator transport used oil that is generated at the generator's site to an aggregation point? If so:			
5.55	Does the generator transport the used oil in a vehicle owned by the generator or an employee of the generator? 279.24(b)(1)			٢
5.56	Does the generator transport no more than 55 gallons of used oil at one time? 279.24(b)(2)			<
5.57	Does the generator transport the used oil to an aggregation point that is owned/operated by the same generator? 279.24(b)(3)			<
5.58	Tolling Agreement - is the used oil transported and then reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor.re-refiner to the generator for use as a lubricant, cutting oil, or coolant? If so:			
5.59	Does the contract indicate the type and frequency of shipments? 279.24(c)(1)			~
5.60	Does the contract indicate that the vehicle used to transport the used oil to the processing/re-refining facility is owned and operated by the used oil processor/re-refiner? 279.24(c)(2)			~
5.61	Does the contract indicate that the reclaimed oil will be returned to the generator? 279.24(c)(3)			<
Item No.	Marketing and Processing	Yes	No	N/A
	Does the generator claim that the used oil meets the specification in 40 CFR 279.11? [If so, and the oil is to be burned for energy recovery, the generator is a marketer subject to 40 CFR 279 Subpart H.]			
	Does the generator process used oil by filtering, oil/water separation or other methods prior to direct shipment to an off site used oil burner? [If so, the generator is also a used oil processor subject to 40 CFR 279 - Subpart F.]			

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.

Norva Blandin Inspector		
Principal Inspector Name	Principal Inspector Title	
	DEP	06/07/2019
Principal Inspector Signature	Organization	Date
Romina Lancellotti	ESII	
Inspector Name	Inspector Title	
	DEP	
	Organization	
Justin Stark	ESII	
Inspector Name	Inspector Title	
	DEP	
	Organization	
Maria Rodriguez	Environmental Assistant	
Representative Name	Representative Title	
	CEMEX	
	Organization	

Violations" or areas of concern.

Report Approvers:

Approver: Norva Blandin

Inspection Approval Date: 06/07/2019