



State of Ohio Environmental Protection Agency

**Southwest District Office**401 E. Fifth St.  
Dayton, Ohio 45402TELE: (937) 285-6357 FAX: (937) 285-6249  
www.epa.state.oh.usTed Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

June 22, 2007

Mr. Wade Pettengill  
790 Perching Road  
Raleigh, North Carolina 27608**Re: Complaint Investigation-Jiffy Lube Store # 2400 and #1306**

Dear Mr. Pettengill:

On May 23, 2007, Steve Roth and I representing Ohio EPA visited your Jiffy Lube Stores in regard to a complaint received in our office alleging a release of used motor oil through a sump and through spills during transfer to the storage tanks. Based upon the inspection of the Jiffy Lube Stores, the complaint was deemed to have some validity. The following violations of Ohio's hazardous waste rules were noted:

**Used Oil Storage Requirements for Generators., OAC 3745-279-22(c)(1):**

This rule states that containers and aboveground tanks used to store used oil shall be labeled or marked clearly with the words "Used Oil". During the inspection, it was noted that the containers used to collect and transfer used oil located at your stores were not labeled as required by this rule. Please label the drip pans and buckets used to temporarily store used oil until it can be transferred to the storage tank(s) at both store locations with the words "used oil".

**Used Oil Storage Requirements for Generators., OAC 3745-279-22(c)(2):**

This rule states that piping used to transfer used oil to underground storage tanks shall be labeled or marked clearly with the words "Used Oil". During the inspection, it was noted that the piping used to transfer used oil to the underground storage tank was not labeled as required by this rule. Please label the piping at Jiffy Lube Store # 1306 with the words "used oil".

Additionally, I asked to see shipping receipts for the disposal of your used oil. Thank you for submitting copies of the shipment/disposal records via electronic mail on May 24, 2007.

As a result of our inspection of the used oil storage tank and the disposal records we identified a storage tank large enough to require a Spill Prevention, Control, and Countermeasures Plan (SPCC Plan). A copy of the SPCC Plan for Jiffy

Mr. Wade Pettengill

June 22, 2007

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Lube Store # 2400 was submitted upon my request via e-mail on June 4, 2007. Ohio EPA has the following comments:

-Section III, item number 1. Storage Tank Area. The SPCC Plan states that if the store has a sump there needs to be a circle placed around a sentence regarding the berming or closing of the sump to prevent a release. The sentence in the SPCC Plan is not circled nor is the sump located in the lower bay area closed to prevent a release.

- Section V. Facility Drainage. The SPCC Plan states there are no floor drains within the store. This statement is incorrect. There are floor drains located in Jiffy Lube Store #2400.

Ohio EPA recommends that you review this plan for accuracy and make any changes needed to reflect the actual conditions at Jiffy Lube Store # 2400.

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at [www.epa.state.oh.us/dhwm](http://www.epa.state.oh.us/dhwm). Ohio EPA also has helpful information about pollution prevention at the following web address: [www.epa.state.oh.us/opp](http://www.epa.state.oh.us/opp).

A re-inspection will be conducted to document your return to compliance with the above-mentioned violations. Should you have any questions, please feel free to contact me.

Sincerely,



Brian Marlatt

Division of Hazardous Waste Management

**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.

cc: Bryon Priest, District Manager  
Pam Henslee  
Dinah Crawford, DHWM/SWDO File

BM/br

JIFFY LUBE

EST CHESTER STORE # 7400

# USED OIL INSPECTION CHECKLIST (Short Version)

**NOTE:** This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

BYRON PHEAST: DISTRICT MANAGER

5 WEST WHIPP RD.  
CENTERVILLE OH 45459

## PROHIBITIONS

- 1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
 Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
- 2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A \_\_\_ RMK# \_\_\_
- 3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes \_\_\_ No  N/A  RMK# \_\_\_  
 NO USED OIL BURNING

## USED OIL GENERATOR STANDARDS

- 4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] *ANKI FREEZE MIXED IN* Yes \_\_\_ No  N/A  RMK# \_\_\_
- 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 \_\_\_ RMK# \_\_\_
- 6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes  No  N/A \_\_\_ RMK# \_\_\_
- 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 \_\_\_ RMK# \_\_\_
- 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 \_\_\_ RMK# \_\_\_  
 BUCKETS, BAY PANS  
 USED LUBES
- 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 \_\_\_ RMK# \_\_\_
  - b. Contained the release? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

➔ DEGREASER USED AND MOP, EXCESSIVE AMOUNT FLOOR DRY IS USED FOR THE

OIL STAINS IN PARKING LOT

NO OIL

- c. Cleaned up and properly managed the used oil and other materials? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 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 \_\_\_ RMK# \_\_\_
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- c. Are the combustion gases from heater vented to the ambient air? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes  No  N/A \_\_\_ RMK# \_\_\_

**USED OIL 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 \_\_\_ RMK# \_\_\_
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
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 \_\_\_ RMK# \_\_\_

**WASTE EVALUATION**

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- CUSTOMER AFTER HOURS UNWANTED DROP-OFF?*

C:\bkml\Bmarlatt\Temporary Internet Files\Content.IE5\E7ORW3Y1\USED OIL.SHORT.11.2004.fin.megaset[1].wpd

**REMARKS**

*FLOOR DRAINS LEAD TO SUMP PUMPS TO OIL/WATER SEPARATOR WHICH OIL/WATER UPGRADED OUT BY NOBLE*

*NOT WATER OVER INTO OIL PANS AND OILS DUMPED INTO OIL TANK*

\* *CUSTOMERS DROP OFF USED OIL OUTSIDE PARTS AFTER HOURS: UNWANTED OIL PUT INTO USED OIL TANK.*

**COMPLAINT INVESTIGATION FORM**

<b>DATE/TIME REPORTED:</b> March 16, 2007 9:15am	<b>DISTRICT OFFICE:</b> SWDO
<b>COMPLAINANT:</b> Name: Confidential	<b>SUSPECTED SOURCE:</b> Name/Facility: Jiffy Lube - two locations
<b>Address:</b>	<b>Address 1 :</b> SR.32 and Glen Este Ave Cincinnati, Ohio  <b>Address 2:</b> Tylersville Road near I 75 West Chester, OH
<b>Phone No: *</b>	<b>County:</b> Butler
	<b>Phone No:</b>
<b>Confidential Status:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <small>*If complainant requests confidentiality, record complainant information on page 2 and attach.</small>	<b>Regulatory Status:</b> <input type="checkbox"/> CEG <input type="checkbox"/> SQG <input type="checkbox"/> LQG <input type="checkbox"/> TSD <input type="checkbox"/> Transporter <input type="checkbox"/> Non-notifier
<b>Comments:</b>	<b>EPA ID#</b>
<p><b>STATEMENT OF COMPLAINT:</b></p> <p>Complainant is a former employee. Address at ST RT 32 and Glen Este Avenue: States the employees were told to turn over the dirt surrounding the UST to hide the spilled oil. Oil has pretty much saturated the dirt. Oil spills are due to sloppy practices. There is a tube that is supposed to run from the pit to the tank, but the tube was blocked or not working, thus the employees had been carting the oil outside to put into the tank that way.</p> <p>Address at Tylersville Road near I 75: States that while working at this location, there was a situation where there was 7 inches of water/oil and sludge in the pit area. The employee was told to push the material into the sump. From there it was pumped out. The employee did not know if the sump went to sewer or storm. The pump did fail shortly after that and had to be replaced. Employee believes the mess in the pit area was caused by employees just opening the oil pans from the cars and not attempting to catch any of the oil into any container.</p> <p>The initial plan was to have the oil/water sludge material to be sucked up by a vacuum from a Dayton location on Briel Road, but the vacuum arrived several weeks after they had taken care of the mess through the sump pump. Caller mentions this because caller deduced the Dayton location had similar practices of draining the oil into the pit area.</p> <p>Note from OEPA staff: DSW may also be interested in the complaint, depending on where the sump leads.</p>	
<b>ASSOCIATED INDIV./COMPANIES:</b>	
COMPLAINT RECEIVED BY: D. Roth	
<b>INVESTIGATION SUMMARY:</b> 6/23/07      LOUIS McBRIDE      STORE # 2400	
<b>INVESTIGATOR ASSIGNED:</b> Marla H (4/23/07)	<b>PRIORITY:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low
<b>LOCATED IN SWAP AREA?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>REQUIRED RESPONSE TIME:</b> 30 DAYS



ACTIONS/OBSERVATIONS/RECOMMENDATIONS:

INVESTIGATION/STATUS/RESOLUTION:

NEED = STORE #2400  
FROM 2007 RECORDS  
FROM NOBLE AND  
OIL WATER SEPARATOR WEAR-OFF  
- PIPING FROM 2 Sumps TO  
FOUSHAT TRAY BOTH GO TO OIL/WATER  
SEPARATOR.





State Route 32 & Glen Este Withamsville Rd

Cincinnati OH  
45245 US

Notes:

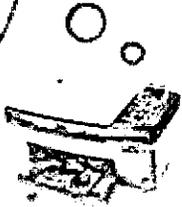
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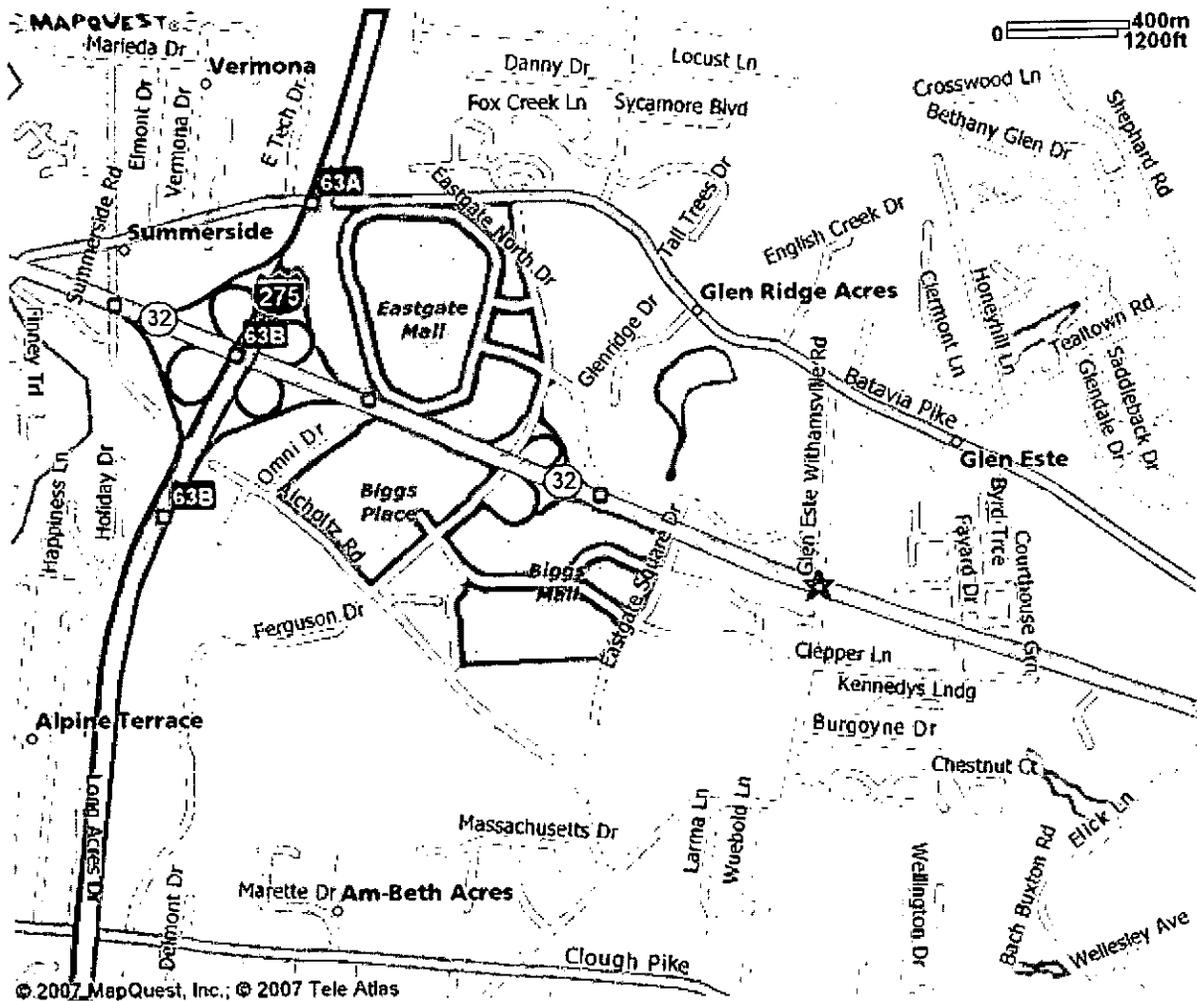
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\*As compared to other consumer inkjet printers

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Monday Thunderstorms High: 75 ° Low: 58 °	Tuesday Partly Cloudy High: 75 ° Low: 60 °	Wednesday Thunderstorms High: 74 ° Low: 49 °
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## Jiffy Lube

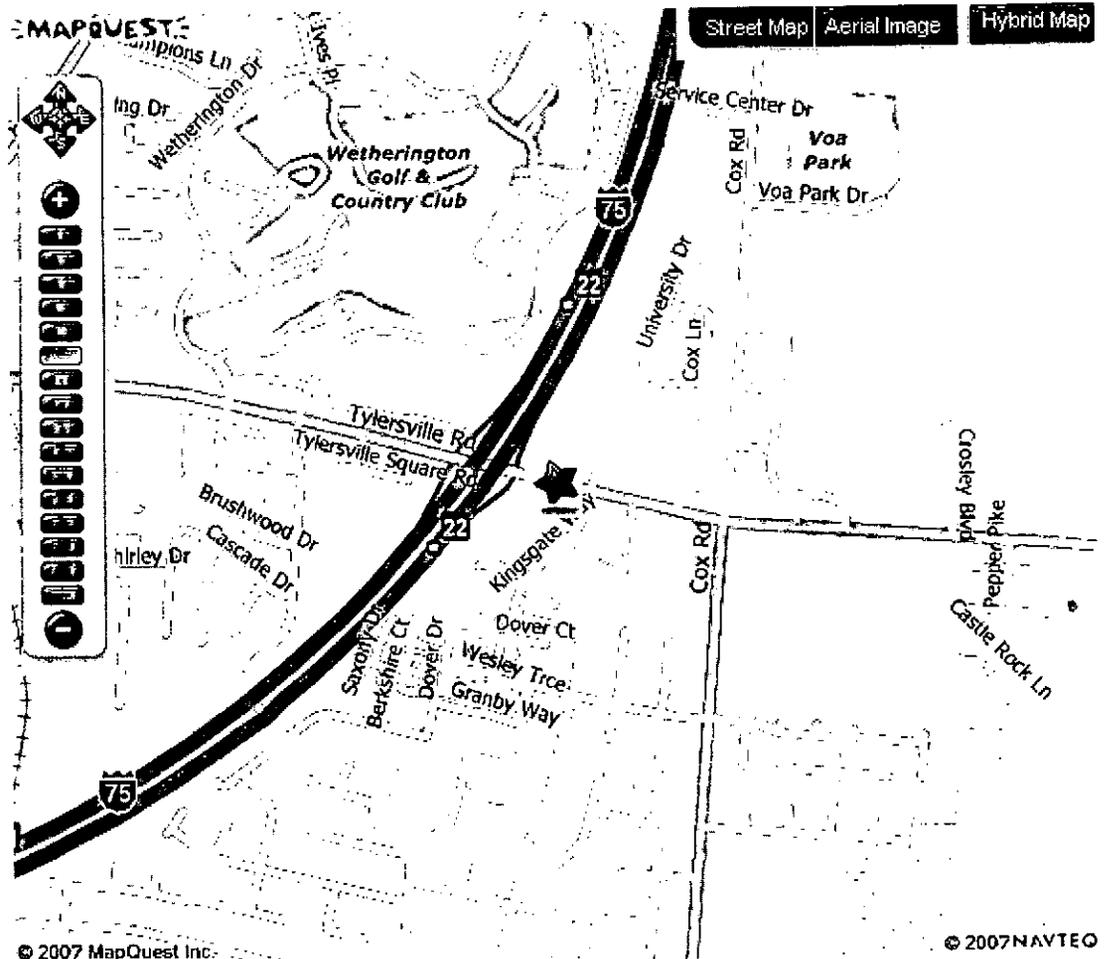
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