

001 File



State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

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

July 17, 2007

Mr. Tim Woods
Tim Woods Garage
145 West Main Street
Williamsburg, Ohio 45102

RE: Complaint Investigation/ Notice of Violation

Dear Mr. Woods:

On July 11, 2007 Brian Mallett and I investigated an anonymous complaint called to this office alleging that used oils and other vehicle fluids were being mismanaged by Tim Woods Garage. Thank you for accompanying us around your facility to determine if these allegations were accurate.

During the investigation I noticed that three (3) containers with used oil was not labeled, therefore Tim Woods Garage is in violation of **OAC 3745-279-22(C)(1)** which states:

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words **'Used Oil'**.

Tim Woods Garage failed to label the three containers. This violation was corrected during the investigation.

Based on my observations, there did not appear to be any evidence to support the allegations made by the complainant, however I did notice some staining in the driveway. I would suggest that you make every effort to keep your property free of auto body fluids.

Please feel free to call me at (937) 285-6092 in regards to this investigation or any other environmental issues that you may have.

Sincerely,

Larry Dickerson
Division of Hazardous Waste Management
Southwest District Office

cc: Dinah Crawford, DHWM/SWDO/ File

LD/plh

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.

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24

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office	Of Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only																	
2. Site EPA ID No.	EPA ID Number:																			
3. Site Name	Name: Tim Woods Garage		Website (optional):																	
4. Site Location Information	Street Address: 145 West Main Street																			
	City, Town, or Village: Williamsburg		State: OH																	
	County Name: Clermont		Zip Code: 45176																	
5. Site Land Type (check only one)	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Private	County	District	Federal	Indian	Municipal	State	Other	X							
Private	County	District	Federal	Indian	Municipal	State	Other													
X																				
6. NAICS code(s) www.census.gov/epcd/www/naics.html	A.		B.																	
	C.		D.																	
7. Facility Representative: Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: Tim		MI:	Last Name: Woods																
	Phone Number: (513) 724-7511			Phone Number Extension:																
	E-Mail Address:																			
	Fax Number:			Fax Number Extension:																
	Street or P.O. Box:																			
	City, Town or Village:		State:		Country:	Zip Code:														
8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.	1. Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):																	
	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other											
	Street or P.O. Box:																			
	City, Town, or Village:				Owner Phone #:															
	State:				County:		Zip Code:													
	B. Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):																	
	Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other											
	Street or P.O. Box:																			



City, Town, or Village:		Operator Phone #:	
State:	Country:	Zip Code:	

9. Violations Cited? Yes No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

Not Regulated

A. Hazardous Waste Activities

(choose only one of the following categories)

UNKNOWN: Cited for violation of 3745-52-11

- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

B. Universal Waste Activities

1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):

2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).

3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

	Generated	Accumulated
A. Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>

3. Treater, Storer or Disposer of Hazardous Waste

4. Recycler of Hazardous Waste

5. Exempt Boiler and/or Industrial Furnace

- a. Small Quantity On-site Burner Exemption
- b. Smelting, Melting, Refining Furnace Exemption

6. Underground Injection Control Facility

7. Hazardous Waste Transporter

C. Used Oil Activities

1. Used Oil Generator

2. Used Oil Transporter Indicate Type(s) of Activity(ies)

- Transporter
- Transfer Facility

3. Used Oil Processor and/or Re-refiner
Indicate Type(s) of Activity(ies)

- Processor
- Re-refiner

4. Off-Specification Used Oil Burner

5. Used Oil Fuel Marketer -

- Indicate Type(s) of Activity(ies)
- a. Marketer Who Directs Shipment of Off-Specification Oil
 - b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your 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.

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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.



N	Announced ?	Additional Facilities	representatives:	Mike Clephane
N	Tanks?	Other comments:		
Y	Containers?	Cited for unlabeled containers OAC 3745-279-22 (C) (1)		
13.		Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
		Larry Dickerson	Brian Mallett	July 11, 2007 @ 10:30
14. 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)





Emergency Response Section - Initial Pollution Incident Report (IPIR)

6/28/2007

Spill Id Number: 0604-13-1183//0

District: SW

Reported By: PC LAU	Reported: 04/12/2006 12:51
Title: OSC	Discovered: 04/12/2006 12:51
Telephone: (734) 692-7685 ext:	Occurred: 00/00/0000
Affiliation: US ENVIRONMENTAL PROTECTION AGENCY	Chronic: N

County: CLERMONT

City/Township: WILLIAMSBURG

Did Spiller Report ? N

Complaint ? Y

Received By: CRAWFORD, JIM

Priority: R

Local EPC ? N

Did you tell the Spiller to Call the N.R.C ? N

Business: N

SARA Report: N

Suspected Spiller: UNKNOWN
Mailing Address: N/A
Telephone: (000) 000-0000 ext:

Location: 134 S FRONT ST

Source: TRANSPORTATION - TRUCK - LINE LEAK

Cause: UNKNOWN

Reason: UNKNOWN REASONS

Waterways Affected: N/A

Media Affected 1: LAND OR LAND SURFACE

Media Affected 2:

Media Affected 3:

Product(s) Spilled

Product	Amount	UOM	RQ	Size	Type	EHS
HYDRAULIC OIL	.0	UNK	25.0	S	H	N

Remark

OSC CRAWFORD RECEIVED A CALL AND FOLLOW UP E-MAIL FROM PC LAU, USEPA. HE RECEIVED A COMPLAINT FROM ALLSTATE INSURANCE COMPANY REGARDING AN OIL SPILL TO THEIR INSURED'S PROPERTY. E-MAIL FROM ALLSTATE ADVISIES THE OEPA HAS NOT RESPONDED, AND HE WANTS TO KNOW WHY. OSC FARMER SPOKE WITH THE COMPLAINANT ON 04/10/06. FARMER ADVISED THE SPILL WAS LAND BASED, THIRD PARTY DAMAGE TYPE RELEASE. FARMER NOTED THAT COMPLAINANT WAS DIFFICULT TO REASON WITH. OSC CRAWFORD WILL RESPOND



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0604-13-1183

OSC: 1765 - CRAWFORD, JIM

Spill Status: FINAL

Date	Time	Reported By: PC LAU
Reported: 04/12/2006	12:51	Title: OSC
Discovered: 04/12/2006	12:51	Affiliation: US ENVIRONMENTAL PROTECTION AGENCY
Occurred: 00/00/0000		Telephone: (734) 692-7685 Extension:

Spill Location Information

County: CLERMONT	Latitude: 39-03-10.2 N
City/TWP: WILLIAMSBURG	Longitude: 84-03-06.9 W
Location: 134 S FRONT ST	
Waterway: N/A	
Length:	
Land Area:	

Entity Information

Name/Company: NON-REPORTABLE (SEE REMARKS)
 Address: N/A
 City: WILLIAMSBURG State: OH Zip Code:
 Telephone: (000) 000-0000 Ext:
 SPCC Plan Req: SPCC Plan in Effect:

Entity Representatives

Products Spilled

Product	Amount	UOM	Type
HYDRAULIC OIL	5.0	GAL	H
Source: TRANSPORTATION - TRUCK - LINE LEAK			
Cause: DA / CUT OR BREAK			
Reason: EQUIPMENT BEING REPAIRED			
Media Affected: LAND OR LAND SURFACE IMPACT			

Other Contacts

Name	Title	Phone	Extension
TIM WOOD	OWNER, L WOOD & SON LTD	(513) 724-7511	
PC LALL	USEPA	(734) 692-7685	
PATTY	TEMP MANAGER	(513) 724-7511	
DALE FARMER	OEPA - OSC	(937) 285-6067	

Referrals

Supporting Documentation

Document	Document Date	Pages
PHOTOS/SLIDES	04/12/2006	4
OTHER	04/12/2006	3



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0604-13-1183

OSC: 1765 - CRAWFORD, JIM

Status: CONTINUING

Activity Date: 04/12/2006

Phone Followup: NO

04/12/2006:

OSC Crawford was contacted by USEPA, PC Lall regarding a complaint received from an Allstate Insurance agent on behalf of his client, Denny Schneider at 134 South Front Street, Williamsburg. Lall e-mailed the complaint information. A copy is attached to this report.

The OSC spoke with OSC Dale Farmer regarding this complaint. Dale had received a call from the complainant on 10 April. After the complainant described the situation to Dale, Dale advised him that if no waterways were impacted, nor threatened, Ohio EPA would have little jurisdiction in the matter. Dale did offer to respond to site and investigate, but advised it would not be a priority. He expected being in the area within the week. The complainant was not happy with that response and proceeded to instruct Dale on his job duties. The complainant did not want Dale on his property without him being present. He wanted to make an appointment with Dale. Dale advised that he would stop by when in the area, and making an appointment may not be possible. At no time, did Dale say he would not visit the site, it seems Dale placed it at a lower priority than the complainant.

The OSC agreed to investigate the incident and responded. The OSC was delayed in responding due to making phone calls on a higher priority incident received while enroute to Williamsburg.

1548 hrs. - The OSC arrived on scene. The OSC located the 134 South Front St., address. The house appears to be a bi-occupancy rental house. The OSC drove to the alley at the rear of the property. The house is bordered on the north by the Williamsburg PD on Front St., and along the alley (address on the main street), by an auto repair shop owned by L. Wood & Son, LTD. The OSC viewed the area in question and photographed the spill area. The OSC viewed a small area of oil stained grass off the concrete pad, apparently on the complainant's property. The spill area was an "L" shaped area, estimated at 9 ft. by 5 ft. at most. The OSC noted a very small quantity of oil, and some darker stained grass, impacted by the oil. The spill sits in a low area, with no further apparent movement of the spill. The OSC did not see any storm drain inlets in the vicinity of the spill.

The OSC then met with the business manager, Patty, who then called the owner, Mr. Tim Wood to the scene. The following is Patty's description of the events: A hose on the backhoe released hydraulic oil to the concrete pad. A bucket was placed under the hose to collect the oil. Obviously some oil reached the concrete. Today, they were washing the backhoe to remove mud from it. The concrete area is adjacent to the complainant's property. There is no curb, and the wash water and oil flowed from the concrete to the grassy area. With the warm weather, the grass had begun to show evidence of stress (discolored, stained). Williamsburg has sanitary sewers and has a public water supply. This release would not threaten either.

Page 1



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0604-13-1183

OSC: 1765 - CRAWFORD, JIM

Status: FINAL

Activity Date: 04/24/2006

Phone Followup: NO

Narrative for 04/12/2006 continued from the previous page

I spoke with Tim Wood, owner of the business and advised him that there were no Ohio EPA issues at the site, but that washing oil and mud onto an adjacent property was not being a good neighbor. He agreed, and stated he would not want someone to do that to his property. He agreed to do some cleanup, and possibly place top soil on the impacted area. I gather from general conversation, that there may be other issues between the two properties and their owners, that do not involve the environment.

The OSC saw no OEPA environmental regulation violations at the scene. This is a third party damage issue between the two parties. No further action anticipated by OEPA ER. The OSC left the site at 1624 hrs.

04/17/2006:

The OSC e-mailed a response on the investigation to PC Lall, USEPA.

04/24/2006:

Completed report writing, photograph printing, electronic transfer of file (1148-1230)

Photo Log:

Date: 04/12/2006; OSC: J. Crawford

Page 1: Photo #1: backhoe involved with release

Page 1: Photo #2: closer viewed of wash off area

Page 1: Photo #3: edge of concrete, wash off area, impacted soil

Page 1: Photo #4: extent of impacted soil as seen on this date

Page 2



Emergency Response Section - District Office Investigation Report (DOIR)

Spill Id Number: 0604-13-1183

OSC: 1765 - CRAWFORD, JIM

Response Date: 04/12/2006

Start Time: 13:00 End Time: 14:12 Total Mileage: 33.00

Time Code	Regular Time	Overtime	Total
0022	1.2	.0	1.2
Total Time:			1.2

OSC: 1765 - CRAWFORD, JIM

Response Date: 04/12/2006

Start Time: 14:48 End Time: 18:48 Total Mileage: 125.00

Time Code	Regular Time	Overtime	Total
0022	1.2	2.8	4.0
Total Time:			4.0

OSC: 1765 - CRAWFORD, JIM

Response Date: 04/24/2006

Start Time: 11:48 End Time: 12:30 Total Mileage:

Time Code	Regular Time	Overtime	Total
0100	.7	.0	.7
Total Time:			.7

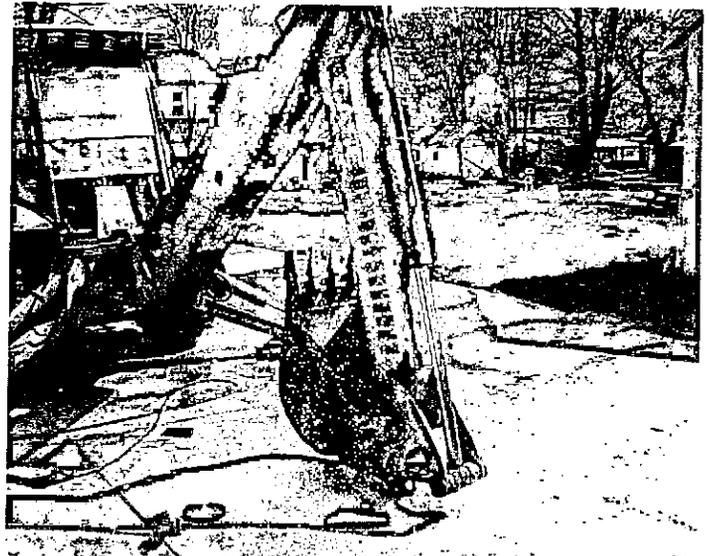
Grand Total for this Spill: 5.9



11



04/12/2006



04/12/2006



04/12/2006



04/12/2006

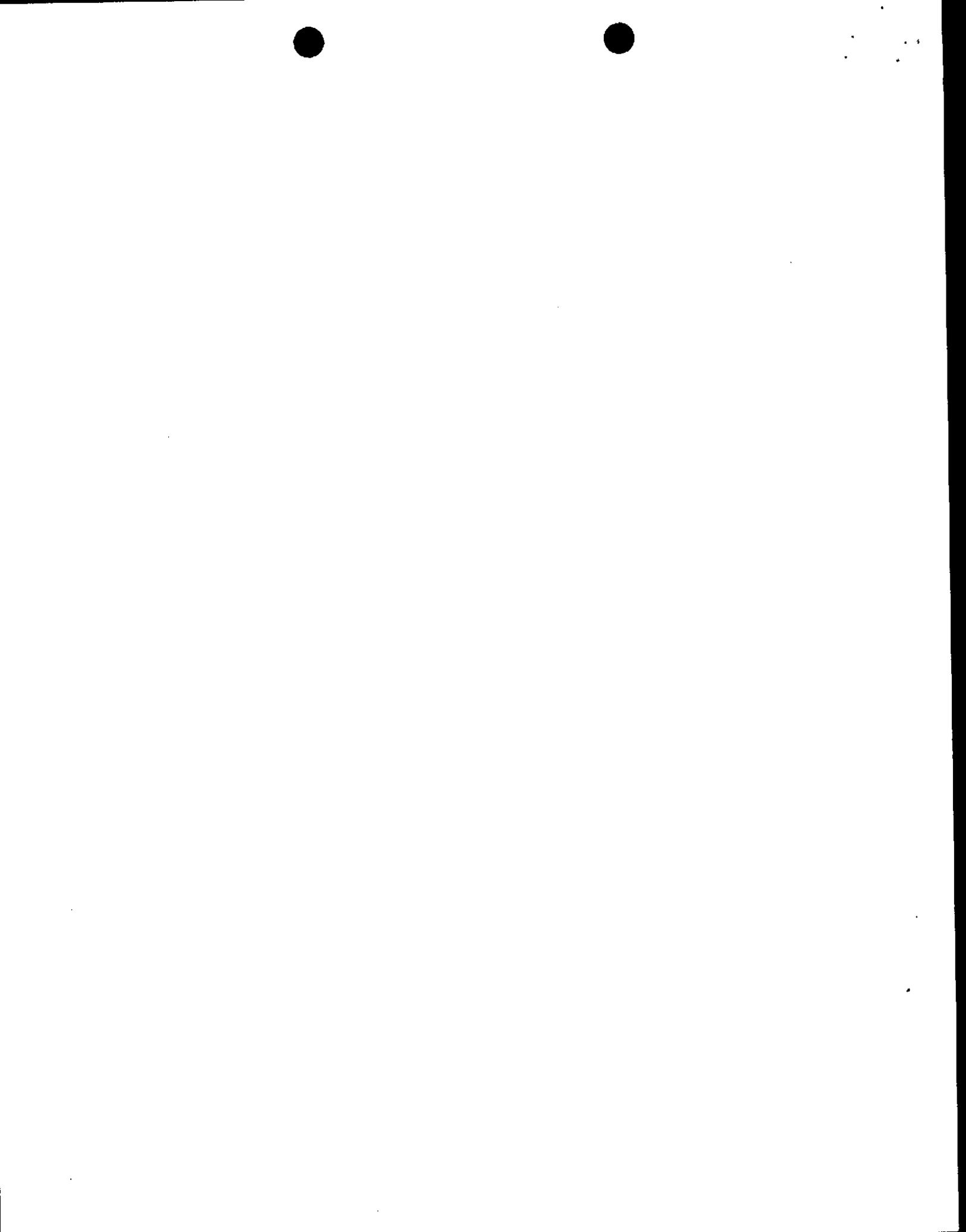


Photo Log: Spill #0604-13-1183

Date: 04/12/2006;

Page 1: Photo #1: back hoe wash area, where hydraulic line broke
Page 1: Photo #2: wash pad adjacent to complainant's property
Page 1: Photo #3: runoff to swale along property line
Page 1: Photo #4: small oily staining in grass, swale between properties



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