



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

September 13, 2011

**GALLIA COUNTY  
GENERAL FILE  
(AUTO BUYERS)  
DMWM/SEDO  
NON NOTIFIER**

DHR 000165266

Mr. Nick Justice, Owner  
Auto Buyers  
1627 Eastern Avenue  
Gallipolis, OH 45631

Dear Mr. Justice:

On September 8, 2011, Ohio EPA conducted a complaint investigation of your used automobile sales business in Gallipolis, Ohio in response to a complaint received by this office. The complainant alleged that used oil was being mismanaged. You were present during the investigation.

Based on my investigation, I 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 21 days** of the date of this letter:

- (1) OAC Rule 3745-279-22 (C) and (D), Used Oil Storage Requirements for Generators:** (C) Containers and tanks of used oil must be labeled with the words "Used Oil"; (D) Upon detection of a release of used oil to the environment, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

Several one-gallon containers and an open pan of used oil were unlabeled. Used oil had leaked onto the ground in front of and next to a make-shift carport and around the unlabeled pan.

To correct this violation, you must begin to properly label all used oil containers with the words "used oil." You must also clean up the ground where used oil was released by excavating soil until the soil that remains is no longer visibly contaminated with used oil and appears clean. The oil-stained soil that has been excavated should be disposed of at a licensed solid waste landfill. You may wish to contact the landfill prior to taking it there in order to determine if they have any additional requirements for the disposal of this waste. To demonstrate a return to compliance with this rule, you must send me photographs of properly labeled containers and of cleaned up areas. In addition, you must send me landfill receipts to document that excavated soils have been properly disposed of.

Mr. Nick Justice  
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Should you have any questions, please feel free to call me at (740) 380-5293. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,

*Donna Goodman*

Donna Goodman  
District Representative  
Division of Materials and Waste Management

DG/mlm

cc: Rich Stewart, DMWM-SEDO

**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"/>	<b>Ohio Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE</b> <b>IDENTIFICATION/VERIFICATION FORM</b>	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](mailto:brad.hauser@epa.state.oh.us).

<b>Site EPA ID No.</b> <b>Site Name</b>	EPA ID Number:		Website: (Optional)	
<b>Site Location Information</b>	Name: <b>Auto Buyers</b>		Street Address: <b>1627 Eastern Avenue</b>	
<b>Site Land Type</b> (check only one)	City, Town, or Village: <b>Gallipolis</b>		State: <b>OH</b>	
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	County Name:		Zip Code: <b>45631</b>	
	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"/>
	<b>811111</b>			

<b>Facility Representative</b>  Additional names can be recorded in number 12.  Only provide address information if it is different than the site address	First Name: <b>Nick</b>	MI:	Last Name: <b>Justice</b>
	Title: <b>Owner</b>		
	Phone Number: <b>740-853-2468</b>		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State:		Zip Code:

<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: <b>Jim Mink</b>		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 #:	
	State:		Country:	
	Name of Site's Operator:		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:		
	City, Town or Village:		Operator Phone #:	
	State:		Country:	
	Zip Code:		Zip Code:	

<b>VIOLATIONS CITED?</b>	<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  Yes  No      Additional Facility Representatives:  
 Tanks  Yes  No  
 Containers  Yes  No

Name of Inspector(s) Donna Goodman      Name of Inspector(s) Elizabeth Herron      Date of Inspection/Time 09/08/11 1:00 PM  
 (mm/dd/yyyy) (hh:mm)

**Comments:**  
 Containers only of used oil.