



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

RE: Trinco Auto Service
Crawford County
DMWM, NWDO
Complaint 3060
Second Notice of Violation

July 6, 2011

Mr. Michael Robinett
Trinco Auto Service
1650 Marion Road
Bucyrus, Ohio 44820

Dear Mr. Robinett:

Thank you for accompanying Ed Pulido and me during the Ohio Environmental Protection Agency's (Ohio EPA's) April 12, 2011, complaint investigation at Trinco Auto Service's (TAS's) facility located at 1650 Marion Road, Bucyrus, Ohio. I sent you a Notice of Violation (NOV) on April 26, 2011, specifying the violations found during the complaint investigation. Ed Pulido observed site work at TAS on May 18, 2011, when TAS opened the drums and removed the drums from the contaminated area. I spoke with you in early June about the work conducted on May 18, 2011, and stated that I needed you to submit a written response to the outstanding violations. **TO DATE, TAS HAS FAILED TO RESPOND TO THE APRIL 26, 2011, NOV LETTER AND REMAINS IN VIOLATION OF THE FOLLOWING:**

Violations:

1. **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 ... 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."

TAS failed to clean up and properly manage the used oil in the drum/tote storage area behind the main building.

TAS must immediately begin properly cleaning up used oil releases in a timely manner. TAS must clean up all visible contamination located in the drum/tote storage area behind the main building. To abate this violation, **within 30 days of receipt of this letter**, TAS shall submit pictures of the used oil storage area showing the used oil contamination has been properly cleaned up and that no visual contamination exists. TAS should also submit information as to where the used oil contaminated soil was disposed that may include bills of lading, disposal receipts, or other documents.

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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..."

During the inspection, Ohio EPA observed twenty-two 55-gallon drums and one 30-gallon drum behind the main building. Eight of these drums were empty. However, you did not know the contents of the other drums. You stated that you believed the drums contained used oil and spent sand blasting media from your other business located at this address, Trinity Monuments. Several of the drums were rusted shut and could not be opened while Ohio EPA was on site.

Ed Pulido observed site work on May 18, 2011. Ed's notes indicate that TAS opened the drums and found two 55-gallon drums of usable asphalt sealant (which was not waste), two 55-gallon drums of stone sand blasting sand (which may or may not be a waste), three 55-gallon drums of used oil, and one 55-gallon drum of a translucent, oily substance that was unknown.

To abate this violation, **within 30 days of receipt of this letter**, TAS shall submit a drum log for all 23 drums showing the amount, content, and whether the material in the drums is product or waste. If the drums contain waste then the waste must be properly evaluated through generator knowledge or sampling and analysis.

In order for TAS to determine whether unknown waste exhibits any hazardous waste characteristics, TAS must obtain a chemical analysis of a representative sample of the waste. TAS will need to contract the services of an environmental laboratory to analyze this material. TAS must determine the concentrations of toxicity characteristic leaching procedure (TCLP) volatile organic compounds (VOCs), TCLP semi-volatile organic compounds (SVOCs), and TCLP Resource Conservation and Recovery Act (RCRA) metals of the waste. If the waste can be considered a liquid, then TAS must also determine the pH and flashpoint of the waste.

Once Ohio EPA acknowledges TAS's proper characterization of the waste, TAS must dispose of the waste at a proper disposal facility. TAS must then submit the appropriate manifest documents or shipping papers indicating proper disposal of the waste to Ohio EPA.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

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Should you have any questions, please feel free to call me at (419) 373-3065. Please send all correspondence **within 30 days of receipt of this letter** to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/cs

pc: Colleen Weaver, DMWM, NWDO
Kara Reynolds, DMWM, NWDO
Cindy Lohrbach, DMWM, NWDO
~~DMWM/HW, NWDO Crawford County File: Trinco Auto Service~~

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.