



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Eval. Φ

Enf. $\Phi\Phi$

May 9, 2011

Purdin's Auto Parts, Inc.
Jamie Purdin, Manager
4501 U.S 50
Hillsboro, Ohio 45133

OHR $\Phi\Phi\Phi$ 164053

Re: Complaint Investigation – Notice of Violation

Dear Mr. Purdin:

On May 3, 2011, Maria Lammers and I investigated the Purdins Auto Parts, Inc. facility located at 4501 U.S 50 in Hillsboro, Ohio, Ohio. The purpose of the investigation was to assess the validity of the complaint and determine compliance with Ohio's environmental laws found in Chapter 3734 of the Ohio Revised Code and Chapter 3745 of the Ohio Administrative Code.

The complaint alleged mismanagement of auto fluids and batteries. It was determined that Purdin's is properly collecting auto fluids including used oil. The used oil is stored year round and burned on site during colder months in an oil fired space heater. Fluids that can be reused are used on site or sold as product. This letter will explain the violation(s) we found, what you need to do to correct them, and includes additional information.

Violations

1) Response to Releases OAC 3745-279-22(D)

This regulation requires that in the event of a release of Used Oil to the environment, you must (1) stop the release (2) contain the release (3) clean up and properly manage the resulting waste and clean up materials; and (4) if necessary, repair or replace any leaking storage containers.

We observed the removal of fluids at the car rack. The fluids were being properly collected in containers in the secondary containment area. The secondary containment under the rack consists of a concrete pad with steel sides under the entire operation. At the time of our investigation, there were stained and pooled areas in the secondary containment area and as well as outside the secondary containment on the soil.



Purdin's Auto Parts, Inc.
May 9, 2011
Page 2

In order to abate this violation you must clean up and dispose of the spills and the contaminated soil in this area. At a minimum, you must remove all soil that is visibly stained. There was no evidence of illegal dumping or illegal disposal of used oil.

Note that when we return to review the cleaned up area, we must see evidence that not only the area was cleaned up properly, but also that the resulting cleaned up material was properly managed and disposed. This evidence may include any or all of the following; a bill of lading from your waste hauler, the weight ticket from a disposal facility, photographs that you take to document your efforts, and your own memo or write-up to your file to describe the efforts taken. Remember, that the more information and documentation you keep on file will help corroborate your efforts.

2) Generator Standards – Used Oil (OAC 3745-279-22)(B)

Used Oil must be stored in containers that are in good condition, not leaking, and are labeled with the words "Used Oil". This includes all tanks and drums and any other container used to store the used oil. During the investigation, we observed the two 275 gallon used oil storage tanks near the space heater. Neither tank was properly labeled. In order to correct this violation, both tanks must be labeled with the words "Used Oil."

Note that if these two tanks become full and you begin storing the excess in 55 gallon drums, until the colder months, then those drums must also be labeled.

Additional Information – the following are not cited as violations and are provided for informational purposes only.

Universal Waste - Vehicle Batteries (OAC 3745-273-13)

There were various used vehicle batteries on site and stored in a truck bed. The batteries appear to be managed properly. The following is for your information. A handler of batteries must manage them in a way that prevents releases to the environment. The regulations state that batteries shall be stored within a container. The container shall be closed, structurally sound, must be properly labeled, and dated. Universal Waste must not be accumulated for over 1 year. It may be beneficial to organize your battery collection and storage process to more efficiently manage them. Enclosed is a Universal Waste guidance sheet for your information.

Burning Used Oil in a Space Heater – OAC 3745-279

Enclosed for your information is a guidance sheet on burning Used Oil in a space heater. As a reminder, generators may burn Used Oil in oil fired space heaters provided that the heater burns



Purdin's Auto Parts, Inc.
May 9, 2011
Page 3

only Used Oil that the owner or operator generates or is received from household do-it-yourselfers. We encourage you to continue to reuse and reclaim materials.

Scrap Tires - OAC Rule 3745-27-60

There were several dozen used tires being stored on-site. Please be aware of regulations regarding the storage of scrap tires. Scrap tires must be properly stored and managed in accordance with Ohio's Scrap Tire regulations pursuant to OAC Rule 3745-27-60. Enclosed is a partial copy of the rule. Note the highlighted sections. Also enclosed is a copy of the Ohio EPA Guidance document, *Mosquito Control and Storage of Scrap Tires*.

Aluminum Cans

We noted during the investigation that there were what appeared to be aluminum cans being stored in an area near the front of the property. Please ensure that this area is cleaned to show that no illegal disposal is occurring.

Record Keeping Requirements - OAC 3745-52-40

No receipts or records were on site at the time of my investigation regarding waste determination or disposal. As a reminder, there are legal requirements for certain record keeping. Additionally, it is important for your sake to keep records on file and are readily available. The more knowledge you have of the waste your business generates, and the more information that you keep neatly filed and updated will help ensure the success of your business.

Ohio EPA Small Business Assistance

This letter will not list all rules and requirements. For further requirements see the Environmental Compliance Guide for Motor Vehicle Salvage from our Small Business Assistance group at: <http://www.epa.ohio.gov/portals/41/sb/publications/salvageguide.pdf>. The Ohio EPA offers compliance assistance specifically geared towards small businesses. Their website can be found at <http://www.epa.state.oh.us/ocapp/sb/index.html>.

Conclusion

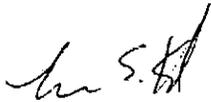
We will return in approximately 2 weeks from the date of this letter to ensure that the violations have been abated. At that time we will review the corrections made and your documentation of these corrections. We encourage you to continue to improve the management and efficiency of your business to ensure the safety of you staff and protection of the environment.



Purdin's Auto Parts, Inc.
May 9, 2011
Page 4

You can find copies of our rules and other information on the Division of Materials and Waste Management web page at: <http://www.epa.ohio.gov/>. If you have any questions, please feel free to call me at 937-285-6594.

Sincerely,



Thomas Koch,
Division of Materials and Waste Management

cc: Robyn Fox, SWDO-DHWM/SWDO, File
Maria Lammers, SWDO- DMWM

encl: Universal Waste Guidance Sheet
Burning Used Oil in a Space Heater Guidance Sheet
OAC Rule 3745-27-60
Mosquito Control and Storage of Scrap Tires

TEK/ca



| | | |
|--|---|-----------------------|
| Send to Central Office <input type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|--|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

| | | |
|--|--|---------------------------------------|
| Site EPA ID No. | EPA ID Number: | |
| Site Name | Name: Purdin's Auto Parts, Inc. | Website: (Optional) |
| Site Location Information | Street Address: 4501 U.S 50 | |
| | City, Town, or Village: Hillsboro, | State: OH |
| | County Name: Highland | |
| Site Land Type (check only one) | Private <input checked="" type="checkbox"/> | County <input type="checkbox"/> |
| NAICS code(s) www.census.gov/epcd/www/naics.html | District <input type="checkbox"/> | Federal <input type="checkbox"/> |
| | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> |
| | State <input type="checkbox"/> | Other <input type="checkbox"/> |
| | 441310 | 423140 |

| | | | |
|---|-----------------------------------|-----|--------------------------|
| Facility Representative | First Name: James | MI: | Last Name: Purdin |
| Additional names can be recorded in number 12 | Title: Manager | | |
| Only provide address information if it is different than the site address | Phone Number: 937-364-3200 | | Phone Number Extension: |
| | E-Mail Address: | | |
| | Fax Number: | | Fax Number Extension: |
| | Street or P.O. Box: SAA | | |
| | City, Town or Village: | | |
| | State: | | Zip Code: |

| | | | | |
|---|---|-------------------------------------|--|--------------------------------------|
| 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 | Name of Site's Legal Owner: PURDIN RAY L JR & WILMA | | Date Became Owner (mm/dd/yyyy): 12/10/1996 | |
| | Owner Type: <input checked="" type="checkbox"/> | Private <input 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"/> | Street or P.O. Box: SAA | | |
| | City, Town or Village: | | Owner Phone #: | |
| | State: | | Country: | Zip Code: |
| | Name of Site's Operator: | | Date Became Operator (mm/dd/yyyy): | |
| | Operator Type: <input type="checkbox"/> | Private <input 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"/> | Street or P.O. Box: | | |
| | City, Town or Village: | | Operator Phone #: | |
| | State: | | Country | Zip Code: |

| | |
|--------------------------|---|
| VIOLATIONS CITED? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------|---|

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

| | | |
|--|--|--|
| <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"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment. | <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"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

- | | |
|--|---|
| <input checked="" 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 Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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: | Complaint Investigation |
| Tanks | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | |
| Containers | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | |

| | | |
|----------------------|----------------------|--|
| Name of Inspector(s) | Name of Inspector(s) | Date of Inspection/Time (mm/dd/yyyy) (hh:mm) |
| Thomas Koch | Maria Lammers | 05/04/2011 10:30 am |

Comments:

