



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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

March 23, 2007

**GALLIA COUNTY
GENERAL FILE
(RED'S ROLLEN GARAGE)
DHWM/SEDO
OHR 000116590**

Mr. Tim Brabham
14727 SR 554
Bidwell, Ohio 45614

Dear Mr. Brabham:

On March 14, 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 staining around several drums at the back corner of your property. Any soil that is contaminated with used oil must be excavated and placed into a container and disposed at a permitted solid waste landfill. All containers that are in poor condition must be replaced. To demonstrate compliance, provide photographs of areas where used oil staining was evident, once the contaminated soil has been removed, and provide the name and address of the landfill that accepts this soil for disposal. I have included a fact-sheet on used oil management for your use.

- (2) **OAC Rule 3745-279-22(C), Used oil storage requirements for generators:** Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words, "Used Oil."

Several drums of used oil that we observed were not labeled properly. Please provide photographs of your drums showing that they are properly labeled.

- (3) **OAC rule 3745-279-23, On-site burning of used oil in space heaters by generators:** Generators may burn used oil-fired space heaters provided that (A) the heater only burns used oil that the owner or operator generates or used oil from household do-it-yourself used oil generators.

Your facility accepts and burns used oil from other businesses. You must cease accepting used oil from other businesses for use in your space heater. Provide a response stating that you understand this requirement and will stop this practice.

General Comments:

- (a) Your facility appears to have a total above-ground oil storage capacity of approximately 3,800 gallons (~2800 in tanks, ~1000 in 55-gallon drums) including new, used, etc.). Therefore, the Spill Prevention, Control and Countermeasures (SPCC) requirements apply to your facility; please see the attached fact sheet. They require you to have a plan for releases and impervious secondary containment around all stored petroleum products. Please provide photographic documentation showing that you have complied with these requirements.
- (b) We observed several vehicle batteries stored in various places on the ground (including some damaged or leaking batteries). Provide photographs showing proper management of these batteries to minimize the chance of release of hazardous constituents.
- (c) During the inspection, you inquired how you may dispose of water contaminated with used oil. This water must be properly treated prior to disposal, most environmental service companies or used oil transporters/processors can treat this type of material. If it can be processed to remove further oil, it could be considered used oil, if it will be disposed it would be considered waste. Please provide the name and location of the facility that you will use to manage this waste.

Solid Waste Issues:

During the course of this inspection, tires were observed being stored behind the garage near the back portion of the property. Some of these tires were for resale and some were scrap tires. Improper storage of scrap tires poses several potential problems for the local residents, environment, and the emergency crews in the area. Scrap tires provide an optimal breeding ground for mosquitoes. Mosquitoes identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus. These scrap tires need to be stored in a manner so that mosquito breeding is inhibited. Scrap tire fires are also a source of air pollution and can cause respiratory problems for those that breathe the smoke. Tire fires are also difficult for emergency crews to extinguish.

These tires need to be stored inside or under cover to inhibit the accumulation of rain water within the tire and to inhibit the incidence of fire.

Ohio law requires that anyone removing scrap tires for disposal must take the tires to either a licensed or registered scrap tire collection, recovery or disposal facility. Receipts from these facilities need to be on file at your facility to provide proof of proper disposal. Also, anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter.

Mr. Tim Brabham
March 23, 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



Trevor L. Irwin, RS
Environmental Specialist II
Division of Solid and Infectious
Waste Management

Attachments

cc: Stuart Lentz, Gallia County Health Department

RS/mlm

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 or mail it to Tammy
McConnell, Central Office

Site EPA ID No.	EPA ID Number: OHR 000116590								
Site Name	Name: Red's Rollen Garage					Website: (Optional)			
Site Location Information	Street Address: 14727 SR 554								
	City, Town, or Village: Bidwell					State: OH			
	County Name: Gallia					Zip Code: 45614			
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) www.census.gov/epcd/www/naics.html									
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Tim			MI:	Last Name: Brabham				
	Phone Number: 740-388-8547					Phone Number Extension:			
	E-Mail Address:								
	Fax Number:					Fax Number Extension:			
	Street or P.O. Box: Same								
	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: Same					Date Became Owner (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:					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:	
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))		
	Generated	Accumulated	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input type="checkbox"/>	<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"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	
Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor		
Lamps	<input type="checkbox"/>	<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 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.					
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:		
Containers	<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)	
Rich Stewart		Trevor Irwin		3/14/2007 12:45-1:15	
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)	

REMARKS-GENERAL INFORMATION

General Process Information:

This facility operates a towing/wrecker service and performs Haz-Mat clean-ups. This facility does not usually generate hazardous waste.

Regulatory/Enforcement History (if applicable):

This facility was last inspected by DHWM in June 2002. No other information for this facility was found in DHWM's files.

USED OIL CHECKLIST – Reds Road Garage

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 ___ RMK# 3

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#

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# 3

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 The 55 gallon drums behind the garage were releasing used oil on the ground, releases weren't cleaned up nor leaks repaired.
- #2. Several drums of used oil were not labeled as such.
- #3 This facility accepts and burns used oil from other businesses, this facility is not a registered used-oil collection center.