



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

March 6, 2007

**JEFFERSON COUNTY  
GENERAL FILE  
(NATIONAL LUBRICATING  
PRODUCTS CO.)  
DHWM/SEDO  
OHR000004960**

Mr. Sam Orbovich  
National Lubricating Products Co.  
P.O. Box 127  
Brilliant, OH 43913

Dear Mr. Obovich:

On, February 20, 2007, I inspected National Lubricating Products Co.'s (National) facility at 500 Labelle Street in Brilliant, Ohio to determine National's compliance with Ohio's hazardous waste and used oil laws 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 violation found, and request that you provide additional information about your used oil generation. **Please submit the requested information within 14 days of the date of this letter.**

**Notice of Violation**

The following violation of Ohio's used oil rules was found:

- (1) **OAC Rule 3745-279-22(C), 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."

National did not have any of their used oil containers labeled with the words "Used Oil." During the inspection, the containers were labeled, returning National to compliance with this rule.

**General Comments**

- (a) At the time of the inspection, I reviewed National's receipts for used oil disposal. Your records included receipts from 1997 to 2001. There were no records of used oil disposal since 2001.

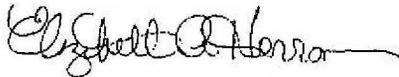
Mr. Sam Orbovich  
National Lubricating Products Co.  
March 6, 2007  
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Please respond to this letter with the following information:

- how used oil has been handled since 2001;
- an estimation of the quantity of used oil that is generated each month; and
- any supporting documentation available, such as receipts for used oil transportation and disposal.

Enclosed you will find a copy of the checklist completed during the inspection. Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of the used oil rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Elizabeth A. Herron  
Environmental Specialist  
Division of Hazardous Waste Management

EAH/mlm

Enclosures

**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  
McConnell, Central Office

Site EPA ID No.	EPA ID Number: OHR000004960								
Site Name	Name: National Lubricating Products Co.				Website: (Optional)				
Site Location Information	Street Address: 500 Labelle Street								
	City, Town, or Village: Brilliant				State: OH				
	County Name: Jefferson				Zip Code: 43913				
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: Sam		MI:		Last Name: Orbovich				
	Phone Number: 740 598 4142				Phone Number Extension:				
	E-Mail Address: sorbovich@nlproducts.com								
	Fax Number: 740 598 4088				Fax Number Extension:				
	Street or P.O. Box: P.O. Box 127								
	City, Town or Village: Brilliant				State: OH		Country: USA	Zip Code: 43913	
	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:							
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:									
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 checked="" 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)
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**Destination Facility for Universal Waste**

(Check all boxes below that apply for each of the three types of facilities above)

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

**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 checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<b>Additional Facility Representatives:</b>
<b>Tanks</b>	<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<b>Other Comments: Facility was given 2 hours notice of the inspection</b>
<b>Containers</b>	<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	

<b>Name of Inspector(s)</b>	<b>Name of Inspector(s)</b>	<b>Date of Inspection/Time</b> (mm/dd/yyyy) (hh:mm)
<b>Elizabeth Herron</b>		<b>2/20/2007 12:30 PM</b>

**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>

## GENERAL FACILITY INFORMATION

### **Process Information:**

National Lubricating Products Co. (National) is a bulk fuel distributor. With a fleet of eight trucks, they deliver fuel and oil to service stations, and supply homes and businesses with fuel oil for heating. Fuel distribution is estimated to be 600,000 gallons annually.

### **Waste Activities Summary:**

National generates used oil from the maintenance of their trucks. National was storing used oil in 55-gallon drums and a 300 gallon (estimated) tank. These containers were located in the their warehouse building.

At the time of the inspection National had records of their used oil being collected by Oil Recovery Service (US EPA ID # OHD987014859) in 1997, 1998, 2000, and 2001 as follows:

03-18-97	300 gallons
05-13-97	150 gallons
09-05-97	300 gallons
03-06-98	400 gallons
06-05-98	225 gallons
10-09-98	330 gallons
08-02-00	2,200 gallons
02-02-01	350 gallons

### **Regulatory/Enforcement History:**

This business has not been previously inspected by the Division of Hazardous Waste Management

### **Pollution Prevention Remarks and/or Other Information:**

Would this facility be interested in a P2 assessment?

Yes  No  NA

*If yes, refer to Ohio EPA Southeast District Office Pollution Prevention Coordinator or to Ohio EPA's Office of Compliance Assistance and Pollution Prevention, at 1-800-329-7518, [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html).*

# CONDITIONALLY EXEMPT SMALL QUANTITY (CESQG) GENERATOR REQUIREMENTS

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.

## WASTE EVALUATION

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

## GENERATOR CLASSIFICATION

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

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").

## OFF-SITE SHIPMENT OF HAZARDOUS WASTE

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

see remarks

## 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  NA
  - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)  Yes  No  NA
  - c. Drip pad that meets 3745-69-40 to 3745-69-45?  Yes  No  NA
  - d. Containment building that meets 3745-256-100 to 3745-256-102?  Yes  No  NA

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

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

## REMARKS

National Lubricating Products Co. is currently not generating any hazardous waste.

# USED OIL GENERATOR REQUIREMENTS

**NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.**

## PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so:  Yes  No  NA
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)]  Yes  No  NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)]  Yes  No  NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)?  Yes  No  NA

## 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  NA
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  NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)]  Yes  No  NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]  Yes  No  NA
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  NA
- see remarks**
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  NA
- b. Contained the release?  Yes  No  NA
- c. Cleaned up and properly managed the used oil and other materials?  Yes  No  NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?  Yes  No  NA

10. Does the generator burn used oil in used oil fired space heaters? [3745-27-23] If so: Yes No NA
- 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? see remarks  
Yes No NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No NA
- c. Are the combustion gases from heater vented to the ambient air? Yes No NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No NA

more information needed,  
not yet determined

### 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 NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No NA
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 NA

### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes No NA

### REMARKS

National Lubrications Products Co. was storing their used oil in 55-gallon drums and in a 300 gallon (estimated) tank inside their warehouse building. The drums and tank were not labeled "Used Oil." During the inspection the drums and tank were labeled by an employee, returning National Lubrications Products Co. to compliance with this rule.