



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-6501 FAX: (740) 385-6490
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

Certified Mail: 7006 0100 0003 5620 2617

January 31, 2007

**LAWRENCE COUNTY
THACKER'S TRUCK REPAIR
DHWM/SEDO
OHR000110981**

Mr. Frank Thacker
Thacker's Truck Repair
231 Township Road 1034
South Point, OH 45680

Dear Mr. Thacker:

On January 25, 2007, Ohio EPA inspected Thacker's Truck Repair at 231 Township Road 1034 in South Point, Ohio to determine your compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). I spoke with you on the phone on January 10, 2007, and you informed me that Thacker's Truck Repair was no longer in business. You were not present at the business during the inspection, so I was unable to perform a complete inspection. While at the business, I noticed several drums of used oil and oily water at the front of the building. This letter will explain the violations I found and what you need to do to correct the violations and other general concerns I have.

Ohio EPA 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 your receipt of this letter:

- (1) **OAC 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."

Several drums and smaller containers outside at the front of the building were not labeled "used oil", in violation of this rule. To return to compliance with this rule, Thacker's Truck Repair must label all containers of used oil and submit documentation in the form of photographs to Ohio EPA.

- (2) **OAC 3745-279-22(D), Used Oil Storage Requirements for Generators:** Upon detection of a release of used oil to the environment, a generator must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials;
and
- (4) If necessary, repair or replace any leaking used oil storage containers prior to returning them to service.

Mr. Frank Thacker
Thacker's Truck Repair
January 31, 2007
Page 2

The several drums and containers outside at the front of the building had leaked used oil onto the ground and the release was not stopped, contained, and cleaned up, in violation of this rule. Thacker's Truck Repair must clean up this area by having the used oil recycled, the oily water taken to an off-site facility that can handle this type of waste, and by digging up the visibly contaminated soils and disposing of them in the regular trash. Thacker's Truck Repair must submit copies of invoices or receipts from the recycling of used oil and treatment of oily water, and photographs from the cleanup of the contaminated soils.

General Comments:

- (a) In addition to these violations, Thacker's Truck Repair may have additional violations of the Cessation of Regulated Operations (CRO) program. There are certain requirements under the CRO program when a business discontinues or terminates operations where regulated substances (hazardous and flammable substances, petroleum products, etc.) were used, stored, and/or handled at the facility. Attached is a fact sheet regarding the CRO program to help you determine your responsibilities under this program

Enclosed, you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to contact me at (740) 380-5288. 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,



Scott N. Bergreen
Environmental Specialist
Division of Hazardous Waste Management

SNB/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.

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: OHR000110981								
3. Site Name	Name: Thacker's Truck Repair						Website (optional):		
4. Site Location Information	Street Address: 231 Township Road 1034								
	City, Town, or Village: South Point				State: OH				
	County Name: Lawrence				Zip Code: 45680				
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.			B.					
	C.			D.					
	7. Facility Representative:								
	Additional names can be recorded in number 12. Only provide address information if it is different than the site address.								
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):					
	Frank Thacker								
	Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
		<input checked="" type="checkbox"/>							
	Street or P.O. Box: 231 Township Road 1034								
	City, Town, or Village: South Point			Owner Phone #:					
	State: OH			Country: USA		Zip Code: 45680			
	B. Name of Site's Operator:			Date Became Operator (mm/dd/yyyy):					
	Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
	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									
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)

- UNKNOWN: Cited for violation of 3745-52-11
- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

- 3. Treater, Storer or Disposer of Hazardous Waste
- 4. Recycler of Hazardous Waste
- 5. Exempt Boiler and/or Industrial Furnace
 - a. Small Quantity On-site Burner Exemption
 - b. Smelting, Melting, Refining Furnace Exemption
- 6. Underground Injection Control Facility
- 7. Hazardous Waste Transporter

B. Universal Waste Activities

- 1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):
- 2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).
- 3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

	Generated	Accumulated
A. Batteries	<input type="checkbox"/>	<input 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"/>

C. Used Oil Activities

- 1. Used Oil Generator
- 2. Used Oil Transporter Indicate Type(s) of Activity(ies)
 - Transporter
 - Transfer Facility
- 3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)
 - Processor
 - Re-refiner
- 4. Off-Specification Used Oil Burner
- 5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)
 - a. Marketer Who Directs Shipment of Off-Specification Oil
 - b. Used Oil to Off-Specification Used Oil Burner

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.

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:
N	Tanks?	Other comments:
Y	Containers?	

13.	Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
	Scott Bergreen		1/25/07 12:30 - 1:00 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)

USED OIL INSPECTION CHECKLIST (Short Version)

NOTE: *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 N/A ___ RMK# ___
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 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 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [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# ___
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 oil 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 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 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