



**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:** 06/21/2022 **On-Site Inspection End Date:** 06/21/2022  
**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

**INSPECTION TYPE:**

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

**INSPECTION PARTICIPANTS:**

**Principal Inspector:** Tarin F Tischler, Inspector  
Justin Stark, Environmental Specialist III; Romina Lancellotti, Environmental Specialist II;  
**Other Participants:** Michele De Freitas, Environmental Specialist II; 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 June 21, 2022, Tarin Tischler with the Florida Department of Environmental Protection (FDEP) conducted a compliance evaluation inspection at CEMEX Miami Cement Plant and SCL Quarry (hereinafter CEMEX or facility) located at 1200 NW 137th Ave Miami, FL 33182. CEMEX 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 260-268, 273, and 279, adopted and incorporated by reference in Rule 62-710 and 62-730 Florida Administrative Code (F.A.C.). The inspector was accompanied by Michele De Freitas, Romina Lancellotti, and Justin Stark with the FDEP.

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

CEMEX occupies a 122.74-acre parcel of land and is connected to city water and sewer. CEMEX has been operating at its current location since 1998 and employs 118 staff. The facility operates 24 hours a day Monday through Friday with some weekend hours on an as-needed basis.

**Notification History:**

CEMEX currently operates as a Used Oil Processing Facility under permit number 56307-006-HO. This permit was issued on 04/25/2018 and expires on 02/12/2023. CEMEX initially notified (under RMC Miami Machine Shop) with the FDEP as a Small Quantity Generator (SQG) on 12/08/1986. The facility was assigned the EPA Identification (EPAID) Number FLD981758485. The facility most recently notified as a Very Small Quantity Generator (VSQG) of hazardous waste, used oil processor, used oil burner, and used oil handler on 02/28/2022.

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### Inspection History:

The facility was most recently inspected by the Department on 12/17/2020 as a used oil processor and Very Small Quantity Generator (VSQG) of hazardous waste and was found to be out of compliance at the time of inspection for failure to properly make a waste determination on overflowed wastewater, failure to minimize the possibility of explosion or fire, and failure to store and label Universal Waste Lamps. The violations were resolved without enforcement actions. The facility was also inspected on 04/25/2019 and found to be in compliance at the time of the inspection.

Safety vests, hard hats, safety goggles, and steel-toed boots were the Personal Protective Equipment (PPE) required to enter the facility.

### Process Description:

CEMEX Miami Cement Plant & SQL Quarry is a cement mill and limestone quarry that operates a used oil processing facility and a Very Small Quantity Generator (VSQG) of hazardous waste. CEMEX manufactures Portland cement as well as concrete products including concrete blocks and concrete mix. The facility is authorized as 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. The facility consists of four used oil tanks, three diesel fuel tanks, and one out-of-service oily water tank. The facility also has six oily water tanks that are out of service and scheduled for removal. A 30,000-gallon diesel tank was removed from the facility in 2018.

No used oil is processed for reuse at the facility. On-spec used oil transported by Cliff Berry, Inc. or another third-party used oil transporter to CEMEX. This oil is burned as fuel for the facility's cement kiln. This is a high heat process that reaches temperatures of 1,600° F. The kiln is fueled by diesel and coal, as well as non-waste alternative fuels such as used oil, petroleum coke, engineered fuel, and waste tire-derived fuel from tire fluff. Waste is generated in the facility's quality analysis laboratory. The laboratory generates glycol waste which exhibits the hazardous characteristic of ignitability (EPA waste code: D001). Waste is also generated throughout the facility in aerosol cans, which are punctured, drained, and recycled.

The facility combines limestone extracted from the SCL quarry with raw materials such as bauxite and flash into a feed, which is ground together and processed in the cement kiln in a high-temperature process. The kiln heats the material and dries off CO<sub>2</sub>, which turns the material into cement clinker. The clinker is then put through a conveyer belt into a cooler, which turns it into grey cement. The facility produces 1.3 million tons of cement a year.

The facility consists of a front office area, a storage building, a receiving area, cement silos, a used oil day tank, an SCL Quarry shop, a kiln, a drum building, a laboratory, a cement plant mobile shop, a transport maintenance shop, and an old day tank area. Inspectors reviewed records in the front office area prior to the facility tour.

### Front Office Area:

The front office area consists of offices and conference rooms for administrative activities. All DEP permits, forms, liability insurance policies, and registrations 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 inspectors observed that these county permits/licenses appeared to be complete and in order.

### Storage Building:

The storage building at the facility consisted of a large warehouse with six bays open on one side. This building was full of large piles of tire chips, tire fluff, and engineered fuel. Mr. Hogg informed inspectors that "engineered fuel" is the term used for waste fuel that has been recycled, including paper and plastic engineered to specific BTUs to use for fuel. Material stored here that is not useable is sent to a landfill. The facility plans to eventually dispose of material stored here and replace the storage building. No hazardous waste was observed in this area.

### Receiving Area:

Used oil is brought on-site from third-party tanker trucks in the southeast area of the facility. At the time of the inspection, inspectors observed a line of tanker trucks along the receiving area waiting to offload. On-specification used oil is received from Cliff Berry Inc. A line of cement trucks sat parallel to the tanker trucks waiting to be loaded for delivery to construction sites and concrete batch plants. Most of the cement shipped from the facility is in bulk, while 15% is shipped in bags to be sold in stores. The facility's cement supply is

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supplemented by CEMEX-owned imports when they are unable to meet the demand.

The used oil receiving area consists of a small building with pumps used to receive used oil from tanker trucks. The building acts as secondary containment for the pump transfer station inside and is surrounded by a berm acting as secondary containment for pumps outside. The pump transfer station pumps used oil into a holding day for future use. Inspectors observed cat litter spread throughout the floor used to absorb used oil leaked from the tank. Three open 5-gallon drums were observed inside the pump transfer station and two 5-gallon drums were observed outside the building stationed under pumps. Mr. Hogg informed inspectors that these containers were being used to collect leaks from the pumps. Inspectors informed facility representatives on-site and in the exit interview sent 07/01/2022 that the facility is required to remove leaked waste from secondary containment areas within 24 hours of detection. The facility is also required under their permit to transfer waste to another container in good condition, as stated in Part II, Subpart C, Tanks and Container Conditions 8 and 9 of Permit No. 56307-006-HO. The facility was instructed to address and repair any leaking equipment and remove the oil-contaminated cat litter and manage material in accordance with the Spill Prevention Control and Countermeasures Plan (SPCC) and the Contingency Plan of the permit application.

Pumps within the transfer station were spray painted with the words "Used Oil," and some 5-gallon containers were marked with a printed "Used Oil" label and some were not labeled. The printed labels on these drums were covered in oil, ripped, and nearly illegible. The facility was asked on-site and in the exit interview to clearly mark all containers, aboveground tanks, and fill pipes used to transfer used oil with the words "used oil," per 40 CFR 279.54(f)(1) – (2). Inspectors also requested clear labeling on the 5-gallon drums used for leak collection, as these meet the definition of container specified in 40 CFR 279.1. Inspectors also requested during the inspection that all containers of used oil outside should be closed, covered, or otherwise protected from the weather, per 62-710.401(6) F.A.C.

Six 25,000-gallon tanks numbered 7-12 were stationed behind the receiving area. These were no longer in service and had holes cut in the bottom to prevent reuse. These tanks are scheduled to be removed within the next year. Two 633,000-gallon tanks numbered 5 and 6 were located behind the out-of-service tanks in this area. On-spec used oil is transferred from the pumps in the receiving area to these tanks for storage. The oil then is transferred from these tanks into the Day Tank to be used for fuel.

### Cement Silos:

Finished cement is pumped into 22 tall gray cylinders northwest of the pump transfer station. Cement is then dispensed into fill trucks for bulk transportation or moved to the packing facility adjacent to the silos for packaging into cement bags to be sold in stores. Operators control the loading area inside the silos. Different silos hold different grades of cement. This area has three active bays, numbered 3, 4, and 5, while the other bays are not in use.

Bulk raw materials storage is located near the receiving area. Raw materials for cement production are stored here including gypsum and flash are mixed together in large piles. These materials are then moved to another storage building on large conveyer belts to be put to use. Here, raw materials are mixed with cement clinker, which gives cement its binding properties. Off-spec clinker is gradually combined with on-spec clinker here so off-spec material can still be used.

### Used Oil Day Tank:

The day tank for used oil stores oil that is used on the front and back end of the kiln. Used oil is pumped from storage in the receiving area to this 30,000-gallon tank near the kiln. Oil combustion takes place on both ends of the kiln. Per the facility's air permit, the kiln process must start with clean diesel fuel until it reaches temperatures of 1200° F. At this temperature alternative fuels such as used oil, tire fluff, and engineered fuel can be used for the rest of the burning process. An operator in the control room monitors fuel tank levels which can be adjusted manually and automatically as needed. The day tank is stored in secondary containment.

At the time of the inspection, the ground of the secondary containment of the Day Tank was covered in cat litter used as absorbent and dust blown in from the clinker. Mr. Hogg informed inspectors that this area is cleaned out and maintained regularly to manage dust accumulated in this area, and the day tank secondary containment was connected to a closed loop sump for additional containment. Mr. Hogg also informed inspectors that some absorbent is in this area to clean minor spills due to cracked phalanges.

Inspectors requested on site and in the exit interview that all dust and absorbent be removed from this area to ensure the secondary containment was at all times able to prevent any used oil released into the containment

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system from migrating out of the system to the soil, groundwater, or surface water, per 40 CFR 279.54(d)(2) and 62-710.401(6) F.A.C. Inspectors also requested records of the spill/ event log for the facility as required in Part II, Subpart A, General Operating Conditions 5.b of Permit No. 56307-006-HO.

At the time of the inspection, two 55-gallon drums and two 5-gallon drums labeled “used oil” and a parts washer were stored inside the day tank secondary containment. Any leaks of used oil from the day tank are collected in these containers. Facility representatives informed inspectors that all parts washers are maintained by Safety-Kleen, who comes every 8 months to dispose of used solvent and replace with new solvent. The facility previously used a hazardous solvent but switched to a nonhazardous solvent recently. Inspectors requested safety data sheets for both solvents in the exit interview. Inspectors observed 3 empty aerosol cans of heavy degreaser in the secondary containment area of the day tank. Mr. Hogg moved these to the aerosol can puncture device in the drum building during the inspection.

### SCL Quarry Shop:

CEMEX’s SCL quarry shop was originally owned by a third party but as of 2020 is a part of CEMEX. Limestone is removed from the quarry and crushed into powder. A long conveyer belt transports limestone aggregate into the crusher, and this ground feed is transferred into the top tower of the kiln via an elevator.

Used oil and used oil filters are generated in this area from machinery and vehicles used in the SCL quarry. Oil is changed on the quarry equipment every 500 hours. Most used oil is collected in a caddy on-site and transferred to a used oil tank in this area, but some of the larger machinery can pump used oil directly into the tank. Six types of machines are maintained here, including three CAT d-9Rs, three CAT 777s, a water truck, a grater, a crane, and two loaders.

Inspectors observed the following containers in this area:

- One full 55-gallon drum labeled “Used Oil Filters”
- Three empty 55-gallon drums labeled “Used Oil Filters”
- One 15-gallon caddy labeled “Used Oil.” Used oil is collected from machinery during oil changes. Used oil is transferred from the caddy to the used oil tank in this area.
- One 500-gallon tank labeled “Used Oil” in secondary containment
- One 500-gallon tank labeled “Coolant” in secondary containment

### Kiln Area:

Residence time in the entire kiln process takes about seven hours from start to finish. The facility is authorized to process 4,500 tons of clinker per day, but typically uses around 3,000 tons per day. The cement is gradually produced in five stages of varying temperatures and reactions. The calcination process takes place within the kiln itself in a gray cylinder at the bottom of the kiln tower. There is a fuel injection area on each side and the cement product spins, rolls downhill, and is crushed again. Material is quickly cooled to 300° F after kiln. Inspectors observed a 55-gallon drum used for grease collection in this area. An open pipe from the kiln was actively dripping grease used as lubrication in the kiln process into this drum. This grease is managed as used oil.

### Drum Building:

The drum building of the facility is used for the storage of hazardous waste and used oil. Inspectors observed 22 pallets holding four 55-gallon drums each on shelves three rows high along the left wall of the drum building. These drums contained new oil for facility use. The puncture devices for aerosol can waste generated at the facility were also stored in this area attached to two 55-gallon drums marked with hazardous waste labels. Aerosol cans are punctured, the liquid drained into the drums, and the metal cans are placed in a plastic bag near the drums to be recycled. Inspectors observed facility representatives properly puncture and dispose of waste from aerosol cans found in the day tank area during the inspection.

Inspectors observed approximately 60 waste drums on pallets in the middle of the drum building. Wastes stored here included used oil and sand, oily wastes, waste coolants, and waste lubricants. All drums were labeled with their contents, but none contained hazardous waste. At the time of the inspection, the facility had two 55-gallon drums of oily wastes in the drum building missing a label. Inspectors asked facility representatives to open the drums during the inspection, one of which contained used oil, PPE, rags, and two aerosol cans, and the other contained used oil and absorbent rags. Both drums clearly contained free liquid used oil comingled with the other waste materials. Mr. Hogg removed the aerosol cans from the container and disposed of the waste properly using the puncture device. Inspectors requested on-site and in the exit interview that the facility drain the free liquid in the container and ensure all free liquid has been removed from waste shipped as oily waste in

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the future, per 62-710.201(1) F.A.C. and 40 CFR 279.10(c).

The right wall of the drum building contained a large covered pit for used oil storage. Mr. Hogg informed inspectors that off-spec used oil generated at the facility is emptied into this pit and the used oil is transported by CBI. This pit is regularly cleaned and maintained under contract with CBI. Inspectors request documentation of used oil shipments from the pit in the exit interview.

### Quality Control Laboratory:

The quality control (QC) laboratory conducts quality control testing for cement products produced at CEMEX. Operations conducted in the QC laboratory include free line testing on cement and clinker using ammonium acetate to titrate using glycerol solution. Hazardous waste generated in this area is exclusively waste glycerol from free line testing. CEMEX operates as a Very Small Quantity Generator based on the quantity of waste generated in the QC laboratory and the hazardous waste generated from puncturing waste aerosol cans. Waste is accumulated in 1-gallon satellite containers labeled "waste glycerol." All containers observed in the lab were compliant with Federal and state regulations for VSQGs. Following the inspection, inspectors requested the waste profile for QC laboratory glycerol waste from Safety-Kleen. Based on the amount of waste observed on-site, the facility operates as a Very Small Quantity Generator of Hazardous Waste.

### Cement Plant Mobile Shop:

The cement plant mobile shop (CPMS) performs preventative maintenance, repairs, and parts replacement on machinery used in the facility. CPMS also serves as a storage area for supplies. Inspectors observed a 55-gallon drum labeled "Aerosol only, Pre-punctured," and gas cylinders used for welding and in the QC laboratory. CPMS staff informed inspectors that empty cylinders are picked up by Airgas.

A cage for universal waste storage sat along the right wall of the cement plant mobile shop. Inspectors observed the following:

- A pallet of universal waste batteries and electric waste stored in cardboard boxes
- One closed 2 by 3 ft cardboard box of bulbs labeled "Universal waste, Mercury-containing lamps/ bulbs, 03/22"
- One open 4' cardboard box labeled "Universal Waste, 4' fluorescent bulbs, 03/22"
- Thirteen (13) 8' bulbs not in a container.

Per 40 CFR 273.13(c)(1), a small quantity handler of universal waste must place universal waste mercury-containing equipment in a closed, structurally sound container. Inspectors requested on-site and in the exit interview photo documentation of all universal waste lamps in closed containers with proper universal waste labels.

### Transport Maintenance Shop:

Pressure washing and maintenance on cement trucks and trailers is conducted in the transport maintenance shop. Mr. Hogg informed inspectors that the parts washer solvent is the same as is used in the day tank area. Inspectors observed one 55-gallon drum labeled "used oil" in this area. A universal waste battery was also observed in this area on a wooden stand.

### Old Day Tank Area:

In 2018, CEMEX closed a 30,000-gallon aboveground storage tank (AST) of used oil that was not in use during closure. A closure report for this tank was properly submitted to the Department on 10/08/2018. During the removal of this tank, a discharge of used oil was observed. Mr. Hogg informed inspectors that the tank had sat idle for 10 years before closure. The tank sat directly on the limestone surface and became corroded when wet.

The Department of Regulatory and Economic Resources - Miami Dade County (DERM) issued a letter to CEMEX in November 2018 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 was required to confirm if the removal activities were conducted according to the aforementioned state rule. Since this letter, the facility has conducted a full site assessment and installed monitoring wells in this area. Inspectors observed five monitoring wells that appeared in good condition in the old day tank area. All wells are now plugged and monitored every 18-24 months.

### Records Review:

### SPCC Plan:

CEMEX's SPCC plan accurately demonstrated the physical layout of the facility with the location of all used oil storage, a procedure for when discharge occurs, inspection, training and security procedures, and certification

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by a licensed Professional Engineer Maxwell R. Lee Ph.D., P.E., per 40 CFR 112.7. The most recent revision occurred on 05/29/2020. Mr. Hogg informed inspectors that the SPCC plan is updated with any facility operation changes and is additionally reviewed every five years.

### Contingency Plan:

The facility maintains a full contingency plan that includes emergency contact information, an evacuation map, and emergency response and preparedness procedures [40 CFR 279.52(b)(2)]. The most recent revision occurred in 2020. At the time of the inspection, the facility's contingency plan did not include a list of all facility emergency equipment with the location of each item, a physical description, and a brief outline of each's capabilities, per 40 CFR 279.52(b)(2)(v). Inspectors requested a copy of the contingency plan updated to include this information.

The facility could demonstrate that the appropriate arrangement with the local police, fire department, hospital, and local emergency response agencies have been made. Inspectors requested in the exit interview that the facility update their notification with local authorities to include the updates in the Contingency Plan.

### Personnel Training:

The facility conducts annual training for all staff who manage used oil and hazardous waste. This training includes understanding and recognition of hazardous wastes and used oil, spill prevention and response to releases, and waste management best practices training. The training is proctored by Roger Hogg, and the most recent training was completed in October 2021. The individual signing the manifest is DOT/HazMat certified. Mr. Hogg informed inspectors that the SCL quarry was recently incorporated into the facility's SPCC and contingency plan, and SCL quarry employees are now included in this training.

### Disposal Records:

Pick-up and acceptance records for the past three years were provided at the time of inspection, and additional documentation was requested in the exit interview for further Department review. The facility only accepts on-spec used oil from Cliff Berry (CBI) EPA ID FLR00003071. During the inspection, all records related to the acceptance of on-spec used oil were available for review. CEMEX only has contracted with CBI as a transporter/marketer. No delivery or transportation of used oil is conducted by CEMEX. The facility acts as an on-spec used oil burner and does not process any used oil at this location. Used oil and oily wastes generated at the facility are transported by CBI.

CEMEX uses the services of Safety-Kleen Systems Inc. (EPAID: TXR000081205) and Clean Harbors (EPAID: MAD039322250) for hazardous waste transportation to the designated facility Spring Grove Resource Recovery (EPAID: OH000816629); last disposal 06/08/2021. Based on the manifest review, the facility operates as a VSQG.

CEMEX uses the services of Veolia for universal waste disposal. At the time of the inspection, the most recent universal waste pickup occurred on 04/11/2022.

### Annual Reports:

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. The most recent report was dated 02/28/2022.

### Spill/Leak Event Record:

The facility is required under permit number 56307-006-HO to keep and maintain a written operating record at the Facility until closure of the facility, which includes a summary report and details of all incidents that require implementation of the contingency plan. Facility representatives informed inspectors that a tire fluff fire occurred at the facility in 2019. Inspectors requested a record of all spill/leak events recorded from the date of the last inspection (12/17/2020) in the exit interview. Facility representatives submitted records of spills from 12/17/2020 to 6/21/2022. The record included if injuries were reported, date and time of releases, name and call back number for person reporting, type and quantity of material released, location and reason for release, and clean-up measures utilized. This information also included the notification of the 2019 fire to DERM.

### Financial Assurance:

The facility was able to provide proof of financial assurance as required by 62-710.800(6) F.A.C. Liberty Mutual Insurance Company bond rider, executed on March 9, 2022, increases the penal sum of performance bond

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number 16031488 (aka 16-031488) to \$1,252,952.32. This is in the amount of the Department approved closing cost estimate dated February 28, 2022. In addition, CEMEX's standby trust fund agreement with Salem Trust Company remains in good standing.

CEMEX was also able to provide proof of insurance over the period of 04/15/2021 to 04/15/2022. The facility is self-insured for \$300,000 per occurrence of accidental releases and \$1,000,000 annual aggregate.

#### Closure Plan:

Closure Costs estimates for the facility were available online in the Department's Handler database. The closure plan documents the estimated cost of facility closure, demonstrated there will be no further need for facility maintenance, used oil will not contaminate surface or groundwater, and all Tanks, piping, secondary containment, and ancillary equipment will be emptied, cleaned, and decontaminated, and all materials removed and managed, per 62-710.800(5) F.A.C.

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

##### Violations

Type:	Violation
Rule:	273.13(c)(1)
Explanation:	At the time of the inspection, the facility had one 4' box of universal waste lamps that was not closed and thirteen 8' lamps not in a container.
Corrective Action:	Submit photo documentation of all universal waste lamps in closed containers with proper labeling.

##### Comments:

\*\*Violation Resolved\*\* via submittal of photo documentation on 07/25/2022.

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##### Photo Attachments:

Universal Waste Lamps open/ not containerized



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Type:	Violation
Rule:	279.10(c)(1)
Explanation:	At the time of the inspection, inspectors observed a 55-gallon drum of oily wastes that clearly contained free liquid oil material.
Corrective Action:	Remove free liquid from all solid waste contaminated with used oil prior to storage and shipment as oily waste. Submit photo documentation of the liquid and solid waste observed during the inspection separated.

##### Comments:



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**\*\*Violation Resolved\*\*** via submittal of photo documentation on 07/25/2022.

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**Photo Attachments:**

Free liquid and solid waste in drum marked as oily waste



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Type:	Violation
Rule:	279.52(b)(2)(v)
Explanation:	At the time of the inspection, CEMEX's contingency plan did not include the location and description of emergency equipment.
Corrective Action:	Submit a copy of the contingency plan updated to include this information to local authorities and the Department.

**Comments:**

**\*\*Violation Resolved\*\*** via submittal of photo documentation on 07/25/2022.

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Type:	Violation
Rule:	279.54(d)(2) , 62-710.401(6)
Explanation:	The inspectors observed that the secondary containment of the used oil day tank was covered with dust from cement clinker and cat litter used as an absorbent. The floor pump transfer station in the receiving area was also covered in used oil-contaminated absorbents. It was observed that ¼ of the secondary containment was full of dust or material which could compromise the 110% capacity of the secondary containment. In addition, the facility is required under permit number 56307-006-HO to remove waste and absorbents from secondary containment within 24 hours of detection.
Corrective Action:	Submit photo documentation of the secondary containment in the day tank and receiving area cleaned and free of debris or used oil.

**Comments:**

**\*\*Violation resolved\*\*** via submittal of photo documentation on 07/25/2022.

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**Photo Attachments:**



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Secondary containment in receiving area covered in absorbents



Secondary containment in day tank area covered in clinker dust



Pump Transfer Station floor covered in absorbents and oil




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Type:	Violation
Rule:	279.54(f)
Explanation:	At the time of the inspection, some containers and pipes used to store and transfer used oil were not labeled "used oil," and some labels were deteriorated and not clearly marked.
Corrective Action:	Submit photo documentation of all used oil containers, including containers used to collect leaks from the receiving area equipment, properly labeled "used oil."
<b>Comments:</b>	
**Violation Resolved** Via submittal of photo documentation on 07/25/2022.	

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**Photo Attachments:**

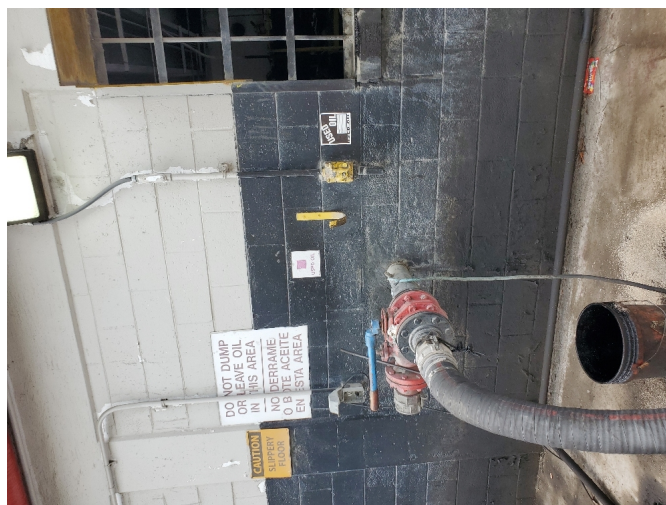


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Deteriorated used oil label in receiving area



Receiving area container for leaks of used oil not labeled



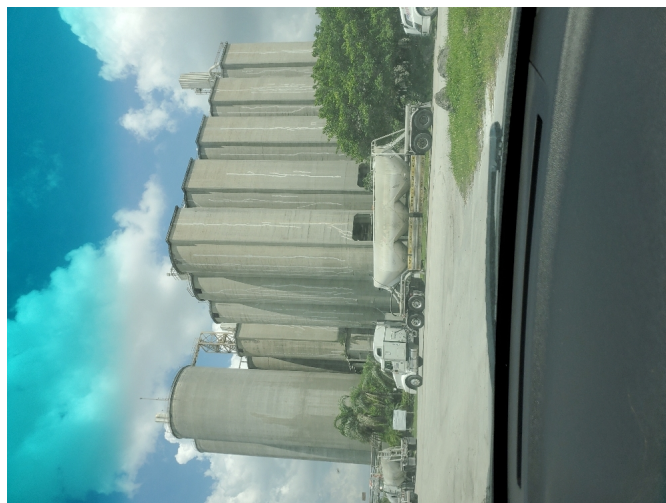
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### PHOTO ATTACHMENTS:

Entrance to Facility



Cement Silos



Kiln tower



Aerosol puncture device





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Drum Building



Waste in QC laboratory



### Conclusion:

CEMEX Miami Cement Plant and SCL Quarry was inspected as a used oil processor and Very Small Quantity Generator of hazardous waste and found to be out of compliance for failure to include the location and description of emergency equipment in the facility's contingency plan, failure to store universal waste lamps in closed containers, failure to remove free liquids from oily wastes before disposal, failure to properly label containers of used oil, and failure to clean absorbent and waste from secondary containments within 24 hours as required by the facility's permit. Compliance assistance was provided during the inspection and in the exit interview dated 07/01/2022. The facility was provided with a deadline of 07/25/2022 to complete corrective actions and submit additional requested documentation. On 07/25/2022, CEMEX representatives submitted the requested documentation. The facility has returned to compliance.

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**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	✓		

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**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.

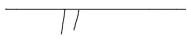
**Note: Checklist items with shaded boxes are for informational purposes only.**

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)	✓		

Inspection Date: 06/21/2022

**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

Tarin F Tischler	Inspector	
<b>Principal Investigator Name</b>	<b>Principal Investigator Title</b>	
	DEP	08/09/2022
<b>Principal Investigator Signature</b>	<b>Organization</b>	<b>Date</b>
Justin Stark	Environmental Specialist III	
<b>Inspector Name</b>	<b>Inspector Title</b>	
	DEP	
	<b>Organization</b>	
Romina Lancellotti	Environmental Specialist II	
<b>Inspector Name</b>	<b>Inspector Title</b>	
	DEP	
	<b>Organization</b>	
Michele De Freitas	Environmental Specialist II	
<b>Inspector Name</b>	<b>Inspector Title</b>	
	DEP	
	<b>Organization</b>	
Roger Hogg	Environmental Manager	
<b>Representative Name</b>	<b>Representative Title</b>	
	CEMEX	
	<b>Organization</b>	

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:**

<b>Approver:</b>	<u>Alannah B Irwin</u>	<b>Inspection Approval Date:</b>	<u>08/09/2022</u>
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