



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: Joe's Garage and Auto Parts  
Hazardous Waste  
Complaint # 2663  
Huron County  
Notice of Violation

October 23, 2007

Mr. Joe Tackett  
Joe's Garage and Auto Parts  
P.O. Box 44  
Willard, Ohio 44890

Dear Mr. Tackett:

On October 16, 2007, Kara Reynolds and I investigated a complaint at Joe's Garage and Auto Parts (Joe's) located at 4256 Pleasant Street, Willard, Ohio. The complaint was received by the Division of Hazardous Waste Management on June 5, 2007. The complainant alleged that oil you generated from servicing automobiles was being dumped onto the ground. This letter will explain the validity of the complaint, the violations we found as a result of our investigation, what you need to do to correct the one outstanding violation, and two general comments.

Joe's is an automobile service repair shop. Wastes generated include used oil, antifreeze, and spent lead-acid batteries.

Upon arriving at Joe's, we spoke with you about the above allegation. You stated the following: you do not drain fluids from automobiles onto the ground; all oil is collected in 55-gallon drums; you collect and re-use all of your antifreeze on-site; your used oil is picked up by a guy to burn in his used oil furnace; and you recycle your batteries with Milliron or a guy picks up them up to sell for recycling. In addition, I asked if you serviced air conditioning in vehicles. You stated you did not and that you did not have a recovery machine to do this type of work. You also stated that you do not generate spent solvent.

We walked around your property. We observed where you are storing your used oil. We did not see any visible evidence that any fluids were being drained onto the ground.

During the investigation, I provided you with the following materials: the Ohio EPA Fact Sheet: The Regulation of Used Oil: An Overview for Ohio Businesses, Used Oil Generators, a list of Used Oil Recyclers, a list of Registered Used Oil Collection Centers, a list of Battery Recyclers, and the publication Environmental Compliance Guide for Auto Service Shop - October 2001.

As a result of my investigation, I found the following violations of Ohio's used oil regulations. In order to correct the one outstanding violation you must do the following and send me the required information **within 30 days** of your receipt of this letter:

1. **Used oil storage requirements - proper labels.**  
**OAC Rule 3745-279-22 (C) (1)**

Containers used to store used oil shall be labeled or marked clearly with the words "Used Oil."

You failed to mark nine 55-gallon drums storing used oil with the words "Used Oil".

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"Used Oil" was written on the nine 55-gallon drums during the investigation. ***Thus, this violation was corrected.***

2. **Off-site shipments of used oil by generators.**  
**OAC Rule 3745-279-24**

Generators shall ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

You stated that your used oil is not being picked up by a transporter with a U.S. EPA identification number. Currently, a man is picking up your used oil and burns it in his furnace. You may be considered a used oil marketer (see general comment number 1 below).

As discussed during the investigation, used oil generators have three options for handling their used oil:

- 1) Generators must have their used oil transported by an entity that has a U.S. EPA identification number and ensure their used oil is recycled;
- 2) Generators may transport less than 55-gallons of their own used oil to a registered used oil collection center;
- 3) You may burn your own used oil in an on-site space heater as long as you only burn oil that you generate from your businesses or do-it-yourselfers (you may not burn used oil generated from other businesses).

Please consult the fact sheet The Regulation of Used Oil: An Overview for Ohio Businesses, Used Oil Generators and the publication Environmental Compliance Guide for Auto Service Shop – October 2001, for additional information.

- In addition, please consult the list of used oil recyclers and the list of used oil collection centers given to you during the investigation to find someone (or somewhere) who can properly recycle your used oil.

***In order to abate this violation, you must either:***

- 1) *Submit a copy to me of a contract or some type of documentation indicating a transporter with a U.S. EPA identification number will be picking up your used oil and appropriately recycling it or;*
- 2) *Submit a copy to me of a receipt from the off-site shipment of your used oil indicating that a transporter with a U.S. EPA identification number is now transporting your used oil and that the used oil is taken to an appropriate recycling facility or;*
- 3) *You must submit a copy of a receipt from the drop-off of your used oil at a registered used oil collection center or;*

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- 4) *You must submit to me a written summary outlining how you plan to manage your used oil if you decide to purchase a used oil furnace.*

**General Comments:**

**1. Shipping used oil off-site to burn.**

You shall note that Joe's may be considered a used oil marketer if you continue to allow your used oil to be burned off-site. As a used oil marketer, you would be required to determine if your used oil was on or off specification, notify Ohio EPA of your marketing activities, and retain records of the analysis of the used oil. Based on whether the used oil was determined to be on or off specification, other requirements such as ensuring the used oil burner has a U.S. EPA identification number and ensuring delivery of the used oil to the burner may apply. The specific requirements can be found in OAC Rule 3745-279-70 through 3745-279-74 at the following web address: [http://www.epa.state.oh.us/dhwm/l\\_ruom.html](http://www.epa.state.oh.us/dhwm/l_ruom.html).

**2. Lead-acid batteries.**

I stated to you that you must ensure your lead-acid batteries are being recycled. Even though the guy that sometimes picks up your batteries sells batteries to a recycler you need to ensure that this is happening. You stated you mostly take to Milliron for recycling, but that you would for sure, from this point only take your batteries to Milliron for recycling.

I have enclosed the fact sheet Universal Waste Rules for Handlers of Lamps. Please refer to this for the proper management of fluorescent light bulbs and other lamps that may be generated at Joe's.

We did not observe any evidence that you were not properly collecting your auto fluids, however as a result of our investigation we did observe the violations as listed above. Please be advised that a full compliance evaluation inspection was not conducted. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations.

The Division of Hazardous Waste Management (DHWM) 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://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082.

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You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Sincerely,



Amber M. Hicks  
Division of Hazardous Waste Management

Enclosures

pc: Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
~~DHWM, NWDO File: Huron County General~~

ec: Amber Hicks, 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.

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](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy  
 McConnell, Central Office

2. Site EPA ID No.	EPA ID Number:										
3. Site Name	Name: Joe's Garage and Auto Parts					Website: (Optional)					
4. Site Location Information	Street Address: 4256 Pleasant Street										
	City, Town, or Village: Willard					State: OH					
	County Name: Huron					Zip Code: 44890					
5. 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"/>			
6. NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>											
7. 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: Tackett						
	Phone Number: 419-706-2236				Phone Number Extension:						
	E-Mail Address:										
	Fax Number:				Fax Number Extension:						
	Street or P.O. Box: P.O. Box 44										
	City, Town or Village: Willard					State: Ohio				Country: USA	Zip Code: 44890
	Name of Site's Legal Owner:										
	Date Became Owner (mm/dd/yyyy):										
8. 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	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:					Owner Phone #:					
	State:					Country:		Zip Code:			
	Name of Site's Operator:					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:			
	9. Violations Cited?	<input type="checkbox"/> Yes <input type="checkbox"/> No									
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)											
<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)											
<input type="checkbox"/> Hazardous Waste Transporter					<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace						
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste					<input type="checkbox"/> Small Quantity On-Site Burner Exemption						
<input type="checkbox"/> Recycler of Hazardous Waste					<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption						
<input type="checkbox"/> Underground Injection Control Facility											

10B. 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"/> 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		10C. 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	
11. 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.			
12. 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	Other Comments: Complaint - full CEI was not conducted.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amber Hicks		Kara Reynolds	10/16/2007 16:21-16:58
14. 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)