



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

August 6, 2009

RE: ROBINSON PIPE SERVICES, INC.
LORAIN COUNTY
OHD 981 002 157
COMPLAINT # 7196

Ivan Gorowitz
Sales Manager
2309 E. 28th Street
Lorain, OH 44055-2003

Dear Mr. Gorowitz:

On July 28, 2009, the Ohio EPA conducted a complaint investigation of the Robinson Pipe Services, Inc.'s (Robinson) Lorain, Ohio facility to determine Robinson'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). Robinson was represented by Lorie May, Bill Werman and you. Ed D'Amato and I represented the Ohio EPA.

Robinson is an industrial cleaning company. Robinson has a fleet of vacuum vehicles and tanker trucks that go to customer's sites. Typical jobs include tank washing, mill scale removal and sewer work. Any cleaning is done off site with high pressure water, chemicals are not used. The facility does have a Safety Kleen parts washer and is a conditionally exempt small quantity generator of hazardous waste since the facility only generates between 0 (zero) and 100 kilograms (approximately 220 pounds) of hazardous waste in any calendar month.

The complaint alleged that up to 500 gallons of waste was being dumped on the ground in the northwest corner of the facility when trucks returned from job sites. Based on a visual inspection of the entire outer perimeter of the yard, including the northwest corner, Ohio EPA could find no evidence that this was true. In addition, you stated that your contracts specify where Robinson must take any waste material generated at a customer's job site. You stated that the trucks return to Lorain empty and ready to go out again unless they need maintenance.

Based on these observations, the complaint appears to be unfounded.

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".

The two totes of used oil were not marked with the words "Used Oil".

Bill Werman marked the two containers appropriately abating the violation. No further action is required.

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Ohio EPA also had a concern regarding your used oil. Lorie May provided Ohio EPA a copy of the shipping paperwork for the last shipment of used oil to Chemtron. Per the notes on the manifest, Chemtron tested the oil and found it to have a flashpoint of less than 140 degrees Fahrenheit. Ohio EPA contacted Chemtron and they stated that they contacted Robinson Pipe and were told that mineral spirits were mixed with the used oil which is why Chemtron changed the description from used oil to hazardous waste.

You should know that as a conditionally exempt small quantity generator (CESQG) of hazardous waste, you are allowed to mix your hazardous waste with your used oil and the resultant mixture can be managed as a used oil (see OAC rule 3745-279-10(B)(3) and OAC rule 3745-51-05(J)). Please note, the exemption only applies to conditionally exempt small quantity generators. If Robinson generates greater than 100 kg (~220 pounds) of hazardous waste in a calendar month you would be prohibited from mixing your hazardous waste with your used oil.

Robinson Pipe's initial notification to EPA indicated that this facility in Lorain was a transporter of hazardous waste. This is no longer true. I have completed the enclosed RCRA Subtitle C Site Identification/Verification Form that has changed the facilities status from a transporter to a CESQG. Please review the document and contact me if there are any corrections which should be made.

On July 30, 2009, I e-mailed you information regarding possible regulations that may apply to your above ground diesel storage tank. Ohio EPA did note some spillage on the ground near the tank. While we encouraged you to get some secondary containment for the tank, as you may have noted in the e-mail, it may be required under other programs.

Facility was given copies of the following Ohio EPA fact sheets and lists:

- Used Oil fact sheet
- Used Oil Burner fact sheet
- List of registered used oil transporters located in northeast district
- Fluorescent Lamp fact sheet
- List of facilities accepting hazardous waste in Ohio
- List of fluorescent lamp recyclers in Ohio
- List of scrap tire recyclers in Ohio
- OCAPP brochure – Need Help with Environmental Regulations

If you have any questions regarding these lists or fact sheets, please contact me.

Finally, you are using a solvent in your parts washer that upon disposal must be managed as a hazardous waste. As we discussed during the inspection, you may want to investigate whether a cleaner/solvent can be used by your mechanics that would not be hazardous upon disposal. Switching to an aqueous (water based) parts washer or some other alternative may provide cost savings and greater employee health and safety and still provide the cleaning needed. Additional information on alternative parts cleaning can be found at: <http://www.epa.state.oh.us/opp/parts-cleaning.html>.

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Failure to list specific deficiencies and or violations in this communication does not relieve Robinson 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
ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO

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 981002157								
Site Name	Name: ROBINSON PIPE SERVICES, INC				Website: (Optional)				
Site Location Information	Street Address: 2309 E 28 TH STREET						State: OH		
	City, Town, or Village: LORAIN				Zip Code: 44055				
	County Name: LORAIN								
Site Land Type (check only one)	Private <input checked="" 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"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html									
Facility Representative	First Name: IVAN		MI:	Last Name: GOROWITZ					
Additional names can be recorded in number 12 Only provide address information if it is different than the site address	Phone Number: 1-800-548-5514			Phone Number Extension:					
	E-Mail Address: IGorowitz@robinsonpipeservice.com						Fax Number Extension:		
	Fax Number: 440-277-1193			Fax Number Extension:					
	Street or P.O. Box:								
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	City, Town or Village:						State:	Country:	Zip Code:
	Name of Site's Legal Owner: ROBINSON PIPE SERVICES, INC						Date Became Owner (mm/dd/yyyy):		
	Owner Type:	Private <input checked="" 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:							Owner Phone #:	
	City, Town or Village:				State:		Country:		Zip Code:
	Name of Site's Operator:						Date Became Operator (mm/dd/yyyy):		
	Owner Type:	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:							Operator Phone #:	
	City, Town or Village:				State:		Country:		Zip Code:
	Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
Type of Generator	<input type="checkbox"/> Not Regulated <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"/> United States 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 generated and/or accumulated (check all boxes that apply))

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

(Check all boxes below that apply for each of the three types of facilities above)	Used Oil Activities (Indicate Type(s) of Activity(ies))	
Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/> Used Oil Re-refiner	

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 RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D001

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: Facility inspected for complaint #7196. No longer a transporter but do have a parts washer - no on site accumulation
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Karen L Nesbit	Edward D'Amato	7/28/2009 9:30 AM

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)

**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)] <i>ABATED DURING INSPECTION</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	0.5 million BTU per hour?	
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"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	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"/>

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).

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"/>

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.

**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: <i>AT THE TIME OF THE INSPECTION</i>	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"/>