



State of Ohio Environmental Protection Agency

FILE COPY

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P.O. Box 1049  
Columbus, OH 43216-1049

October 28, 2008

Mr. Andy Clark  
Assurance Technical Services, Inc.  
400 Park Avenue  
Delaware, OH 43015

Re: **Assurance Technical Services, Inc.**  
**Non-Generator of Hazardous Waste**  
**U.S. EPA ID#: OHD004297834**  
**Delaware County, CDO**  
**NOV**

Dear Mr. Clark:

Thank you for accompanying me during Ohio EPA's October 23, 2008, inspection of your 400 Park Avenue facility in Delaware, Ohio. I inspected the facility to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC) and to verify that the site does not have any known or suspected releases that would make it subject to RCRA corrective action.

At the time of the inspection, you were operating three businesses at this location: Assurance Technical Services, Inc., Third Millennium Engineering, and a Penske Truck Rental business. None of these businesses generate hazardous waste, however there is a small amount of used oil being generated from machine maintenance.

During the inspection, I found the following violation of Ohio's used oil rules.

***OAC Rule 3745-279-22(C)(1), Used oil storage requirements for generators:***  
Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of my inspection, the tote being used to store used oil was not labeled or marked with the words "Used Oil."

During the inspection, ATS labeled the tote with the words "Used Oil." The violation was abated at that time.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

## General Comments

During the inspection, we discussed the requirements for managing spent fluorescent bulbs. Specifically, this waste stream can be managed as universal waste. Universal wastes are specific hazardous waste streams that a generator can choose to manage in an alternative manner in place of the more complex hazardous waste requirements. Please see our Universal Waste guidance, which is available at: <http://www.epa.state.oh.us/dhwm/pdf/New Universal Waste Guidance.pdf>.

I have also enclosed lists of fluorescent lamp recyclers, as well as additional information about fluorescent lamps. More information about the universal waste rules is available at: <http://www.epa.state.oh.us/dhwm/guidancedocs.html#UW>.

If you would like a free, non-regulatory on-site pollution prevention assessment or if you would like more information about pollution prevention, please contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) at (800) 329-7518 or visit <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Should you have any questions, please feel free to call me at (614) 728-3887. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Melissa M. Storch  
Environmental Specialist  
Division of Hazardous Waste Management  
Central District Office

Enclosure

c: Kristina Durnell, DHWM/CO  
CDO File

MMS/nsm ATS.NOVLetterOct08

**NOTICE:**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b> <b>Site Name</b> <b>Site Location Information</b> <b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	EPA ID Number: <b>OHD004297834</b> Name: <b>Assurance Technical Services, Inc.</b> (see Other Comments) Website: <b>www.ats-3me.com</b> (Optional) Street Address: <b>400 Park Avenue</b> City, Town, or Village: <b>Delaware</b> State: <b>OH</b> County Name: <b>Delaware</b> Zip Code: <b>43015</b> Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>
<b>Facility Representative</b> Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: <b>Andy</b> MI: Last Name: <b>Clark</b> Phone Number: <b>(740) 369-8811</b> Phone Number Extension: E-Mail Address: Fax Number: <b>(740) 369-8866</b> Fax Number Extension: Street or P.O. Box: City, Town or Village: State: Zip Code:
<b>Legal Owner And Operator of the Site:</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: <b>Andy Clark</b> Owner Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Type: Date Became Owner (mm/dd/yyyy): <b>1999</b> Street or P.O. Box: <b>400 Park Avenue</b> City, Town or Village: <b>Delaware</b> State: <b>OH</b> Owner Phone #: <b>(740) 369-8811</b> Country: <b>USA</b> Zip Code: <b>43015</b> Name of Site's Operator: <b>Andy Clark</b> Owner Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Type: Date Became Operator (mm/dd/yyyy): <b>1999</b> Street or P.O. Box: <b>400 Park Avenue</b> City, Town or Village: <b>Delaware</b> State: <b>OH</b> Operator Phone #: <b>740) 369-8811</b> United States Zip Code: <b>43015</b>

**VIOLATIONS CITED?**  Yes  No

<b>TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED</b>	
<input checked="" type="checkbox"/> Not a Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))	
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	

**Waste Codes for Federally Regulated Hazardous Wastes.** Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives: <b>Jon Eblin, Project Manager</b> Other Comments: <b>Andy Clark owns and operates three businesses at this location: Assurance Technical Services, Third Millennium Engineering, and Penske Truck Rental. All of these businesses use 400 Park Ave as their address.</b>
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
<b>Melissa Storch, DHWM/CDO</b>		<b>10/23/2008 10:30am</b>

OPTIONAL CERTIFICATION: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

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**PROCESS DESCRIPTION SECTION**

Give a general process description (include all processes at the facility)

Andy Clark currently owns the property at 400 Park Avenue, Delaware, Ohio. The site used to be owned and operated by Borden Chemical Co., who submitted a Part A permit application for the site in the early 1980s. Borden operated as a large quantity generator (LQG) of hazardous waste and requested withdrawal of the permit in 1982. In 1989, National Starch and Chemical Co. bought the facility and operated until the late 1990s. National Starch notified that it did not generate any hazardous waste.

Andy Clark bought the property in 1999 and currently operates three businesses at the site: Assurance Technical Services, Inc. (ATS), Third Millennium Engineering, and a Penske Truck Rental business. ATS and Third Millennium are engineering companies. ATS performs harsh environmental testing (quality assurance) for materials such as pumps, valves, and motors. The company uses a steam pressure-testing machine, and well as load/failure strength testing machines. Third Millennium is Andy's machine shop, which mills out tools (using a milling machine) for customers looking for unique/special tools. Penske Trucking is a truck rental business. Andy only parks trucks at this location; no maintenance activities are occurring.

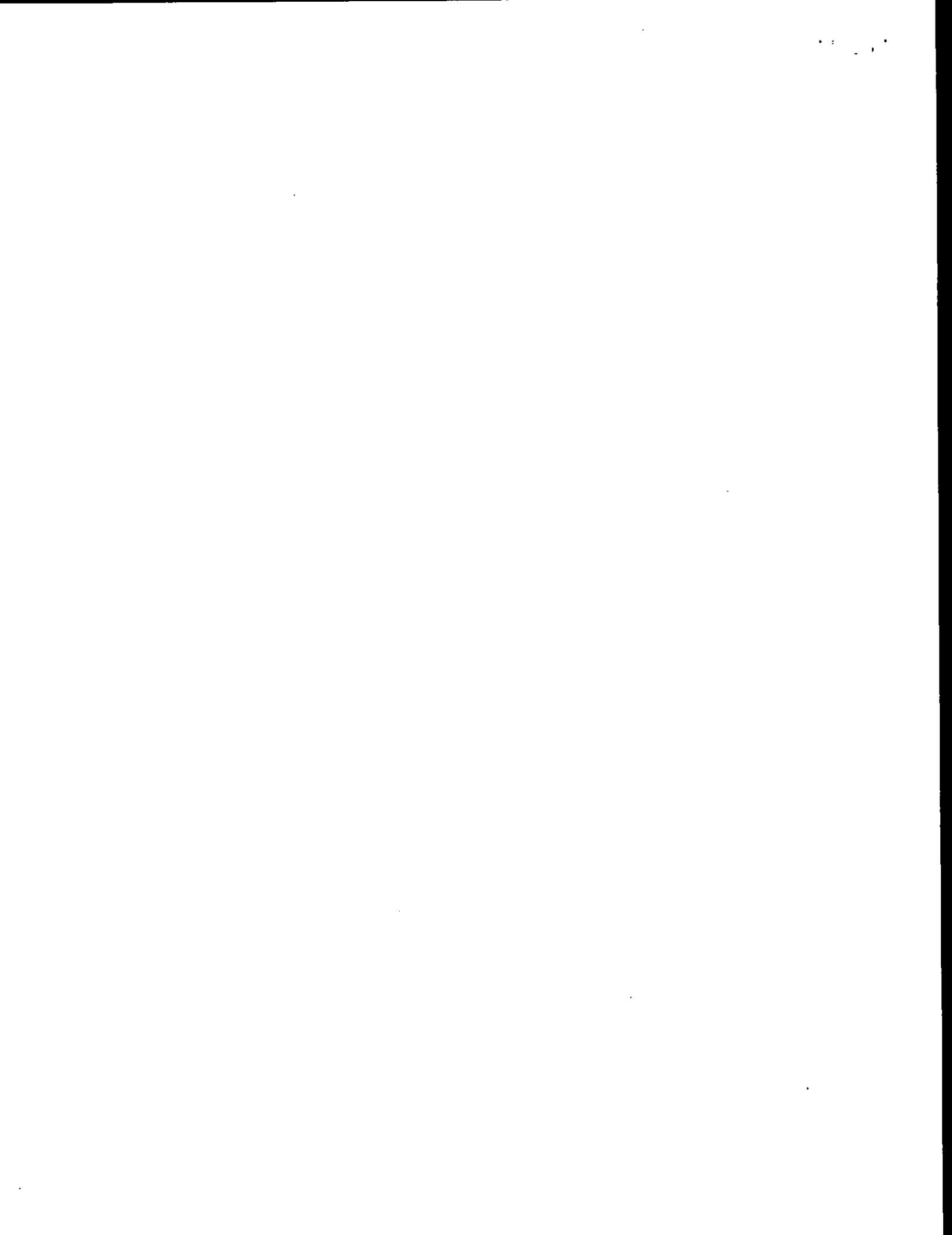
Andy's businesses do not generate any hazardous waste at this location. There is a small amount of used oil that is generated from machine maintenance. It is collected in a tote and then managed by Capital City Oil. The milling process also generates some scrap metal, which is sent to Sargent Metal for recycling.

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**WASTE ACTIVITIES AND P2 SUMMARY SECTION**

For each of the processes listed above that generate a waste give the following information: (1) name of process generating waste, (2) name or description of waste generated (e.g. sludge, solvent, ash, used oil, spent lamps, etc.), (3) EPA waste codes, if applicable, (4) quantity generated per month, (5) type of accumulation (container, tank, etc.) (6) waste accumulation location in facility, (7) type of on-site treatment (if used), (8) name of off-site management facility and type of waste management activity occurring there, (9) Current P2 activities, and (10) P2 opportunities.

Andy's businesses do not generate any hazardous waste at this location. There is a small amount of used oil that is generated from machine maintenance. It is collected in a tote and then managed by Capital City Oil. The milling process also generates some scrap metal, which is sent to Sargent Metal for recycling.



**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

**PROHIBITIONS**

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: For example, used oil contaminated scrap metal stored in a pile.*

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

**GENERATOR STANDARDS**

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.*

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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*NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.*

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] <b>The tote being used to store used oil was not labeled or marked with the words "Used Oil." Before I left, ATS printed out a "Used Oil" label for the tote.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**ON-SITE BURNING IN SPACE HEATER**

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	generators?	
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).*

**GENERATOR TRANSPORTATION**

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

**COLLECTION CENTERS AND AGGREGATION POINTS**

13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*