



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

May 10, 2010

RE: AVALON RV
OHD 987 007 820
MEDINA COUNTY
SQG>>CESQG/CEI/NOV

Mr. Mike Makebakken
Avalon RV
1604 Medina Road
Medina, OH 44256

Dear Mr. Makebakken:

On April 29, 2010, Ohio EPA conducted a compliance evaluation inspection of Avalon RV's, Medina facility to determine Avalon's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively). Avalon was represented primarily by you. The Ohio EPA was represented by Tessa Garver and me. The Ohio EPA's compliance inspection included an inspection of the facility operations and a review of written documentation.

The inspection included reviews of facility records, interviews with facility personnel and a facility walk-through. The results of these reviews are discussed below.

Avalon was a conditionally exempt small quantity generator (CESQG) of hazardous waste at the time of the inspection (generating between 0 and 220 pounds of hazardous waste in a calendar month). Consequently the inspection was for compliance with the CESQG requirements.

Based on the facility documents reviewed and observations made during the facility walk-through, Ohio EPA has determined that Avalon has violated the following state hazardous waste regulations.

1. **Used Oil Storage Requirements for Generators, OAC rule 3745-279-22(C):** All containers and above ground tanks of used oil shall be clearly labeled or marked "Used Oil".

The above ground storage tank used to collect the used oil was not marked with the words "Used Oil".

The tank was marked prior to the completion of the inspection abating the violation, no further action is required.

Ohio EPA also noted the following concerns:

Concerns

2. You were not sure if the oil filters were being hot drained. I have included a fact sheet explaining hot draining so that the spent oil filters do not have to be managed as used oil (see page 5 of the fact sheet entitled *The Regulation of Used Oil: An overview for Ohio Businesses Who Generate Used Oil.*)
3. Initially you were not sure whether the drains in the shop drain to the sanitary sewer or to the outside. Please ensure the drains are connected to the sanitary sewer, otherwise you may need to apply for a National Pollutant Discharge Elimination System (NPDES) permit.

4. You stated that Avalon does wash the RVs outside and the soapy water is allowed to run-off. This must cease. If you wish to continue to wash the RVs, you will need to do it in a manner where the water is either collected and disposed, or is discharged into the sanitary sewer system. If you choose to discharge the water to the sanitary system, please contact Medina County to obtain permission prior to commencing.
5. At the time of the inspection, you had a number of paints in aerosol cans. As we discussed during the inspection, if the cans cannot be completely emptied during use and the cans need to be disposed, some of the cans would be considered hazardous waste. To prevent any non-empty cans from being accidentally thrown away, I suggested that you evaluate the cans now and mark any that may be hazardous so that the workers are aware that they would need to be managed in a different manner than throwing in the trash.

Another option would be to switch from the aerosol cans to spray bottles. I have included a fact sheet, *Minimizing Aerosol Can Waste* that goes into more detail on this.

6. The Safety Kleen manifest indicates that your spent solvent is characterized as a listed hazardous waste (F003 and F005). This appears to be correct. However, it also indicates that the spent solvent is characteristically hazardous for methyl ethyl ketone (MEK) (D035); barium (D005) and cadmium (D006). For the waste to be characteristically hazardous, a representative sample of your waste would need to be tested using the Toxicity Characteristic Leaching Procedure (TCLP) and the results would need to exceed the regulatory threshold for these constituents. During the inspection I asked you to contact Safety Kleen to determine why these waste codes are being used on the manifest. Avalon is the responsible party for determining the correct evaluation of the waste, not Safety Kleen.

Please submit the information supplied to you by Safety Kleen regarding the use of these waste codes.

7. You stated that Safety Kleen was going to provide a drum for your spent filters from the paint booth. You were unsure how Safety Kleen was going to manage these filters. As we discussed during the inspection, the filters would NOT be a listed hazardous waste. And as I discuss above in concern #6, a representative sample of the filters would need to exceed regulatory thresholds to be considered a characteristic hazardous waste.

Please submit information as to how the filters will be managed by Safety Kleen.

8. There was a parts washer in the shop that still had material in it and was being used on an infrequent basis. You stated that the parts washer had not been serviced (had the solvent changed) in several years. While the parts washer is still being used, the material in it is not a waste. However, when you need to switch out the solvent, you will need to know what is in it so that you can manage the waste appropriately (hazardous vs. non hazardous).
9. Ohio EPA noted that the secondary containment for the above ground tanks used for gasoline and diesel were beginning to show signs of rusting. Ohio EPA would encourage you to maintain these as to prevent any releases should something happen to the main tank. In addition, I encouraged you to speak to Adrienne La Favre with Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) to see if there are any additional requirements for these tanks in related to storm water or waste water requirements.

10. You stated that you believed that prior to the public water being available on Medina Road that your facility had a water well that supplied water to the facility. I checked the Ohio Department of Natural Resources (ODNR) web site and a well was installed on the property in 1984. I then checked with ODNR to see if they had any well abandonment records (these records currently are not available on the web). Per their review, there is not a record that the well was ever abandoned.

I then called Christine Fienga with the Medina County Health Department. She said that if the well is not maintained is must be abandoned. Maintained means that water can be drawn and used from the well. Ms. Fienga agrees with Ohio EPA's evaluation that if you have no need for the well, then it is in your best interest to have the well abandoned properly. Ms. Fienga stated that to do this you will need to contact Medina County Health Department for a list of contractors who can do the work appropriately and file the appropriate paperwork (permit). For further information regarding this matter, I encourage you to contact Ms. Fienga at (330) 723-9523.

11. Avalon has a paint booth at the facility. You were unsure if you had any air permits for this activity. While you may not be required to have a permit, you may need to show that you are a de minimus source not needing a permit. Again, I encourage you to contact Adrienne La Favre who can assist you in making this demonstration.
12. You were unsure as to how the spent fluorescent lamps were being managed at your facility. I gave you the OCAPP Fact Sheet, *Ohio's Universal Waste Rules: Are you Handling Used Lamps Correctly?* dated September 2006 for your use in determining how you will manage spent lamps.

The Division of Hazardous Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage.

You can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>

Please respond to the above noted concerns with the actions Avalon plans to take to address them. I have enclosed a copy of the checksheets I used during the inspection. Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN:ddw
Enclosure

ec: Harry Sarvis, DHWM, CO
Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Adrienne La Favre, OCAPP, NEDO
cc: Christine Fienga, Medina County Health Department

NOTICE: Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from its obligation to comply with all applicable regulations.

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: OHD 987 007 820		Website: www.avalonrvcenter.com (Optional)	
Site Name	Name: AVALON RV			
Site Location Information	Street Address: 1604 MEDINA ROAD		State: OH	
	City, Town, or Village: MEDINA		Zip Code: 44256	
	County Name: MEDINA			
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>
NAICS code(s)			Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>
www.census.gov/epcd/www/naics.html			State <input type="checkbox"/>	Other <input type="checkbox"/>
Facility Representative	First Name: MIKE	MI:	Last Name: MAKEBAKKEN	
Additional names can be recorded in number 12	Phone Number: 330-239-2131		Phone Number Extension:	
	E-Mail Address:		Fax Number Extension:	
	Fax Number: 330-239-5025			
Only provide address information if it is different than the site address	Street or P.O. Box:			
	City, Town or Village:		Zip Code:	
	State:			
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: LUTTRELL LUTHER		Date Became Owner (mm/dd/yyyy):	
	Owner Type: <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>
	Private <input type="checkbox"/>			Indian <input type="checkbox"/>
				Municipal <input type="checkbox"/>
				State <input type="checkbox"/>
				Other <input type="checkbox"/>
	Street or P.O. Box: 1604 MEDINA ROAD		Owner Phone #:	
	City, Town or Village: MEDINA		Country: USA	
	State: OHIO		Zip Code: 44256	
	Name of Site's Operator: SEE ABOVE		Date Became Operator (mm/dd/yyyy):	
	Operator Type: <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>
	Private <input type="checkbox"/>			Indian <input type="checkbox"/>
				Municipal <input type="checkbox"/>
				State <input type="checkbox"/>
				Other <input type="checkbox"/>
	Street or P.O. Box:		Operator Phone #:	
	City, Town or Village:		United States	
	State:		Zip Code:	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER-- A MINIMUM OF ONE BOX MUST BE CHECKED	
<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> Large Quantity Generator (LQG)
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Small Quantity Generator (SQG)
	<input checked="" 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 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. 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 RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

F003 F005

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)

KAREN L NESBIT

Name of Inspector(s)

TESSA GARVER

Date of Inspection/Time

(mm/dd/yyyy) (hh:mm)

4/29/2010 8:50

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)

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> <i>abated</i>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
ON-SITE BURNING IN SPACE HEATER			
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:		
	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>			
GENERATOR TRANSPORTATION			
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]		
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>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).</i>			
COLLECTION CENTERS AND AGGREGATION POINTS			
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>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.</i>			