



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: J&E Repair Shop  
Hardin County  
DHWM, NWDO  
Notice of Violation /  
Return to Compliance  
*. OHR 000 150 318*

August 12, 2008

Mr. Joe George  
J&E Repair Shop  
208 Blackburn Street  
Forest, Ohio 45843

Dear Mr. George:

Thank you for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA's) July 16, 2008, compliance evaluation inspection of J&E Repair Shop's (JERS's) facility located in Forest, Ohio. We inspected JERS to determine its 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). During the inspection, we also helped you identify ways to prevent pollution by reducing waste.

This letter will explain the violation we found, what you need to do to correct the violation, other general concerns we have, what you need to do to respond to our general concerns and the pollution prevention opportunities we identified.

JERS is an automotive repair shop. JERS generates used oil and batteries. No hazardous waste is generated at this facility.

We found the following violation of Ohio's hazardous waste laws.

**Violations:**

**1. OAC 3745-279-22(C)(1): Used oil storage requirements for generators**

"Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

JERS failed to mark one used oil tank and one used oil container located in the maintenance shop with the words "Used Oil."

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JERS marked the tank and the container with the words "Used Oil" while Ohio EPA was on site.

***Therefore, this violation was abated on July 16, 2008.***

During the inspection, Ohio EPA gave JERS the following fact sheets concerning used oil: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, dated April 2006; and The Regulation of Used Oil: Used Oil Burners, dated August 2005.

**General Concerns:**

- A. Spent Lamps:** During the inspection, JERS stated that spent lamps had not been changed since the facility was purchased and there were no spent lamps on site. Ohio EPA explained the options JERS has for managing spent lamps. JERS seemed very willing to manage spent lamps as universal waste and recycle them.

During the inspection, Ohio EPA gave JERS the following fact sheets on spent lamps for more information: 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 April 2008; and Universal Waste, dated December 2004.

Please be reminded that all universal waste should be tracked to ensure that JERS is not storing it for greater than 365 days. The easiest way to do this is to mark the container with the accumulation start date (the day the first lamp is placed in the container).

- B. Stacked Drums:** During the inspection, Ohio EPA noticed stacked drums on the outside of the building. Although these drums are empty, they may cause concerned residents to file unnecessary complaints. Ohio EPA recommends that these drums be clearly labeled "Empty," properly disposed of if they are unwanted by JERS, or recycled.

Ohio EPA will issue an EPA ID number to track the inspection activity at JERS. JERS cannot use this number for manifesting hazardous waste shipments. If JERS wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, JERS must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 (Rev. 11/2002)) to Ohio EPA. This form is available on our website at <http://www.epa.state.oh.us/dhwm/notiform.html> or JERS can call the Division of Hazardous Waste Management, Central Office, RIS at (614)644-2977 and a copy will be sent through the mail.

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. Ohio EPA also has helpful information about pollution prevention at the following web address:

<http://www.epa.state.oh.us/ocapp.ocapp.html>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at (419)373-3065.

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The Division of Hazardous 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 <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this with your colleagues.

Enclosed you will find a copy of the checklists that were completed during the inspection. 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 at <http://www.epa.state.oh.us/dhwm>.

Sincerely,

*Kara Reynolds*

Kara Reynolds  
Environmental Specialist  
Division of Hazardous Waste Management

/cs

Enclosures

pc: Colleen Weaver, DHWM, NWDO  
Kara Reynolds, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
~~DHWM, NWDO File: Hardin County General File~~

**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 [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number:								
Site Name	Name: J&E Repair Shop					Website: (Optional)			
Site Location Information	Street Address: 208 Blackburn Street								
	City, Town, or Village: Forest					State: OH			
	County Name: Hardin					Zip Code: 45843			
Site Land Type (check only one)	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"/>	
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 number 12  Only provide address information if it is different than the site address	First Name: Joe			MI:	Last Name: George				
	Phone Number: 419-273-3600					Phone Number Extension:			
	E-Mail Address:								
	Fax Number:					Fax Number Extension:			
	Street or P.O. Box:								
	City, Town or Village:								
	State:			Country:			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: Joe George				Date Became Owner (mm/dd/yyyy): ~2005			
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: 208 Blackburn Street									
City, Town or Village: Forest					Owner Phone #: 419-273-3600				
State: Ohio					Country: USA		Zip Code: 45843		
Name of Site's Operator: J&E Repair Shop				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:									
City, Town or Village:					Operator Phone #:				
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"/> 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)									
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))			
<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)		Used Oil Activities (Indicate Type(s) of Activity(ies))	
	<b>Managed</b>	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<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"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<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 RCRAInfo source record, you do not need to list them all. 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.			
<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>
<b>Containers</b>	<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)
Kara Reynolds			7/16/2008 11:30 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)

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: J&E Repair Shop Facility Type: LQG SQG CESQG TSD Date of Inspection: 07-16-2008 EPA ID#:

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 Maintenance, Parts Washer	Used Diesel Fuel	Minimal	Used Oil Burner On-site			
2 Truck Maintenance	Used Oil	Unknown	Used Oil Burner On-site			
3 Maintenance	Batteries	Minimal	Stored	Interstate Batteries, Ohio		
4 Maintenance	Used oil filters	Minimal	Recycled for scrap metal			

## REMARKS-GENERAL INFORMATION

**General Process Information:**

See Attached Letter.

**Regulatory/Enforcement History (if applicable):**

N/A

**Additional P2 remarks and information:**

I would suggest that the spent bulbs be managed as universal waste. This procedure would not require the waste analysis of each spent bulb type at the facility.

Would this facility be interested in a P2 assessment?  Yes\*  No \*If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

**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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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)]	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Are the combustion gases from heater vented to the ambient air?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input 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#?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	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.*