



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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

August 6, 2008

**MEIGS COUNTY
GENERAL FILE
(VILLAGE OF MIDDLEPORT)
DHWM/SEDO
NON-NOTIFIER.**

Mr. Don Hysell
Village of Middleport
237 Race Street
Middleport, OH 45760

Dear Mr. Hysell:

On, July 31, 2008 I investigated a complaint at the Village of Middleport's garage facility on Park & High Streets in Middleport, Ohio. According to the complaint received by Ohio EPA, the complainant alleged that the Middleport garage had been dumping used oil, antifreeze and fuel into the basement of the recently demolished school that was located next to the garage.

This letter will explain the validity of the complaint, the violation found, other general concerns and what you need to do to respond to this letter.

To investigate the complaint, I visited the garage and spoke with you concerning the complaint allegations and the waste management practices at the garage. At the time of my visit, the basement of the former school was no longer visible. The basement had been back filled and the area was being used by the Village of Middleport for storage and parking.

You showed me a tank you said was used for waste antifreeze and used oil. You reported that when the tank is full, you contact Glockner Environmental Services, who comes and collects the oil and antifreeze mixture. During my visit, you were unable to locate any receipts for pickups from Glockner Environmental Services. You stated that you may have given the receipts to the Water Office. To demonstrate that the Village has been properly managing their used oil, submit copies of the past three years worth of used oil disposal receipts. Submit this information to this office **within 14 days** of your receipt of this letter.

During my investigation, the following violation of Ohio's used oil laws was found:

- (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."

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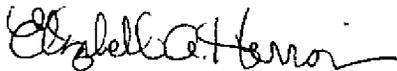
The Village of Middleport was storing used oil in a tank that was not labeled with the words "Used Oil". During the complaint investigation, you labeled the tank "Used Oil", returning the Village of Middleport to compliance with this rule.

Recommendations

- (a) OAC Rule 3745-279-22(B) requires that containers and tanks used to store used oil be in good condition with no severe rusting, apparent structural defects or deterioration. I observed that your used oil tank was rusted. Please be advised that without timely maintenance or replacement, in the near future, your tank could fail to meet the "in good condition" requirement.
- (b) Middleport's garage had two floor drains. When we discussed them, you were unsure about where the floor drains discharged. As stated in the enclosed *Do You Know Where Your Floor Drains Go?* fact sheet, it is very important that you know where all your floor drains lead and are aware of Ohio EPA's regulations that apply to your discharge activities. If you do not know where your drains lead or if you are using your floor drains improperly, you could be contaminating nearby surface waters or ground waters. Middleport should take steps to locate the discharge point for the drains and if necessary, as described in the enclosed fact sheet, take action to correct any illegal discharges from the drains.

Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of Ohio's hazardous waste and used oil rules on Ohio EPA's Division of Hazardous Waste Management web page <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Hazardous Waste Management

EAH/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 kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: non-notifier								
Site Name	Name: Village of Middleport Garage				Website: (Optional)				
Site Location Information	Street Address: Park & High Streets								
	City, Town, or Village: Middleport				State: OH				
	County Name: Meigs				Zip Code: 45760				
Site Land Type (check only one)	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input checked="" type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html									
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Don			MI:	Last Name: Hysell				
	Phone Number: 740 992-5711				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box: 237 Race Street								
	City, Town or Village: Middleport				State: OH			Country: USA	Zip Code: 45760
	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: Village of Middleport				Date Became Owner (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 checked="" 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 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"/> 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)		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	
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 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.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments:
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron			7/31/2008 12:20 PM
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)