



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

January 31, 2008

**GUERNSEY COUNTY
GENERAL FILE
(HAROLD MOORE)
DHWM/SEDO
NON NOTIFIER**

Mr. Harold Moore
11152 Seneca Lane
Byesville, Ohio 43723

Dear Mr. Moore:

On January 30, 2008, Ohio EPA conducted a complaint investigation of your automobile scrapping business located at your home in response to a recent complaint received by this office. The complainant alleged that your company was disposing of used oil and antifreeze and other automotive fluids on the ground. Note that this complaint is nearly identical to one received by Ohio EPA in August 2006. At that time, we conducted an investigation and sent you a letter on August 18, 2006.

Based on my investigation of the most recent complaint, 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 30 days** of the date of this letter:

(1) OAC Rule 3745-279-22 (C) and (D), Used Oil Storage Requirements for Generators: (C) Containers 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.

(C) A drum of used oil which was mixed with other automotive fluids was not properly labeled. This was labeled during the inspection; therefore, this section of the violation has been abated. (D) Used oil has leaked or spilled onto the ground near your shop from sloppy operations.

To correct (D) above, you must clean up the ground where used oil was released. You must excavate the oily soil and gravel until the soil that remains is no longer visibly contaminated with used oil and appears clean. The oil-stained soil and gravel that has been excavated can be managed as a solid waste, and

disposed of by your regular solid waste/garbage disposal company. You may wish to contact your solid waste disposal company 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 a photograph of all cleaned up areas to this office within 30 days of the date of this letter. Note that continued violations of Ohio rules may result in escalated enforcement action that could result in fines and penalties.**

GENERAL COMMENTS

- (a) Complaints against your business have become chronic. During both investigations, we observed and commented to you on your sloppy business operations. Note that sloppy operations such as spillage of automobile fluids on the ground may contaminate your drinking water well. As explained during the investigation, prior to dismantling a vehicle, you must drain and containerize all automotive fluids. If automotive fluids continue to leak from parts during or after the dismantling process, you must immediately capture and containerize them. You may not store car parts on the ground if they are leaking. These must be stored in a manner that captures all leaking fluids. An example of this is storing the parts in containers and under roof.
- (b) Note that should automotive fluids leak onto the ground, they must immediately be excavated as explained in violation #1 above. This was discussed with you and put in writing during our first investigation in 2006. You may not cover oil-contaminated ground with fresh gravel. These areas must be excavated first and disposed of as a solid waste. Only then may you apply fresh gravel. Again, note that allowing automotive fluids to contaminate the ground in this manner can contaminate your drinking water.
- (c) During our 2006 visit, you were informed of the following requirements: As a generator of used oil, you must maintain in your files receipts for all offsite shipments of used oil to a recycler. You may self transport no more than 55 gallons at a time of your used oil in your company vehicle or your own vehicle or that of one of your employees. Used oil must be delivered to a used oil collection center that is registered with the Ohio EPA to manage used oil. If you have your used oil transported by someone other than as described above, the transporter must have obtained a USEPA ID number. In other words, you cannot provide your used oil to someone who is using it for heating oil unless they have the proper EPA registration and have done the proper analysis to determine that your used oil is not contaminated with excess levels of hazardous waste (such as spent lacquer thinner or paint) that you mix into your used oil. Mixing small quantities of hazardous waste into your used oil is permissible so long as you generate no more than 27.5 gallons per month of hazardous waste. You will find a list of registered used oil recyclers attached to this letter.

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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 Hazardous Waste Management

DG/mlm

Enclosure

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

2. Site EPA ID No.	EPA ID Number:								
3. Site Name	Name: Harold Moore					Website: (Optional)			
4. Site Location Information	Street Address: 11152 Seneca Lane								
	City, Town, or Village: Byesville					State: OH			
	County Name: Guernsey					Zip Code: 43723			
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) www.census.gov/epcd/www/naics.html	811111								
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: Harold			MI:	Last Name: Moore				
	Phone Number:				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:								
	State:				Country:		Zip Code:		
	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	Name of Site's Legal Owner: Harold Moore				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:		Zip Code:			
Name of Site's Operator: Harold Moore				Date Became Operator (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:				Operator Phone #:					
State:				Country:		Zip Code:			
9. Violations Cited?	<input checked="" 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))	
	Managed	<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 RCRA Info 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: Containe of used oil only.
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)
Donna Goodman		Rich Stewart	1/29/2008 10:30 AM
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)