



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

FACILITY INFORMATION:

Facility Name: Emaxx Miami LLC
On-Site Inspection Start Date: 03/18/2021 **On-Site Inspection End Date:** 03/18/2021
ME ID#: 125253 **EPA ID#:** FLR000223313
Facility Street Address: 7400 NW 77th Ter, Medley, Florida 33166-7503
Contact Mailing Address: 7400 NW 77 Terrace Ave, Medley, Florida 33166
County Name: Miami-Dade **Contact Phone:** (305) 934-4727

NOTIFIED AS:

Used Oil, VSQG

WASTE ACTIVITIES:

Generator: VSQG Used Oil: On-Spec

INSPECTION TYPE:

Routine Inspection for Used Oil Transporter Facility
Routine Inspection for Used Oil Transfer Facility Facility

INSPECTION PARTICIPANTS:

Principal Inspector: Romina J Lancellotti, Inspector
Other Participants: Lazaro Mendez, Operations Manager

LATITUDE / LONGITUDE: Lat 25° 50' 38.2308" / Long 80° 19' 11.136"

NAIC: 423930 - Recyclable Material Merchant Wholesalers

TYPE OF OWNERSHIP: Private

Introduction:

On March 18, 2021 (03/18/2021), Romina Lancellotti with the Florida Department of Environmental Protection (FDEP) conducted a routine compliance evaluation inspection (CEI) at Emaxx Miami LLC (hereinafter EM1 or facility), located at 7400 NW 77th Ter, Medley, FL 33166. EM1 was inspected to determine the facility's compliance with the state and Federal hazardous waste regulations described in Title 40, Code of Federal Regulations (CFR) Parts 260-264, and 279 adopted and incorporated by reference in Rule 62-730, and 62-710 Florida Administrative Code (F.A.C.).

The inspector was escorted around the facility by Lazaro Mendez, Operations Manager. Post inspection, Mr. Matt Gudorf, assisted the Department by providing submittals and corrective actions via email. Upon arrival at the facility the inspector her presented her credentials and explained the purpose of the inspection.

EM1 occupies 15,000 square feet and is connected to public water and sewer of city of Medley. The facility has been operating at its current location since June and employs four staff. The facility operates Monday through Friday 7 am to 3 pm.

Notification History:

EM1 initially notified with the Department as a Very Small Quantity Generator (VSQG) of hazardous waste, a universal waste mercury-containing lamps, used oil and used oil filters transporter, and hazardous waste transporter on 06/05/2017. The facility was assigned the EPA Identification (EPAID) Number FLR000223313. The facility most recently notified as VSQG of hazardous waste, Used Oil and Used Oil Filter (UOF) Transporter and Transfer facility on 03/01/2021.

Inspection History:

The facility was previously inspected by the Department on 05/18/2018 as a used oil and used oil filter

Emaxx Miami LLC Inspection Report

Inspection Date: 03/18/2021

transporter and transfer facility, universal waste transporter and as a hazardous waste transporter and transfer facility and was found to be out of compliance at the time of inspection for failure to register and submit the annual report to DEP. These violations were resolved without formal enforcement action.

Personal Protective Equipment (PPE) was not required to enter the facility. Department personnel were equipped with steel-toed boots.

Process Description:

EM1 specializes in regulated waste management and disposal. Part of the facility's services include transporting used oil and used oil filters. However, the main activity of the facility is to market new oil.

Used oil is loaded daily onto rented railcars at Florida East Coast Railway, LLC and shipped off to used oil processing facilities. Used oil is not stored at EM1.

Although EM1 is registered as a used oil transfer facility, it does not store any used oil at the facility. However, the facility chooses to maintain its used oil transfer facility status in case they practice this activity in the future.

The inspectors toured the facility with Mr. Lazaro Mendez and reviewed used oil, and used oil filters transporter practices and records. The facility consists in a warehouse, an indoor tank farm, office area, parking lot.

The inspection began in the warehouse where the facility mainly stores oil in different containers. The inspector observed: 275-gallon totes, 15-gallon containers, and one 500-gallon black tank of new oil. Within the warehouse, there is a tank farm with ten 10,000-gallon above ground storage tanks for oil, not in use at time of inspection. In this area, the facility maintains one 500-gallon tank for diesel to supply its trucks.

The inspector observed the following:

- >One 450-gallon red tank, labeled with the words "Used Oil," within a secondary containment.
- >Three 55-gallon green plastic bins with used oil filters, not labeled, according to 62-710.850(5)(a) F.A.C.
- >One 55-gallon green plastic bin, labeled with the word "Used Oil Filters."

The facility has two trucks:

- > One 33,000 lbs. box truck, primarily used for used oil filters
- > One 4,000-gallon tank truck used for used oil

DOT placards were displayed (US DOT# 3190903) on the side of all trucks, and the transporters keep copies of the permits, notifications, contingency plan (in case of emergency) and manifests on the truck. Also, the trucks are properly identified for their corresponding wastes and have spill kits available on site.

EM1 leases and arranges railcars for used oil transportation. EM1 uses two to three railcars to load used oil. The facility does not transport or stores hazardous wastes or universal wastes.

Record Review:

A) Transport, receiving and shipping records were available for review at the time of inspection. The facility has maintained all records of transportation and training at least for 3 years. The facility was using an equivalent form [62-710.901(2) F.A.C.]. Each acceptance and delivery records comply with the requirements described in 40 CFR part 279.46. Bill of lading were available for used oil via railway from 7496 NW 9th Ave, Medley, FL 33166 which is then sent to used oil processing facilities that include: Vertex Energy (EPA ID LA0000145797) in Marrero, LA, Noble Oil (EPA ID NCD986172476) in Sanford, NC, or Synergy Recycling LLC., (EPA ID GAR000048009) in Kingsland, GA. The railcars have 40,000-gallon capacity and are shipped out when full, every 2-3 weeks. Last shipment of used oil occurred on 03/05/2021; the facility transported 195,583 lbs. of used oil to Synergy Recycling LLC., located at 105 Industrial Park Dr., Kingsland, GA 31548 (EPA ID GAR000048009). The facility samples and tests every load of used oil before shipment to ensure the oil is on-spec to be recycled. Samples are sent to the laboratory American Testing technologies, Inc. and are tested for Arsenic, Cadmium, chromium, lead, PCBs, waster, sulfur, total halogens, and others.

The facility maintains non-hazardous waste manifests for used oil filters pickups and delivery. EM1 pickups used oil filters from small facilities, transports them and stores them to the facility and delivers them every Tuesday to US Foundry, located at 8351 NW 93rd St, Medley, FL 33166 (EPA ID FLD004128336).

Emaxx Miami LLC Inspection Report

Inspection Date: 03/18/2021

B) Insurance Liability - the facility provided for transportation, proof of Pollution Liability Site & Transported Cargo Off Site Operations Insurance (Acord) in the amount of \$5,000,000 Policy #FE-EIL-27913-00 Exp. Date: 10/04/2023 and the automobile liability from M & T Insurance Agency, Inc., in the amount of \$2,000,000 Policy #MLWTB1237021 Exp. Date: 03/01/2022.

D) Employee Training - Employees receive initial and annual training on hazardous waste operations, emergency response, halogen field testing, used oil management training, sample collection procedures and contamination prevention. The facility provided HAZWOPER 8hr Annual Refresher Certificate of completion for all employees. Last training was conducted on 09/29/2020.

E) Halogen Screening Procedure - The facility uses Robinair TIFRX-1A Automatic Halogen Leak Detector for the testing of used oil halogen content. If the load does test over 1000 ppm for halogens, the transporter uses Dexsil Clor-D-TEGT test to verify. If the test results over 1000 ppm, the used oil is rejected at the generator facility.

Documentation was provided. Before rail shipment, the facility tests the used oil one final time by sending samples to be analyzed for PCBs at American Testing Technologies, Inc. Lab results were available for review. The facility keeps UO samples from each generator in case there is a failed test to decipher which generator the failed sample came from.

F) The facility provided an Oil Spill Contingency/ SPCC Plan which contained the emergency coordinator which is Mr. Laz Mendez, emergency contacts, emergency response strategy and reporting, spill control actions, spill control equipment, and discharge notification procedures.

G) Permits - On display was the following:

>Miami-Dade County Liquid Waste Transporters Annual Operating Permit No. LW-000917-2020/2021

>Broward County Waste Transporter License No. WT-19-0048 Exp. 05/31/2021

>FLDEP used oil transporter, used oil transfer facility, used oil filter transporter, used oil filter transfer facility; Exp. 06/30/2021.

H) On 02/24/2021, the facility submitted their 2020-2021 annual report for used oil activities as required in 62-710.510(5) F.A.C. This registration expires on 06/30/2021.

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

Type:	Violation
Rule:	62-710.850(5)(a)
Explanation:	The facility failed to label three 55-gallon green plastic bins with the words "Used Oil Filters."
Corrective Action:	The facility shall label all containers of used oil filters with the words "Used Oil Filters."

Comments:

****Violation Resolved**** On 04/15/2021, the facility provided pictures to the Department demonstrating that the containers of used oil filters were properly labeled. Additionally, the facility informed that will ensure all containers of used oil filters will be labeled in the future.

PHOTO ATTACHMENTS:

Emaxx Miami LLC Inspection Report

Inspection Date: 03/18/2021

Front of the Facility



Labeled 450-gallon Tank of Used Oil

Tank Farm for New Oil, Not in Use



Labeled 55-gallon Bin of Used Oil Filters



Warehouse for Storage of New Oil



Box Truck



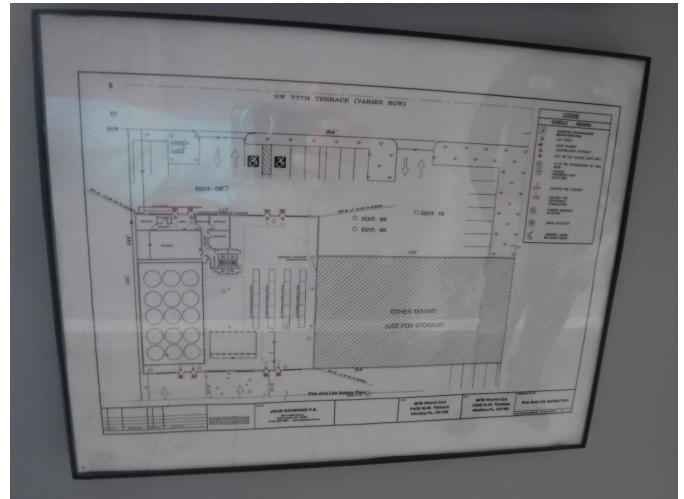
Emaxx Miami LLC Inspection Report

Inspection Date: 03/18/2021

Oil Sniffer



Evacuation Map



Conclusion:

EM1 was inspected as a VSQG of hazardous waste, used oil transporter, used oil transfer facility, used oil filter transporter and used filter transfer facility and was found to be out of compliance for failure to label used oil filter containers. Compliance assistance was provided during the inspection and in the exit interview dated 04/02/2021. The facility was provided with a deadline of 04/16/2021 to complete the corrective actions.

On 04/15/2021, the facility submitted photos and documentation demonstrating that the corrective actions have been completed. The facility has since returned to compliance.

Inspection Date: 03/18/2021

1.0: Pre-Inspection 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.	Pre-Inspection Review	Yes	No	N/A
1.1	Has the facility notified with correct status? 262.18(a)	✓		
1.2	Has the facility notified of change of status? 62-730.150(2)(b)	✓		
1.3	Did the facility conduct a waste determination on all wastes generated? 262.11			✓

Inspection Date: 03/18/2021

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

Romina J Lancellotti	Inspector	
Principal Investigator Name	Principal Investigator Title	
	DEP	04/30/2021
Principal Investigator Signature	Organization	Date
Lazaro Mendez	Operations Manager	
Representative Name	Representative Title	
	Emaxx Miami LLC.	
	Organization	

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Potential Violations" or areas of concern.

Report Approvers:

Approver:	Alannah B Irwin	Inspection Approval Date:	05/03/2021
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