



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

May 14, 2007

**GALLIA COUNTY  
GENERAL FILE  
(MOTORSPORTS WAREHOUSE)  
DHWM/SEDO  
NON-NOTIFIER**

Mr. Larry McGraw  
Motorsports Warehouse  
4367 SR 160  
Gallipolis, Ohio 45631

Dear Mr. McGraw:

On May 3, 2007, Trevor Irwin (Division of Solid and Infectious Waste Management) and I performed a compliance inspection to determine your facility's compliance with Ohio's hazardous waste laws regulations as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). This letter will explain the violations we found and what you need to do to correct the violations.

Based on this inspection, you are in violation of the following hazardous waste rules:

- (1) **OAC rule 3745-279-22(D), Response to releases:** Upon detection of a release of used oil to the environment...a generator must perform the following steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and properly manage the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil containers or tanks prior to returning them to service.

We observed used oil spilled from a drum outside your shop. This spillage must be cleaned up and contaminated rags, oil dry, soil, etc. must be disposed at a permitted solid waste landfill. Whenever used oil releases are found, they must be cleaned up in a timely manner and if the container is leaking, it must be repaired or replaced. To demonstrate compliance, provide photographs of the drum that had used oil spilled over it once the used oil has been cleaned up. I have included a fact-sheet on used oil management for your use.

- (2) **OAC rule 3745-279-24(B), Off-site shipments of used oil by generators.** Generators may transport, without a U.S. EPA identification number, used oil that is generated at the generator's site to a used oil collection center...

You stated that you allow individuals to pick up your used oil, however, only used oil transporters with U.S.EPA identification numbers are allowed to pick up used oil from your business. The nearest used oil collection center, if you wanted to transport it yourself using a company vehicle, is in Columbus. If you have it collected, they must have an identification number. To demonstrate compliance with this rule, please provide the name and identification number of the used oil transporter that you will use.

Mr. Larry McGraw  
May 15, 2007  
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Please provide documentation required above **within 30 days of the date of this letter**. If you have any questions regarding waste management or pollution prevention activities, please call us at (740) 385-8501.

Sincerely,



Richard Stewart  
District Representative  
Division of Hazardous Waste Management

RS/mlm

Attachments

cc: Trevor Irwin, SEDO/DSIWM

**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  
McCConnell, Central Office

Site EPA ID No.	EPA ID Number: NA								
Site Name	Name: Motorsports Warehouse				Website: (Optional)				
Site Location Information	Street Address: 4367 SR 160						State: OH		
	City, Town, or Village: Gallipolis				County Name: Gallia				
	Zip Code: 45631								
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"/>	
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: Larry			MI:	Last Name: McGraw				
	Phone Number: 740-				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:				State: OH		Country: USA		Zip Code: 45631
	Name of Site's Legal Owner: Same				Date Became Owner (mm/dd/yyyy):				
	Owner Type:	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"/>
Street or P.O. Box:									
City, Town or Village:				Owner Phone #:		Country:		Zip Code:	
State:				Date Became Operator (mm/dd/yyyy):					
Name of Site's Operator: Same				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 #:		Country:		Zip Code:	
State:				Date Became Operator (mm/dd/yyyy):					
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"/> <b>Small Quantity Handler of Universal Waste</b>	<input type="checkbox"/> <b>Large Quantity Handler of Universal Waste</b> (accumulates 5,000 kg. or more)
<input type="checkbox"/> <b>Destination Facility for Universal Waste</b>	

(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>Generated</b>	<b>Accumulated</b>	
<b>Batteries</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <b>Used Oil Generator</b> <input type="checkbox"/> <b>Used Oil Transporter</b> <input type="checkbox"/> <b>Used Oil Transfer Facility</b> <input type="checkbox"/> <b>Used Oil Processor</b> <input type="checkbox"/> <b>Used Oil Re-refiner</b>
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Off-Specification Used Oil Burner</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil</b> <input type="checkbox"/> <b>Used Oil Fuel Marketer to Off-Specification Used Oil Burner</b>
<b>Thermostats</b>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Lamps</b>	<input type="checkbox"/>	<input type="checkbox"/>	

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your 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	

<b>Name of Inspector(s)</b> Rich Stewart	<b>Name of Inspector(s)</b>	<b>Date of Inspection/Time</b> (mm/dd/yyyy) (hh:mm) 5/3/2007 10:00
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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.

<b>Signature of Owner, Operator, or an Authorized Representative</b>	<b>Name and Title (Print)</b>	<b>Date (mm/dd/yyyy)</b>

USED OIL CHECKLIST – Motors Warehouse

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-12(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A \_\_\_ RMK# \_\_\_
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes \_\_\_ No  N/A  RMK# \_\_\_

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
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 \_\_\_ No  N/A  RMK# \_\_\_
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-22(A)] Yes \_\_\_ No  N/A  RMK# \_\_\_
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes \_\_\_ No  N/A \_\_\_ RMK# 1
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes \_\_\_ No  N/A \_\_\_ RMK# 2
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes \_\_\_ No  N/A \_\_\_ RMK# 1
- b. Contained the release? Yes \_\_\_ No  N/A \_\_\_ RMK# 1
- c. Cleaned up and properly managed the used oil and other materials? Yes \_\_\_ No  N/A \_\_\_ RMK# 1
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes \_\_\_ No  N/A \_\_\_ RMK# 1
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 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 \_\_\_ No  N/A NA RMK# \_\_\_

b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?

Yes  No  N/A  RMK#     

c. Are the combustion gases from heater vented to the ambient air?

Yes  No  N/A  RMK#     

11. Does the generator have the used oil hauled only by transporters that have obtained an EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24]

Yes  No  N/A  RMK# 3

#### USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. 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  No  N/A  RMK#     

13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]

Yes  No  N/A  RMK#     

14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]

Yes  No  N/A  RMK#     

#### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11]

Yes  No  N/A  RMK#     

#### REMARKS

- #1 A 55 gallon drum beside the garage was releasing used oil, release wasn't cleaned up nor leaks repaired.
- #2. Several drums of used oil were not labeled as such, but were labeled during the inspection.
- #3 This facility has no records of using a registered used oil transporter.



## REMARKS-GENERAL INFORMATION

### **General Process Information:**

This is a motorcycle & ATV dealership which performs routine service on the products it sells. No painting is performed. This facility does not usually generate hazardous waste.

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

No information for this facility was found in DHWM's files.