



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

February 16, 2007

**JACKSON COUNTY
OSBORNE EQUIPMENT
DHWM/SEDO
OHD0000969873**

Mr. Eric G. Brown
Office Manager
Osborne Equipment Service
10 McCarty lane
Jackson, Ohio 45640

Dear Mr. Brown:

On February 6, 2007, Jim Michnowicz and I inspected the Osborne Equipment Service facility located at 10 McCarty Lane, Jackson, to determine its compliance with Ohio's hazardous waste laws and 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 any violations found, what you need to do to correct these violations, and any other general concerns identified during the inspection. Those areas where your business can prevent pollution by reducing wastes are also identified in this letter.

We found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following and send any required information **within 30 days** of your receipt of this letter:

- (1) ***OAC Rule 3745-279-22(C)(1), Used Oil Storage Requirements for Generators:*** Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "**Used Oil.**"

Containers of Used oil in the shop area were not labeled with the words "used oil", in violation of this rule. All containers/tanks used for containing used oil must be labeled with the words "used oil." In order to demonstrate compliance with this rule, Osborne Equipment Service must label all containers of used oil and submit documentation to this office demonstrating that all used oil containers have been labeled.

- (2) ***OAC Rule 3745-279-72, On-specification Used Oil Fuel, Analysis of used oil fuel:*** A generator, transporter, processor/re-refiner, or burner shall determine that used oil that is to be burned for energy recovery meets the fuel specifications of rule 3745-279-11 of the Administrative Code by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications.

Osborne Equipment Service is providing used oil to an off-site facility that is burning this used oil in a space heater without determining if this oil meets the specifications in OAC 3745-279-11, in violation of this rule.

In order to demonstrate compliance with this rule, Osborne Equipment Service or the business accepting the used oil must first determine if the used oil is on-spec as specified in OAC 3745-279-11. Please provide documentation to this office that used oil generated at your facility has been determined to be "on-spec" prior to being burned for energy recovery.

- (3) **OAC Rule 3745-52-11, Evaluation of Wastes:** Any person who generates a waste in the State of Ohio, as defined in rule 3745-51-02 of the Administrative Code, ...shall determine if that waste is a hazardous waste using the following method: (A) He shall first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code; (B) He shall then determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code; and (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator shall then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the process used.

Spent fluorescent lamps generated at the Osborne Equipment Facility have not been evaluated to determine if they are a hazardous waste. In order to demonstrate compliance with this rule, Osborne Equipment Service must evaluate spent fluorescent lamps and manage them accordingly. As we discussed during the inspection, spent fluorescent lamps can be managed as a universal waste. Universal waste rules can be found on Ohio EPA's web page at <http://www.epa.state.oh.us/dhwm/guidancedocs.html#UW>. Please contact Ohio EPA with information as to the selected management of spent lamps that Osborne Equipment Service intends to pursue.

GENERAL COMMENTS

- (a) Miscellaneous drums are located near the storage building west of the main building. Please identify the contents of these drums and manage accordingly. Some were tipped on their sides and contain unknown materials.

Mr. Eric G. Brown
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As discussed during the inspection, you may be able to reduce the wastes your business generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates, you may be able to reduce treatment and disposal costs and potentially reduce your regulatory requirements. The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You may benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. You can find more information about pollution prevention, including fact sheets, at the following web address: <http://www.epa.state.oh.us/opp>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at 740-380-5262.

Enclosed, you will find checklists completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5262. You can find copies of Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm>.

Sincerely,



John Rochotte
District Representative
Division of Hazardous Waste Management

JR/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.

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office

Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM

For Ohio EPA use only

2. Site EPA ID No.	EPA ID Number: OH0000969873								
3. Site Name	Name: Osborne Equipment Service					Website (optional):			
4. Site Location Information	Street Address: 10 McCarty Lane								
	City, Town, or Village: Jackson				State: OH				
	County Name: JACKSON				Zip Code: 45640				
5. Site Land Type (check only one)	Private	County	District	Federal	Indian	Municipal	State	Other	
	<input checked="" type="checkbox"/>								
6. NAICS code(s) www.census.gov/epcd/www/naics.html	A. 811111			B.					
	C.			D.					
	7. Facility Representative:			First Name: Eric		MI: G.	Last Name: Brown		
	Additional names can be recorded in number 12.			Phone Number: 740-286-7535		Phone Number Extension:			
E-Mail Address:			Fax Number: 740-286-7158		Fax Number Extension:				
Only provide address information if it is different than the site address.			Street or P.O. Box: 10 McCarty Lane		City, Town or Village: Jackson				
			State: OH		Country: USA		Zip Code: 45640		
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.	A. Name of Site's Legal Owner:			Date Became Owner (mm/dd/yyyy):					
	Osborne Equipment Service			?					
	Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
		<input checked="" type="checkbox"/>							
	Street or P.O. Box: 10 McCarty Lane			City, Town, or Village: Jackson					Owner Phone #: 740-286-7535
	State: OH			Country: USA		Zip Code: 45640			
	B. Name of Site's Operator:			Date Became Operator (mm/dd/yyyy):					
	Osborne Equipment Service			?					
	Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
		<input checked="" type="checkbox"/>							
Street or P.O. Box: 10 McCarty Lane			City, Town, or Village: Jackson					Operator Phone #: 740-286-7535	
State: OH			Country: USA		Zip Code: 45640				
9. Violations Cited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)									
<input type="checkbox"/> Not Regulated									

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

A. Hazardous Waste Activities

(choose only one of the following categories)

<input type="checkbox"/>	UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/>	3. Treater, Storer or Disposer of Hazardous Waste
<input type="checkbox"/>	a. Large Quantity Generator (LQG):	<input type="checkbox"/>	4. Recycler of Hazardous Waste
<input type="checkbox"/>	b. Small Quantity Generator (SQG)	<input type="checkbox"/>	5. Exempt Boiler and/or Industrial Furnace
<input checked="" type="checkbox"/>	c. Conditionally Exempt Small Quantity Generator	<input type="checkbox"/>	a. Small Quantity On-site Burner Exemption
<input type="checkbox"/>	d. United States Importer of Hazardous Waste	<input type="checkbox"/>	b. Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/>	e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/>	6. Underground Injection Control Facility
		<input type="checkbox"/>	7. Hazardous Waste Transporter

<p>B. Universal Waste Activities</p> <p><input type="checkbox"/> 1. Small Quantity Handler of Universal Waste (Indicate types of universal waste generated and/or accumulated (check all boxes that apply):</p> <p><input type="checkbox"/> 2. Large Quantity Handler of Universal Waste (accumulates 5,000 kg or more).</p> <p><input type="checkbox"/> 3. Destination Facility for Universal Waste (Check all boxes below that apply for each of the three types of facilities above.)</p> <table border="0"> <tr> <td></td> <td style="text-align: center;"><u>Generated</u></td> <td style="text-align: center;"><u>Accumulated</u></td> </tr> <tr> <td>A. Batteries</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>B. Pesticides</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>C. Thermostats</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>D. Lamps</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		<u>Generated</u>	<u>Accumulated</u>	A. Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>	<p>C. Used Oil Activities</p> <p><input checked="" type="checkbox"/> 1. Used Oil Generator</p> <p>2. Used Oil Transporter Indicate Type(s) of Activity(ies)</p> <p><input type="checkbox"/> Transporter</p> <p><input type="checkbox"/> Transfer Facility</p> <p>3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)</p> <p><input type="checkbox"/> Processor</p> <p><input type="checkbox"/> Re-refiner</p> <p><input type="checkbox"/> 4. Off-Specification Used Oil Burner</p> <p>5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)</p> <p><input type="checkbox"/> a. Marketer Who Directs Shipment of Off-Specification Oil</p> <p><input type="checkbox"/> b. Used Oil to Off-Specification Used Oil Burner</p>
	<u>Generated</u>	<u>Accumulated</u>														
A. Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>														
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>														
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>														
D. Lamps	<input type="checkbox"/>	<input type="checkbox"/>														

11. 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.

D001	D039	D040	
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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced ?	Additional Facility Representatives:
Y	Tanks?	Other comments:
Y	Containers?	

13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
John Rochotte	Jim Michnowicz	02/06/07 2:00 - 3:00 PM

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)

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Osborne Equipment Service

Facility Type: CESQG

EPA ID#: OH0000969873

Description of Waste				On-Site Management			Off-Site Management	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	
1	routine operations	paper/trash	NA	? (emptied weekly)	container	NA	trash container located outside	Local Waste Hauler
2	Oil changes, truck service	Used Oil	NA	~50 gallons	used oil containers and tanks	NA	containers in shop	burned off-site in a space heater.
3	truck maintenance	spent parts washer solvent	D001, D039, D040	< 10	NA	NA	NA	Parts washer managed by Crystal Clean
4	Lighting	Spent fluorescent lamps	D009	<5	NA	NA	NA	A recycler will be selected for this waste stream.

REMARKS – GENERAL INFORMATION

General Process Information:

Osborne Equipment Service operates a large truck service and maintenance facility. The facility consists of a front counter parts area and a large open shop area. Offices are also located in the main building. A storage building is located adjacent to the main building.

Regulatory/Enforcement History (if applicable): NA

**CONDITIONAL EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: >1,000 Kg. (~300 gallons) of waste in a calendar month or >1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No N/A _

Fluorescent lamps have not been evaluated to determine if they are a hazardous waste.

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A _

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] Yes No N/A _

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a :

- a. Container that meets 3745-66-70 to 3745-66-77? Yes _ No N/A
- b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C) Yes _ No N/A
- c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes _ No N/A
- d. Containment building that meets 3745-256-100 to 3745-256-102? Yes _ No N/A

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

REMARKS

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so:
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# ___
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# 1

Used oil tanks and containers at the facility were not labeled with the words "Used oil".

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# ___
- b. Contained the release? Yes ___ No N/A RMK# ___
- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A RMK# ___

d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?

Yes No N/A RMK# _____

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# _____

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# _____

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