



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
Notice of Violation**

April 26, 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. According to the complaint received by Ohio EPA, the complainant alleged oil leaks from drums onto the ground and the oil staining is covered with gravel. This letter will explain the validity of the complaint.

TAS conducts basic auto repair on automobiles. According to you, TAS generates approximately 40 gallons of used oil per month for oil changes. TAS does not accept used oil from do-it-yourselfers or other businesses. TAS burns used oil in an on-site 195000 BTUs space heater.

During the complaint investigation, Ohio EPA conducted a limited scope inspection focusing on your used oil activities. A full compliance evaluation inspection was not conducted at the facility. Ohio EPA found the complaint was valid. We found the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 30 days of receipt of this letter**.

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.

The contaminated material shall be placed in containers in good condition prior to waste evaluation and disposal. **Ohio EPA must be present to verify that all visible used oil contamination has been removed prior to this area being back filled or a secondary containment system being put into place.**

In order for TAS to determine whether the used oil contaminated soil exhibits any hazardous waste characteristics, TAS must obtain a chemical analysis of a representative sample of the contaminated soil. 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.

To abate this violation, **within 30 days of receipt of this letter**, TAS shall submit the analytical results indicating the proper evaluation of the contaminated soil for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, TAS must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

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.

Please notify me at least five days prior to removal of the used oil contaminated soils and contaminated soil sampling so that I may be present.

For more information the following fact sheets have been enclosed: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, dated April 2006; Burning Used Oil in a Space Heater-For Businesses, dated July 2009; Violations Most Frequently Cited by Division of Hazardous Waste Management Inspectors; printed April 21, 2010; and Commercial Environmental Laboratories, printed April 21, 2010.

- 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.

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TAS must open each drum and determine if the drums contain used oil, spent sand blasting media, waste, product, etc. 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 TCLP VOCs, TCLP SVOCs, and TCLP 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.

To abate this violation, **within 30 days of receipt of this letter**, TAS shall submit a drum log showing the amount and contents of each drum. TAS shall also submit the generator knowledge or analytical results indicating the proper evaluation of the waste for Ohio EPA's review. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, TAS must also submit information as to what treatment, storage, or disposal facility the waste will be sent to.

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.

For more information the following fact sheets have been enclosed: Identifying Your Hazardous Waste, dated April 2010; and Use of Generator Knowledge In Complying with OAC rule 3745-52-11 Hazardous Waste Evaluation, dated July 18, 2005.

Please notify me at least five days prior to opening the drums and taking the sample(s) so that I may be present.

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.

During the inspection I gave you the following fact sheets concerning spent lamps and universal waste: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; Computer, Fluorescent Lamp and Ballast Recyclers, dated January 2011; and Universal Waste, dated December 2004. Ohio EPA encourages recycling of spent fluorescent lamps, but if you choose to throw them away, you must first conduct a waste analysis to ensure they are not hazardous waste.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs as well as regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp/>.

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If you would like to be considered for a free, non-regulatory on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at the number listed below. The Ohio Department of Development's Office of Energy Efficiency may also be able to help with energy efficiency issues. Their website is at <http://www.development.ohio.gov/cdd/oeef/>.

The Division of Materials and Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at the following web link: <http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage> . Please feel free to share this with your colleagues.

Should you have any questions, please feel free to call me at (419) 373-3065. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/Default.aspx?tabid=55>.

Sincerely,



Kara Reynolds
Environmental Specialist
Division of Materials and Waste Management

/llr

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DMWM/HW;NWDO-Crawford County-File:-General-2008-~~

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.

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 brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number:		Website: (Optional)					
Site Location Information	Name: Trinco Auto Service		Street Address: 1650 Marion Road					
Site Land Type (check only one)	City, Town, or Village: Bucyrus		State: OH					
NAICS code(s) www.census.gov/epcd/www/naics.html	County Name: Crawford		Zip Code: 44820					
	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"/>

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Michael		MI:	Last Name: Robinett	
	Title: Owner		Phone Number: 419-562-1132		
	E-Mail Address:		Phone Number Extension:		
	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 Robinett		Date Became Owner (mm/dd/yyyy): 2000						
	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: 1650 Marion Road		City, Town or Village: Bucyrus						
	State: Ohio		Owner Phone #: 419-562-1132						
	Name of Site's Operator: Trinco Auto Service		Date Became Operator (mm/dd/yyyy):						
	Operator 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: 1650 Marion Road		City, Town or Village: Bucyrus						
	State: Ohio		Operator Phone #: 419-562-1132						
	Country: USA		Zip Code: 44820						

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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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"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

- | | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

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 Used Oil
- Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, 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 | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Containers | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

Name of Inspector(s)
Kara Reynolds

Name of Inspector(s)
Ed Pulido

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
04-12-2011 10:00 AM

Comments: