



# FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office  
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561-681-6600

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

January 19, 2021

Roger Hogg, Environmental Manager  
CEMEX Miami Cement Plant & SCL Quarry  
1200 N.W. 137<sup>th</sup> Avenue  
Miami, FL 33182  
[Mauricer.hogg@cemex.com](mailto:Mauricer.hogg@cemex.com)

Re: Return to Compliance Letter - CEMEX Miami Cement Plant & SCL Quarry  
EPA ID # FLD981758485  
Miami-Dade County

Dear Mr. Hogg:

Department personnel conducted a compliance evaluation inspection of the above-referenced facility on December 17, 2020. Based on the information provided during the inspection, the facility was determined to be out of compliance with the Department's rules and regulations. A copy of the inspection report is attached for your records and any non-compliance items which may have been identified at the time of the inspection have been corrected.

The Department appreciates your efforts to maintain this facility in compliance with state and Federal rules. Should you have any questions or comments, please contact Juliana Reis at 561- 681-6642 or via e-mail at: [juliana.reis@floridadep.gov](mailto:juliana.reis@floridadep.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Alannah Irwin", is written over a horizontal line.

Alannah Irwin, Environmental Manager  
Southeast District  
Florida Department of Environmental Protection

OCULUS Link: [Inspection Report](#)

cc. Maria Rodriguez via email [mariat.rodriguez@cemex.com](mailto:mariat.rodriguez@cemex.com)  
Alannah Irwin, Juliana Reis - FDEP



**Florida Department of  
Environmental Protection  
Hazardous Waste Inspection Report**

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**FACILITY INFORMATION:**

**Facility Name:** CEMEX Miami Cement Plant & SCL Quarry  
**On-Site Inspection Start Date:** 12/17/2020 **On-Site Inspection End Date:** 12/17/2020  
**ME ID#:** 27064 **EPA ID#:** FLD981758485  
**Facility Street Address:** 1200 NW 137th Ave, Miami, Florida 33182-1803  
**Contact Mailing Address:** 1200 NW 137th Ave, Miami, Florida 33182-1803  
**County Name:** Miami-Dade **Contact Phone:** (305) 229-2949

**NOTIFIED AS:**

Used Oil, VSQG

**WASTE ACTIVITIES:**

**Generator:** VSQG **Used Oil:** Industrial Furnace Processor **Universal Waste:** Indicate types of UW generated and/or accumulated at the facility: **Generate/Accumulate:** Batteries, Mercury Containing Lamps **Maximum quantity of UW handled or transported at any time:** Less than 5,000 kg (11,000 lbs); Small Quantity Handler (SQH)

**INSPECTION TYPE:**

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Juliana Reis, Inspector  
**Other Participants:** Roger Hogg, Environmental Manager

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

**NAIC:** 327310 - Cement Manufacturing

**TYPE OF OWNERSHIP:** Private

**Introduction:**

On December 17, 2020, Juliana Reis with the Florida Department of Environmental Protection ("FDEP") conducted a Compliance Evaluation Inspection ("CEI") at Cemex Miami Plant & SCL Quarry (hereinafter "Cemex" or "facility"), located at 7209 NW 66th St, Miami, Florida 33166. Cemex was inspected to determine the facility compliance with the state and Federal hazardous waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-268, 273, and 279, adopted and incorporated by reference in Rule 62-710, 62-730, and Rule 62-737, Florida Administrative Code (FAC).

The inspector was escorted around the facility by Roger Hogg, Environmental Manager. Upon arrival at the facility, the inspector presented their credentials and explained the purpose of the inspection.

The permitted activities occur in 300 acres and there is additional contiguous 3,000 acres of land designated for limestone quarrying. The facility has been in operation at this site since 1958, employs 117 staff, and it is connected to the county water, sewer services and septic tanks. The facility's hours of operation are 24 hours per seven days a week.

**Notification History:**

Cemex most recently renotify the Department on 03/24/2020 as Used Oil Burner, Used Oil Processor (permit expiration on 04/26/2023) and as Very Small Quantity Generator (VSQG).

The facility is currently registered under the Storage Tanks Program under the facility ID #8521974 and operates under a Clean Air Act Title V Operating Permit (Permit No. 0250014-068-AV) that expires on 12/15/2021.

## CEMEX Miami Cement Plant & SCL Quarry Inspection Report

Inspection Date: 12/17/2020

### Inspection History:

The facility was lastly inspected by the Department on 04/25/2019. During the inspection, it was found to be out of compliance for failure to keep a hazardous waste container closed, failure to label a used oil container, and failure to properly maintain a secondary containment. The facility returned to compliance on 05/08/2019 and the case was closed as Compliance Without Enforcement (CWOE).

In the previous CEI on 11/8/2017 the facility was found to be in compliance.

Personal Protective Equipment (PPE) was required to enter the facility. Department personnel were equipped with steel-toed boots and a facial mask.

### Process Description:

Cemex is a portland cement plant that burns on-spec used oil for kiln startups and fuel supplement.

The wastes generated from these processes include, but are not limited to spent alcohol (glycerol), which exhibit a toxicity characteristic for ignitability (EPA Waste Code D001) and used oil, used oil filters, oily absorbents and oily water. Additionally, spent mercury lamps, exhibiting a hazardous waste characteristic of toxicity for mercury (EPA Waste Code D009); spent lead acid batteries, exhibiting a hazardous waste characteristic of toxicity for lead (EPA Waste Code D005), and spent aerosol cans, exhibiting a hazardous waste characteristic of ignitability (EPA Waste Code D001), all of which are considered hazardous unless managed under the universal waste regulations.

The wastes are generated at the Transport Shop, Pump Building, Cement Plant, Drum Building, Repair Shop, Quality Control (QC) Lab and Quarry Shop.

#### Transport Shop

It is where Cemex fleet is maintained and repaired, this area is managed by a contractor.

In this area the inspector observed:

>One open 15-gallon metal container of parts washer in use. The facility disposes of the spent solvents as non-hazardous. The Department requested documentation that supports this waste determination.

> One water filtration system tank that collects wastewater from the truck's wash station. This tank system was observed overflowed with which appeared to be oily water. The facility was required to conduct a waste determination in this wastewater, per 40 CFR 262.11.

>Two closed 55-gallon poly drums of used oil missing a label. Per 40 CFR 279.22(c) the facility was requested to label the containers as "used oil". This violation was resolved during the inspection.

#### Pump building

This building contains the pumps and valves from the facility's used oil system. It is situated next to used oil tank farm, which is composed of two 630,000-gallon double lined tanks and six 25,000-gallons tanks that are currently unused and planned to be removed on the first quarter of 2021.

In this area the inspector observed:

>One closed 55-gallon metal drum of used oil, properly labeled and placed over an impervious surface.

#### Cement plant

It is where the cement manufacturing processes occur and raw materials area stored in silos. In this area the inspector observed:

>One 30,000-gallon used oil tank (ID# 13) with a secondary containment with signs of debris. The facility was requested per 62-710.401(6) FAC to properly maintain this secondary containment.

>Three closed 55-gallon metal drums of used oil properly labeled and placed over an impervious surface.

#### Drum building

This building is where the facility stores empty drums and solid wastes, also it is where oily water is drained from

## CEMEX Miami Cement Plant & SCL Quarry Inspection Report

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machinery. The inspector observed in this area:

- >Two oily water reservoirs, which are serviced as needed by Cliff Berry Inc. (CBI) EPAID FLR00003071.
- >One can puncturer device attached to a 55-gallon metal drum of spent aerosol contents labeled as hazardous waste.
- >One open 55-gallon metal drum overflowed with aerosol cans to be punctured. Per 40 CFR 273.13(e) the facility was advised to manage universal waste aerosol cans in a way that prevents releases. Additionally, per 40 CFR 273.14(e) universal waste aerosol cans, must be labeled or marked clearly with any of the following phrases: "Universal Waste—Aerosol Can(s)," "Waste Aerosol Can(s)," or "Used Aerosol Can(s)".
- > In the Central Accumulation Area (CAA) adjacent to the Drum Building:
- > Ten closed 55-gallon metal drums of used oil and oily sand properly labeled.
- >One closed 55-gallon poly drum of spent alcohol stored next to the used oil. The facility was required to ensure this area maintained and operated in order to minimize the possibility of a fire and explosion, per 40 CFR 279.52(a)(1).

### Repair Shop

This building is where machinery is repaired and supplies are stored. In this area the inspector observed:

- >Four spent lead acid batteries placed over an impervious surface and protected from the weather stored next to e-wastes waiting for recycling pickup.
- >Eight open boxes of spent mercury lamps with improper label. The facility was required to close and seal the boxes in order to prevent breakage, per 40 CFR 273.13(d). Additionally, spent mercury lamps shall be specifically labeled as "universal waste-mercury-containing lamps", "waste mercury-containing lamps" or "used mercury-containing lamps", per 40 CFR 273.14(d).

### QC Lab

At the lab, titration analyses are performed and generate spent alcohol (glycerol) as hazardous waste. The inspector observed in this area:

- >10 closed one-gallon poly containers partially filled with spent glycerol to be stored at the CAA.

The facility no longer performs analyses that generate the acid atomic absorber as hazardous waste.

### Quarry Shop

The Quarry shop is where equipment maintenance is performed and supplies are stored.

In this area the inspector observed:

- >One 250-gallon used oil tank properly labeled.
- >One 250-gallon of used coolant. Both tanks were placed in an adequate secondary containment.
- >Four closed 55-gallon metal drums of oily absorbents and used oil filters obstructed by empty metal drums. The facility was required per 40 CFR 279.52(a)(5) to maintain aisle space to allow the unobstructed movement of personnel.

### Records Review

Records were available for review during inspection. In order to minimize exposure and comply with Covid-19 CDC guidelines, the facility was requested to send records for the Department's review.

> Disposal Records: This facility only accepts used oil (on-spec) from CBI. Cemex acts as a used oil burner not processor at this location.

>Hazardous waste: The last spent glycerol pickup was on 06/18/2020 of 200 lbs. The registered transporter is Safety-Kleen Systems Inc (EPAID TXR000081205), the second transporter is Clean Harbors Environmental Services Inc. (EPAID MAD039322250), and the TSDF is Clean Harbors El Dorado LLC (EPAID ARD069748192).

>Waste determination: On 12/22/2020 the facility submitted an statement that the wastewater generated from



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the trucks wash station at the Transport Shop was not oily water; therefore, the facility demonstrated picture evidence of this wastewater properly managed.

>Universal waste: The last pickup of e-waste, spent mercury lamps and spent lead acid batteries was on 05/11/2020 transported and processed by Veolia ES Technical Solutions LLC (EPAID FL0000207449).

> SPCC/Contingency Plan/Notification to Local Authorities: The facility had a hard copy of their current Contingency Plan available on-site. The emergency coordinator job description information was up-to-date. The most recent revision of the plan was on 05/29/2020.

> 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 last training ministered on 08/20/2019 by Rodger Hogg was on Used oil Handling, SPCC Overview and EMS awareness.

> All DEP permits, forms, liability insurances policies, which appeared to be complete and in-order were observed in a accessible location on-site. In addition, the facility prominently displayed all permits and licenses issued by Miami Dade County for its used oil handling activities.

> Annual Report for Used Oil and Used Oil Filter Activities: The latest Annual Report for used oil (last submitted on February 2020) demonstrated that Cemex managed approximately 4,732,632 gallons of used oil and oily wastes.

>Closing Cost: The Closing Cost Estimate forms appeared to be complete and in-order.

>Waste Analysis Plan and Waste Profiles: The documentation related to the on-spec oil received by CBI appeared to be in order and in compliance with the 40 CFR 279.55 & 279.72.

> Daily Monthly Inspection Logs: The facility conducts monthly visual inspections in the tanks and drums at the facility. Last inspection date was 11/23/2020.

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

Type:	Violation
Rule:	262.11
Question Number:	2.6
Question:	Has the facility properly identified all hazardous waste streams? (Check any that are not OK) 262.11
Explanation:	One filtration system water tank collecting wastewater from the truck's wash station was observed overflown, with which appeared to be oily water.
Corrective Action:	The facility was requested to conduct waste determination in this waste stream.

**Comments:**

This violation was resolved via submittal to the Department on 12/22/2020.

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**Photo Attachments:**

Inspection Date: 12/17/2020

## Overflown filtration system



## Wastewater properly managed by the facility



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Type: Violation

Rule: 273.13(d)

Explanation: Eight open boxes of spent mercury lamps were observed during the inspection.

Corrective Action: The facility was required to close and seal the boxes in order to prevent breakage.

**Comments:**

This violation was resolved via submittal to the Department on 12/22/2020.

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**Photo Attachments:**

## Spent mercury lamps in open boxes



## Spent mercury lamps managed in a way to prevent release



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Type: Violation

Rule: 273.14(e)

Explanation: Eight open boxes of spent mercury lamps had an inadequate label.

Corrective Action: Spent mercury lamps shall be specifically labeled as "universal waste-mercury-containing lamps", "waste mercury-containing lamps" or "used mercury-containing lamps".



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**Comments:**

This violation was resolved via submittal to the Department on 12/22/2020.

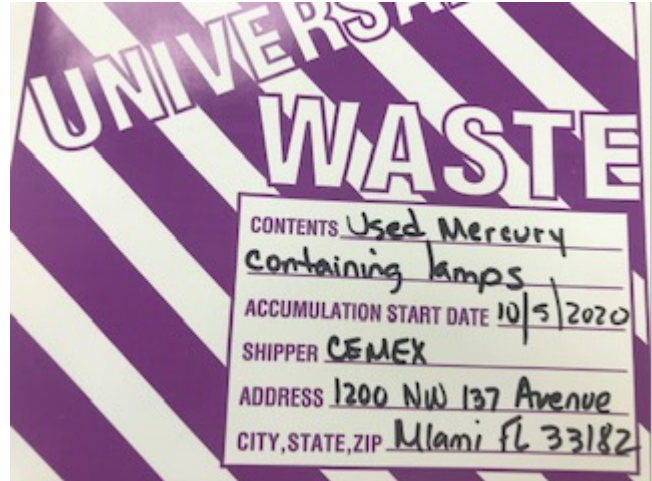
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**Photo Attachments:**

Spent mercury lamps with inadequate label



Spent mercury lamps properly labeled



Type: Violation

Rule: 279.52(a)(1)

Explanation: One closed 55-gallon poly drum of spent alcohol stored next to the 10 drums of used oil and used oil absorbent material was observed in CAA.

Corrective Action: The facility was required to ensure the CAA is maintained and operated in order to minimize the possibility of a fire and explosion.

**Comments:**

This violation was resolved via submittal to the Department on 01/05/2020.

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**Photo Attachments:**

CAA improperly maintained



CAA properly maintained



Type: Violation

Inspection Date: 12/17/2020

Rule: 279.52(a)(5)

Explanation: Four closed 55-gallon metal drums of oily absorbent material and used oil filters were observed obstructed by empty metal drums.

Corrective Action: The facility was required to maintain aisle space to allow the unobstructed movement of personnel.

**Comments:**

This violation was resolved via submittal to the Department on 01/05/2020.

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**Photo Attachments:**

Obstructed aisle space to used oil absorbent material drums



Proper aisle space allowing personnel movement



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Type: Violation

Rule: 62-710.401(6)

Explanation: One 30,000-gallon used oil tank ID# 13 was observed with a secondary containment with signs of debris.

Corrective Action: The facility was requested to ensure this secondary containment is properly maintained.

**Comments:**

This is a repeated violation from the CEI on 04/25/2019. The violation is classified as a minor potential harm and a minor extend of deviation; therefore, due to the small amount of debris in the secondary containment the Department will not pursue formal enforcement. This violation was resolved via submittal to the Department on 01/05/2020.

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**Photo Attachments:**



# CEMEX Miami Cement Plant & SCL Quarry Inspection Report

Inspection Date: 12/17/2020

Signs of debris in the secondary containment



The secondary containment was cleaned from debris



## PHOTO ATTACHMENTS:

Used oil drums properly labeled at Transport Shop



25,000-gallon unused tanks to be removed



Containers at the Lab partially filled with spent glycerol



Oily water reservoirs at the Drum Building



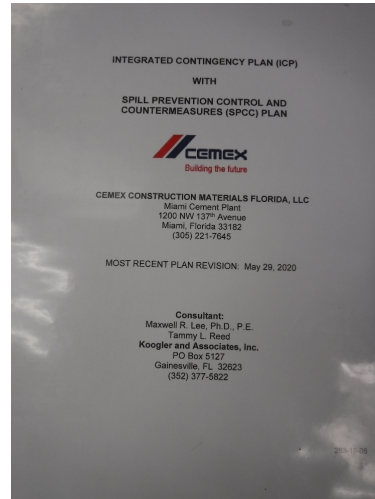
## CEMEX Miami Cement Plant & SCL Quarry Inspection Report

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Best Management Practice: labels available



SPCC Plan available on-site



### Conclusion:

Cemex was inspected as a used oil processor and burner, VSQG and Small Quantity Handler (SQH) of universal waste. The facility was found to be out of compliance for failure to conduct proper waste determination, failure to maintain adequate aisle space, failure to properly maintain a secondary containment, failure to properly label and manage spent mercury lamps in a way to prevent release, and failure to maintain the CAA in order to minimize the risk of fire.

Compliance assistance was provided during the inspection and in an exit interview dated 11/21/2020. The facility was provided with 14 days to submit the corrective actions and pictures to the Department.

The facility submitted the requested documentation on 12/22/2020 and on 01/05/2021, which resolved the six violations cited in this report.

Cemex has returned to compliance; therefore, no further actions are needed.



Inspection Date: 12/17/2020

**2.0: VSQG 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.	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)	✓		
Item 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 <input type="checkbox"/> Is it excluded under 261.4? <input type="checkbox"/> Is it listed in subpart D of 261 or appendix IX of 261? <input type="checkbox"/> Has the waste been analyzed? <input type="checkbox"/> Has generator knowledge of the hazard characteristics of the waste in light of the materials used been applied?		✓	
Item 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) <input type="checkbox"/> Name and address of the generator and TSD/authorized facility. <input type="checkbox"/> Type and amount of hazardous waste delivered. <input type="checkbox"/> Date of shipment	✓		
2.8	Are written records and other receipts documenting proper disposal retained for at least 3 years? 62-730.030(2)	✓		

**Signed:**

Juliana Reis

Inspector

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DEP

01/13/2021

## Organization

Date \_\_\_\_\_

Roger Hogg

Environmental Manager

### Representative Title

Cemex Miami Cement Plant  
&SCL Quarry

## Organization

**Report Approvers:**

**Approver:** Alannah B Irwin

**Inspection Approval Date:** 01/13/2021