



State of Ohio Environmental Protection Agency

FILE COPY

STREET ADDRESS:

Central District Office

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

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

April 29, 2009

Mr. John K. Everett
1005 S. High Street
Columbus OH, 43206

Re: **2981 Lazar Rd.
Non-Notifier
Franklin County**

Dear Mr. Everett:

On April 22, 2009, I conducted an inspection of the 2981 Lazar Rd. facility in Columbus, Ohio 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). This inspection was conducted as part of a complaint received by the City of Columbus Code Enforcement and was carried out by staff in Ohio EPA's Division of Hazardous Waste Management, Central District Office. As the executor of this estate you are receiving this letter as a notification of the obligations now associated with this site for the future land owner. This letter will explain the violations we found, and what must be done in order to correct the violations, other general concerns we have and what the property owner needs to do to respond to our general concerns.

The 2981 Lazar Rd. facility is in violation of the following Ohio hazardous waste laws. In order to correct these violations the following must be completed and the required information sent to me ***within 30 days of your receipt of this letter.***

Used Oil Generator Standards (OAC 3745-279-22 (D))

Response to releases. Upon detection of a release of used oil to the environment a generator shall clean up and properly manage the released used oil and other materials. At the time of the inspection Used Oil had stained the soil throughout the facility yard and was spilled inside the building.

As denoted by the accompanying pictures, the soil in the storage yard and the floor of the workshop need to be cleaned up by removing and properly disposing of any visibly contaminated soils and absorbants. Please note that proper clean up of nonhazardous used oil includes disposal of all adsorbent used, along with any contaminated soil in a sanitary landfill. Photographs showing proper clean up of the designated areas must be submitted to Ohio EPA.

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

Comments

- Due to the lack of security at the facility Ohio EPA recommends proper disposal of all remaining Used Oil and wastes. This will prevent additional spills and cleanup due to the ongoing vandalism and dumping currently occurring at the site. This must be done through a licensed used oil transporter and disposal facility.

Enclosed you will find a copy of the checklists that we completed as a result of the inspection and information regarding cleanup and disposal of Used Oil. Should you have any questions, please feel free to call me at (614-728-3884). 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,



Peter Maneff
District Representative
Division of Hazardous Waste Management
Central District Office

Enclosure

c: Kristina Durnell, DHWM/CO
CDO File

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
 or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: non-notifier		Website: (Optional)						
Site Name	Name:								
Site Location Information	Street Address: 2981 Lazar Rd.		State: OH						
	City, Town, or Village: Columbus		Zip Code: 43123						
	County Name: Franklin								
Site Land Type (check only one)	Private	County	District	Federal	Indian	Municipal	State	Other	
NAICS code(s) www.census.gov/epcd/www/naics.html	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Facility Representative	First Name:	MI:	Last Name:						
Additional names can be recorded in number 12	Phone Number:		Phone Number Extension:						
	E-Mail Address:		Fax Number Extension:						
Only provide address information if it is different than the site address	Fax Number:		Zip Code:						
	Street or P.O. Box:								
	City, Town or Village:								
	State:								
Legal Owner And Operator of the Site.	Name of Site's Legal Owner:		Date Became Owner						
List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Street or P.O. Box:				Owner Phone #:		Zip Code:		
	City, Town or Village:				Country:				
	State:				Date Became Operator (07/07/2003):				
	Name of Site's Operator:								
	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Street or P.O. Box:				Operator Phone #:		Zip Code:		
	City, Town or Village:				United States				
	State:								

VIOLATIONS CITED? Yes No

TYPE OF HANDLER—A MINIMUM OF ONE BOX MUST BE CHECKED

<input checked="" type="checkbox"/> Not a HW 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

Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
 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 RCRA Info 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:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Peter Maneff		4/22/2009

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)

**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 No N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes No N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes No N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes No N/A

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 No N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes No N/A

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 No N/A

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 No N/A
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)] Yes No N/A

[2981 Lazar Rd/April 22, 2009]

[Non-notifier]

Used Oil Checklist for Generators

October 2007

Page 1 of 2

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes No N/A
- b. Contained the release? Yes No N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes No N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes No N/A

ON-SITE BURNING IN SPACE HEATER

10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes No N/A
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes No N/A
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes No N/A

GENERATOR TRANSPORTATION

11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes No N/A
- a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes No N/A
- b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes No N/A

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

12. 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 No N/A
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No N/A
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes No N/A

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.

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc