

OH R 060 128470
003
File



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

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

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

March 7, 2007

Knupp Muffler & Tire
Mr. Mark Knupp
950 South College Street
Piqua, Ohio 45356

**Re: Notice of Violation
Compliant Investigation, Knupp Muffler & Tire**

Dear Mr. Knupp:

On March 6, Jeff Smith and I met with you to discuss an anonymous complaint alleging mismanagement of wastes from the facility at 950 South College Street, Piqua, Ohio. The purpose of the investigation was to assess the validity of the complaint and determine whether hazardous waste rules or regulations were violated accordingly and to determine the facility's 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).

The complaint alleged mismanagement of automotive fluid. During the investigation we observed four 55 gallon drums and two approximately 30 gallon drums behind the building and a spill behind the building at the location of the used oil drums.

This letter will explain the violation(s) we found, what you need to do to correct the violations and other requirements.

Violation - Used Oil

1. Release of Used Oil - OAC 3745-279-22 (D)

OAC 3745-279-22 (D) requires that in the event of a release of used oil to the environment, you must (1) stop the release; (2) contain the released oil; (3) clean up and properly manage the released used oil and cleanup materials; and (4) if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

At the time of the investigation, we observed a spill of used oil behind the building where the used oil drums are stored. Some of the area contained absorbent clean up material already.

In order to abate this violation, you must remove and dispose of the oil release and properly dispose of the cleaned up material. I will reinspect the area of the spill in approximately 30 days.

Mr. Mark Knupp
March 7, 2007
Page 2

2. Generator Standards - Used Oil (OAC 3745-279-22) (B) (C) (1)

Used Oil must be stored in containers that are labeled with the words "Used Oil," as per OAC 3745-279-22. Knupp Muffler & Tire is in violation of OAC 3745-279-22 (B). The 5 containers we observed were not labeled. In order to abate the violation, the containers must be properly labeled.

Additional

Knupp Muffler & Tire must manage the used oil in a manner that ensures minimal release to the environment. Containers must be properly capped when not being filled to minimize potential for spilling and overflowing with rainwater. Although not illegal to store used oil containers outside, the area in general must be kept neat and orderly and all spills and releases to the environment must be mitigated and cleaned up immediately. You may consider moving the used oil drums inside, purchasing a secondary containment tray to store the drums in, or constructing an asphalt or concrete berm around the storage area. Enclosed is a fact sheet on Compliance and Cleanup Issues.

I will conduct a Return to Compliance Inspection in approximately 30 days to ensure:

- The release of used oil has been cleaned up and properly disposed.
- The drums are properly labelled with the words "Used Oil"

Our regulations can be found online at <http://www.epa.state.oh.us>.

If you have any questions, please call me at (937) 285-6594.

Sincerely,



Thomas E. Koch
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO File

enclosed: Compliance and Cleanup Issues, February 2006

TEK/rif

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.