

Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Carmen Kosloski, Director

December 3, 2010

RE: E-Z ELECTRIC MOTOR SERVICE, INC.
OH0 000 237 057
CUYAHOGA COUNTY
COMPLAINT #7345 NOV

Mr. Demetrius Ledgyard
E-Z Electric Motor Service
23440 Miles Road
Cleveland, Ohio 44128

Dear Mr. Ledgyard:

Thank you for accompanying me during Ohio EPA's October 29, 2010, complaint investigation of E-Z Electric Motor Service (EZ) facility at 23440 Miles Road, Cleveland, Ohio. EZ was represented by you. EZ is a rebuilder of large electric motors primarily for steel manufacturers and other industries. The complaint alleged that waste oil was being mismanaged at the facility. No evidence was found to substantiate the allegation.

During my investigation, I also inspected EZ for compliance with Ohio's used oil rules. Enclosed you will find a copy of the checklist that I completed as a result of the inspection.

The following violation of Ohio's used oil laws was found during this inspection. In order to correct this violation you must do the following and send me the required information **within 30 days** of the date of this letter:

1. Prohibitions on Used Oil Fuel Marketers, OAC 3745-279-71(A)(B):

A used oil fuel marketer may only ship off-specification used oil to a used oil burner who: (A) Has a U.S. EPA identification number; and (B) Burns the used oil in an industrial furnace or boiler identified in OAC rule 3745-279-61(A).

EZ shipped off-specification used oil to a facility where it was burned in a used oil space heater. Used oil space heaters are not considered an industrial furnace or boiler. As a result of the off-specification used oil shipment, EZ also violated OAC rules 3745-279-12(C), 3745-279-24, 3745-279-73(A), 3745-279-74(A)(1) through (A)(5) and 3745-279-75(A). To return to compliance with these regulations indicate that EZ will no longer ship used oil to the off-site burner without an analysis of each shipment indicating the oil meets the used oil specification listed in Table 1 of OAC 3745-279-11 (see enclosure *Burning Oil in Space Heaters*). **Alternatively, indicate in your response that the oil will be transported to a recycling facility.**

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Should you have any questions, please feel free to call me at (330) 963-1231. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Tom Roth
District Representative
Division of Hazardous Waste Management

TR:cl
Enclosure

ec: Harry Sarvis, DHWM, CO
Nyall McKenna, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

cc: Marlene Kinney, DHWM, NEDO

USED OIL INSPECTION CHECKLIST - MARKETERS

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 Used Oil Marketer 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"/>
<i>NOTE: For example, scrap metal contaminated with used oil or used oil managed in a surface impoundment (i.e., pond).</i>				
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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>NOTE: All used oil burned for energy recovery is presumed to be off-specification until all requirements of OAC rule 3745-279-11 have been met.</i>				
<i>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).</i>				
4.	Does the used oil fuel marketer initiate shipments of off-spec used oil only to a used oil burner that has a U.S. EPA ID# and burns the used oil in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-71]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
5.	Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil meets the specification for used oil fuel under 3745-279-11 keep copies of analyses of the used oil (or other information used to make the determination) for at least three years? [3745-279-72(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
6.	Has the used oil marketer notified Ohio EPA or U.S. EPA and obtained a U.S. EPA ID#? [3745-279-73(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
7.	Does the used oil marketer keep a record of each shipment of off-spec used oil directed to a used oil burner? [3745-279-74(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a. Does each record include the name and address of the transporter who delivers the used oil to the burner? [3745-279-74(A)(1)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	b. Does each record include the name and address of the burner who receives the oil? [3745-279-74(A)(2)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	c. Does each record include the U.S. EPA ID# of the transporter that delivers the used oil to the burner? [3745-279-74(A)(3)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	d. Does each record include the U.S. EPA ID# of the burner? [3745-279-74(A)(4)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	e. Does each record include the quantity of the used oil shipped? [3745-279-74(A)(5)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	f. Does each record include the date of shipment? [3745-279-74(A)(6)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
8.	Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil meets the fuel specifications under 3745-279-11 keep a record of each shipment of used oil to an on-spec used oil burner? [3745-279-74(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	a. Does each record include the name and address of the facility receiving the shipment? [3745-279-74(B)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b. Does each record include quantity of used oil fuel delivered? [3745-279-74(B)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c. Does each record include date of shipment or delivery? [3745-279-74(B)(3)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	d. Does each record include a cross-reference to the record of used oil	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

	analysis or other information used to make the determination that the used oil meets the specification as required in 3745-279-72(A)? [3745-279-74(B)(4)]	
9.	Are the records described in 3745-279-74(A) and (B) maintained for at least three years? [3745-279-74(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
10.	Before the used oil generator, transporter or processor/re-refiner directs the first shipment of off-spec used oil to a burner, does he obtain a one time written and signed notice from the burner certifying that:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. The burner has notified Ohio EPA stating the location and general description of the used oil management activities? [3745-279-75(A)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. The burner will burn the off-spec used oil only in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-75(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
11.	Is the certification maintained for at least three years from the date the last shipment of off-spec used oil was shipped to the burner? [3745-279-75(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>