



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

February 18, 2010

RE: EUCLID AUTO SERVICE
CUYAHOGA COUNTY
USED OIL GENERATOR
COMPLAINT # 7292
NOV/RTC

Janet Nezbeda
Euclid Auto Service
26050 Euclid Ave.
Euclid, Ohio 44132

Dear Ms. Nezbeda:

On February 2, 2010, the Ohio EPA and the Cuyahoga County Board of Health conducted a complaint investigation of the Euclid Auto's Euclid, Ohio facility to determine Euclid Auto's compliance with Ohio's hazardous waste laws and rules as found under the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively). Euclid Auto was represented by you. The Cuyahoga County Board of Health (CCHB) was represented by Tim Gourley and Domenica McClintock. I represented the Ohio EPA.

Euclid Auto is an automotive repair facility. Wastes generated include used oil, tires, antifreeze, scrap metal, contaminated rags and lead acid batteries. The used oil is burned on site. Only oil generated by Euclid Auto is burned. This oil includes that which is hot drained from the filters. The antifreeze is collected in a 55 gallon drum and when full will be sent off site. The scrap metal is sent off to a scrap dealer. The scrap includes the metal oil filters that have been drained. The contaminated rags are generated when parts are cleaned by spraying cleaner on them and then being wiped off. These rags are collected and sent to Cintas for laundering. The lead acid batteries are traded in for new batteries.

The complaint alleged that there were spilled and leaking drums on site. It also alleged that that undrained oil filters and other liquid wastes were being placed in the trash. It went on to claim that drums are located in the back of the building with tires thrown on them to cover them.

Based on the observations made during the inspection, the complaint appears to be unfounded. All liquid wastes appear to be collected and managed appropriately. The drums in the rear of the building that are covered with tires are empty. The Cuyahoga County Board of Health representatives stated that the main concern they had for the tires was that you ensure that the tires are transported by a transporter who has obtained a valid registration certificate from Ohio EPA. Any other issues will be addressed by the CCBH.

Ohio EPA did note one violation during the inspection:

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

None of the containers were marked with the words "Used Oil".

Per the photographs you sent me on February 16, 2010, it appears the containers have been labeled abating the violation. No further action is required.

One concern was noted. You did not have the information posted as required by Sec. 3734.914 of the ORC. This law states that a retailer that displays for sale and sells lead-acid batteries in the state shall post a sign that shall be at least eight and one-half inches by eleven inches in size, use lettering that is at least thirty point font in size, display the universal recycling symbol, and contain all of the following language:

- (1) "It is illegal to discard a used lead-acid battery."
- (2) "Recycle your used batteries."
- (3) "State law requires us to accept used lead-acid batteries for recycling in exchange for new batteries purchased."

I gave you an example of this for you to post during the complaint inspection.

You were also given copies of the following Ohio EPA fact sheets and lists:

Used Oil fact sheet
Fluorescent Lamp fact sheet
Lead Acid Batteries Must be Recycled Guidance Document
OCAPP brochure – Need Help with Environmental Regulations

I have included with this letter a copy of *Burning Used Oil in a Space Heater - For Businesses*, for your reference.

Failure to list specific deficiencies and or violations in this communication does not relieve Euclid Auto from the responsibility of complying with all applicable laws, rules and regulations.

You can find copies of the rules and other information on the Division of Hazardous Waste's web page at <http://www.epa.state.oh.us/dhwm>.

Should you have any questions please feel free to call me or my supervisor, Frank Popotnik at this office.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN:ddw
Enclosure

cc: Marlene Kinney, DHWM, NEDO
Dan Bogoevski, DSW, NEDO
John Hall, City of Euclid
ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to kristina.durnell@epa.state.oh.us.

Site EPA ID No.	EPA ID Number:	
Site Name	Name: Euclid Auto Service	Website: euclidautoservice.com (Optional)
Site Location Information	Street Address: 26050 Euclid Ave	
	City, Town, or Village: Euclid	State: OH
	County Name: Cuyahoga	Zip Code: 44132
Site Land Type (check only one)	<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	
NAICS code(s) www.census.gov/epod/www/naics.html		

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Janet	MI:	Last Name: Nezbeda
	Phone Number: 216-732-9400		Phone Number Extension:
	E-Mail Address: mjnez@roadrunner.com		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		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: Michael and Janet Nezbeda				Date Became Owner (mm/dd/yyyy): June 2004				
	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
	Street or P.O. Box:				Owner Phone #:				
	City, Town or Village:				Country:		Zip Code:		
	State:				Date Became Operator (mm/dd/yyyy):				
	Name of Site's Operator:				<input type="checkbox"/> Federal	<input type="checkbox"/> Indian	<input type="checkbox"/> Municipal	<input type="checkbox"/> State	<input type="checkbox"/> Other
	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
	Street or P.O. Box:				Operator Phone #:				
	City, Town or Village:				Country:		Zip Code:		
	State:								

VIOLATIONS CITED? Yes 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"/> 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"/> 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)

- Small Quantity Handler of Universal Waste
- Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)
- Destination Facility for Universal Waste

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, H007, U111). 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 EPA Hazardous Waste report, 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 Yes No
 - Tanks Yes No
 - Containers Yes No
- Additional Facility Representatives:

Name of Inspector(s)
Karen Nesbit, DHWM, NEDO

Name of Inspector(s)
Tim Gourley and Domenica McClintock, Cuy. Co. Board of Health

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
02/02/2010 10:30

Comments:

Used oil labeling violation to be cited.