



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Logan, Ohio 43138

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

August 7, 2007

**ADAMS COUNTY  
GENERAL FILE  
(Eddie Day)  
DHWM/SEDO  
NON-NOTIFIER**

Mr. Eddie Day  
2774 Buck Run Road  
Seaman, Ohio 45679

Dear Mr. Day:

On July 30, 2007, Melody Stewart and I visited your residence to investigate a complaint received by Ohio EPA on July 20, 2007. The complaint alleged that you work on cars in your garage for a business (Dave Purdin Auto Sales), and dispose of the used oil generated from these activities on the ground and burn it. During our visit inspected your garage to determine your 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). This letter will explain the results of our complaint investigation and inspection; any violations found and what you need to do to correct the violations, as well as any concerns we have and how you can address those concerns.

During our site visit, we determined that the garage at your residence is considered a business. We saw no evidence of mismanagement of used oil (i.e., disposal onto the ground or burning). Ohio EPA considers the complaint to be resolved.

However, we found the following violation of Ohio's used oil rules unrelated to the above complaint:

- (1) **OAC Rule 3745-279-22(C), Used Oil Storage Requirements for Generators – Labels.** Containers and above-ground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

During the inspection we observed two 55-gallon drums containing used oil that were not labeled with the words "Used Oil." You labeled the drums appropriately during the inspection. You have returned to compliance with this rule, and no further action is needed with respect to this violation.

**GENERAL COMMENTS:**

As we discussed during the inspection, you have the following options to manage the used oil you generate:

- (1) Either you or the used oil burner you take the oil to (i.e., Baxla Tractor Sales) must analyze the oil to determine if it is on-specification used oil. This can be a one-time analysis, providing the make-up of the oil does not change. The results of the analysis must be maintained by either you or the used oil burner that receives your oil. In addition, the business that accepts your oil for burning in their furnace must be registered with Ohio EPA as a used oil collection center. You can only transport 55-gallons of used oil at one time to a registered used oil collection center. I have enclosed a list of registered used oil collection centers in Ohio for your reference. This list is also available online at:

<http://www.epa.state.oh.us/dhwm/pdf/usedoilcclist07.pdf>

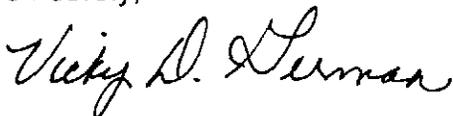
Please note that you can only use the collection centers on this list that are registered to take used oil from businesses.

- (2) Arrange to have a registered used oil hauler to transport your used oil to a registered used oil recycling facility. I have enclosed a list of registered used oil transporters/recyclers in Ohio for your reference. This list is also available online at: <http://www.epa.state.oh.us/ocapp/p2/recyc/oilmark.html>.

Enclosed, you will find a copy of the checklists used to determine your compliance. You can find copies of the hazardous waste rules and other information on our division's web page at <http://www.epa.state.oh.us/dhwm>. Compliance assistance and pollution prevention information is available at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Should you have any questions or need further assistance, please feel free to call me at (740) 380-5237.

Sincerely,



Vicky D. German  
Environmental Specialist  
Division of Hazardous Waste Management

VDG/dh

Enclosure

cc: Mr. Dave Purdin, Dave Purdin Auto Sales

**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.*

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to  
tammy.mcconnell@epa.state.oh.us or mail it to  
Tammy McConnell, Central Office

Site EPA ID No.	EPA ID Number: Non-Notifier							
Site Name	Name: Eddie Day				Website: (Optional)			
Site Location Information	Street Address: 2774 Buck Run Road							
	City, Town, or Village: Seaman				State: OH			
	County Name: Adams				Zip Code: 45679			
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) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>								
Facility Representative  Additional names can be recorded in "Comments" below  Only provide address information if it is different than the site address	First Name: Eddie		MI:		Last Name: Day			
	Phone Number: 937-695-0505				Phone Number Extension:			
	E-Mail Address:							
	Fax Number:				Fax Number Extension:			
	Street or P.O. Box:							
	City, Town or Village:							
	State:			Country:		Zip Code:		
	Name of Site's Legal Owner: Same as above				Date Became Owner (mm/dd/yyyy):			
	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:							
City, Town or Village:				Owner Phone #:				
State:			Country:		Zip Code:			
Name of Site's Operator: Same as above				Date Became Operator (mm/dd/yyyy):				
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:								
City, Town or Village:				Operator Phone #:				
State:			Country: USA		Zip Code:			
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Type of Generator:</b>								
<input checked="" type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator				
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste				
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator				
<input type="checkbox"/> Small Quantity Generator (SQG)								
<b>Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)</b>								
<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								

<b>Universal Waste Activities</b> (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))					
<input type="checkbox"/> Small Quantity Handler of Universal Waste			<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)		
<input type="checkbox"/> Destination Facility for Universal Waste					
(Check all boxes below that apply for each of the three types of facilities above)			<b>Used Oil Activities</b> (Indicate Type(s) of Activity(ies))		
	<b>Generated</b>	<b>Accumulated</b>	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	
Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor		
Lamps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner		
<b>Waste Codes for Federally Regulated Hazardous Wastes.</b> Please list the codes for the federally regulated hazardous waste handled at your 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.					
<b>Comments:</b> Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.					
<b>Announced</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b>		
<b>Tanks</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Other Comments:</b> Used oil containers only.		
<b>Containers</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
<b>Name of Inspector(s)</b>		<b>Name of Inspector(s)</b>		<b>Date of Inspection/Time (mm/dd/yyyy) (hh:mm)</b>	
Vicky German, DHWM-SEDO		Melody Stewart, DHWM-SEDO		7/30/2007	
<b>OPTIONAL CERTIFICATION.</b> 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.					
<b>Signature of Owner, Operator, or an Authorized Representative</b>		<b>Name and Title (Print)</b>		<b>Date (mm/dd/yyyy)</b>	

# CONDITIONALLY EXEMPT SMALL QUANTITY (CESQG) GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

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.

## WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11]  Yes  No  NA

## GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]  Yes  No  NA

*No hazardous wastes are generated at the site; used oil is generated from auto maintenance and repairs.*

*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").*

## 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  No  NA

## 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  No  NA
  - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)  Yes  No  NA
  - c. Drip pad that meets 3745-69-40 to 3745-69-45?  Yes  No  NA
  - d. Containment building that meets 3745-256-100 to 3745-256-102?  Yes  No  NA

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

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

## PROCESS DESCRIPTION / WASTE ACTIVITIES SUMMARY

### Process Description:

Eddie Day does general automobile maintenance and repair work, including oil changes, brake, and radiator repair, for automobile dealerships such as Dave Purdin Auto Sales in West Union OH.

### Wastes Generated:

<b>Waste</b>	<b>On-site Management</b>	<b>Off-site Management</b>
Used oil	Two 55-gallon drums outside garage	Currently takes to Baxla Tractor Sales (not a registered used oil collection center) to be burned in their used oil furnace.
Used oil filters	Drained into used oil drum	Managed as scrap metal
Spent antifreeze	Collected in containers inside garage	Recycled or added to used oil
Shop rags	Collected in containers inside garage	Commercial laundry - Aramark
Spent lead-acid batteries	Collected on pallet inside garage	Core exchange or recycled

### Regulatory History:

Eddie Day has not been previously inspected for compliance with Ohio's hazardous waste and used oil rules.

## USED OIL GENERATOR REQUIREMENTS

**NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.**

### PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so:  Yes  No  NA  
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)]  Yes  No  NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)]  Yes  No  NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)?  Yes  No  NA

### USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [3745-279-21(A)]  Yes  No  NA
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  No  NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)]  Yes  No  NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]  Yes  No  NA
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]  Yes  No  NA

*Two 55-gallon drums containing used oil were not labeled as "used oil". Mr. Day labeled the drums appropriately and returned to compliance during the inspection.*

9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release?  Yes  No  NA
- b. Contained the release?  Yes  No  NA
- c. Cleaned up and properly managed the used oil and other materials?  Yes  No  NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?  Yes  No  NA

*No releases of used oil were observed during the inspection.*

10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so:  Yes  No  NA
- 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  No  NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?  Yes  No  NA
- c. Are the combustion gases from heater vented to the ambient air?  Yes  No  NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24]  Yes  No  NA

### USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. 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  No  NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]  Yes  No  NA
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]  Yes  No  NA

### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11]  Yes  No  NA