



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

**RE: Lane's Lube Express
Auglaize County
DHWM, NWDO
Complaint 2718
Return to Compliance**

February 8, 2008

Mr. Jack Lane, Junior
Lane's Lube Express
223 North Main Street
Bellefontaine, OH 43311

Dear Mr. Lane:

Thank you for sending the response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated January 15, 2008. Ohio EPA received the response from Lane's Lube Express (LLE) on January 23, 2008. This response was not dated, by LLE. My review of all the documentation submitted reveals that LLE has adequately demonstrated abatement of the violations discovered during the December 4, 2007, inspection, and cited in the December 27, 2007, and January 15, 2008, NOV's.

The following is a summary of the violations cited and the facility's compliance with respect to each violation:

Violations

- 1. Ohio Administrative Code (OAC) Rule 3745-279-22 (D), Used Oil Requirements for Generators:** "Response to releases. Upon detection of a release of used oil to the environment that is not subject to the requirements of Chapter 1301:7-9 of the Administrative Code and which has occurred after October 20, 1998, a generator must perform the following cleanup steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and manage properly the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service."

LLE failed to clean up and properly manage the used oil and other materials located by the wooden trailer in the rear of the property.

LLE submitted photographic documentation on January 10, 2008, that the facility removed all visible used oil contamination. Since this waste stream was not sampled, analytical results cannot be submitted to Ohio EPA.

With this information, this violation is considered abated.

2. **OAC Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

LLE failed to evaluate the used oil contaminated material to determine if it was a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending it off site.

Ohio EPA received a letter on January 23, 2008, that stated LLE had received the information Ohio EPA sent on the proper way to manage used oil. The letter also stated that LLE will follow Ohio EPA's recommendations on how to dispose of used oil in the future.

With this information, this violation is considered abated.

General Concerns

- A. **Wooden Trailer:** It appears that the wooden trailer does not belong to LLE. If this is true, then Ohio EPA recommends the trailer be removed from the property. This will decrease the chance that other complaints will be filed against LLE in the future.

LLE submitted a response that was received on January 10, 2008, that states the trailer has been removed from the property. This general concern has been addressed and no further information needs to be sent by the facility for this item.

Mr. Jack Lane Jr.
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Should you have any questions or if I can be of assistance, please contact me at (419) 373-3065. Please send all requested correspondence to Ohio EPA, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/lb

Enclosures

cc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO, Auglaize County File, Auglaize County General~~
ec: Amy Heller, DHWM, NWDO.

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.