



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 Korteski, Director

April 28, 2008

**MONROE COUNTY  
GENERAL FILE  
(MONROE COUNTY GARAGE)  
RCRA/UOG  
NON-NOTIFIER**

Mr. Chuck Dye  
Monroe County Garage  
P.O. Box 555  
Woodsfield, Ohio 43793

Dear Mr. Dye:

On April 21, 2008, Trevor Irwin – Division of Solid and Infectious Waste and I conducted a compliance inspection of the Monroe County Garage facility in Woodsfield, Ohio to determine its 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). During the inspection, we also helped you identify ways to prevent pollution by reducing waste. This letter will explain the violations we found and what you need to do to correct the violations.

We found the following violations of Ohio's hazardous waste law. 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) **Used oil storage requirements for generators, OAC rule 375-279-22(C):** Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil".

During the inspection, the used oil containers containing used oil were not labeled as required by this rule. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the used oil containers have been labeled as required.

- (2) **Hazardous waste determination, OAC rule 3745-52-11:** Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste.

During the inspection, we observed 2 55-gallon containers near the scrap metal storage area. To demonstrate compliance with this rule, the Monroe County Garage must evaluate the contents of these containers and submit analytical data to Ohio EPA for review.

- (3) **Used oil specifications, OAC rule 3745-279-11:** Used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under Chapter 3745-279 of the Administrative Code unless it is shown not to exceed any of the allowable levels of the constituents and properties in the specification shown in Table 1 of this rule. Once used oil that is to be burned for energy recovery has been shown not to exceed any specification, and the person making that showing complies with rules 3745-279-72, 3745-279-73, and paragraphs (B) and (C) of rule 3745-279-74 of the Administrative Code, the used oil is no longer subject to Chapter 3745-279 of the Administrative Code.

Table 1 Used Oil Not Exceeding Any Specification Level Is Not Subject to Chapter 3745-279 of the Administrative Code When Burned for Energy Recovery <sup>1</sup>	
Constituent/property	Allowable level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100 °F minimum
Total halogens	4,000 ppm maximum <sup>2</sup>
<sup>1</sup> The specification does not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste [see paragraph (B) of rule 3745-279-10 of the Administrative Code].	
<sup>2</sup> Used oil containing more than one thousand parts per million (ppm) total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under paragraph (B)(1) of rule 3745-279-10 of the Administrative Code. Such used oil is subject to 40 CFR sections 266.100 to 266.112 rules 3745-266-100 to 3745-266-112 of the Administrative Code rather than Chapter 3745-279 of the Administrative Code when burned for energy recovery unless the presumption of mixing can be successfully rebutted.	

Since Monroe County Garage sends its used oil off-site to be burned, the Garage must first determine if the oil generated in the garage exceeds the allowable levels as directed above. To demonstrate compliance with this rule, the Monroe County Garage must test the used oil and submit analytical data to Ohio EPA for review.

- (4) **Off-site shipments of used oil by generators, OAC rule 3745-279-24:** Except as provided in paragraphs (A) to (C) of this rule, generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

Mr. Chuck Dye  
Monroe County Garage  
April 28, 2008  
Page 3

Monroe County Garage does not ship its used oil with a transporter that has notified with Ohio EPA. Monroe County Garage must ensure that any future shipments are picked-up by a used oil transporter. To demonstrate compliance with this rule, Monroe County Garage provide to Ohio EPA, in writing, the name of the used oil transporter that the Garage will use in the future.

Please submit the above requested documentation to this office **within 30 days** of receipt of this letter demonstrating that all violations have been abated.

Should you have any questions regarding the contents of this letter, feel free to contact me at 740-380-5256.

Sincerely,



Melody Stewart  
District Representative  
Division of Hazardous Waste Management



Trevor Irwin  
Environmental Specialist II  
Division of Solid and Infectious Waste

MS/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.

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: Non-notifier			
Site Name	Name: Monroe County Garage	Website: (Optional)		
Site Location Information	Street Address: 47026 Moore Ridge Road			
	City, Town, or Village: Woodsfield	State: OH		
	County Name: Monroe	Zip Code: 43793		
Site Land Type (check only one)	<input type="checkbox"/> 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			
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: Chuck	Mi:      Last Name: Dye		
	Phone Number: 740-472-0760	Phone Number Extension:		
	E-Mail Address:			
	Fax Number:	Fax Number Extension:		
	Street or P.O. Box: P.O. Box 555			
	City, Town or Village: Woodsfield			
	State: Ohio	Country: Monroe      Zip Code: 43793		
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:	<input type="checkbox"/> 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		
	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:	<input type="checkbox"/> 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		
	Street or P.O. Box:			
	City, Town or Village:		Operator Phone #:	
	State:		Country:	Zip Code:
	Violations Cited?	<input type="checkbox"/> Yes <input checked="" 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 checked="" 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))	
	<b>Generated</b>	<b>Accumulated</b>	<input checked="" type="checkbox"/> Used Oil Generator
<b>Batteries</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Off-Specification Used Oil Burner
			<input type="checkbox"/> Used Oil Transporter
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
			<input type="checkbox"/> Used Oil Transfer Facility
<b>Thermostats</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
			<input type="checkbox"/> Used Oil Processor
<b>Lamps</b>	<input checked="" type="checkbox"/>	<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 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b>
<b>Tanks</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Other Comments:</b>
<b>Containers</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Trevor Irwin		Melody Stewart	4/21/2008
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 - MARKETERS

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR.112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

### PROHIBITIONS

1. Does the Used Oil Marketer manage used oil in a surface impoundment or waste pile? If yes: Yes  No  N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes  No  N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes  No  N/A

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

4. Does the used oil fuel marketer initiate shipments of **off-spec** used oil only to a used oil burner that has a U.S. EPA ID# and burns the used oil in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-71] Yes  No  N/A
5. Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil meets the specification for used oil fuel under 3745-279-11 keep copies of analyses of the used oil (or other information used to make the determination) for at least three years? [3745-279-72(B)] Yes  No  N/A
6. Has the used oil marketer notified Ohio EPA or U.S. EPA and obtained a U.S. EPA ID#? [3745-279-73(A)] Yes  No  N/A
7. Does the used oil marketer keep a record of each shipment of **off-spec** used oil directed to a used oil burner? [3745-279-74(A)] Yes  No  N/A
- a. Does each record include the name and address of the transporter who delivers the used oil to the burner? [3745-279-74(A)(1)] Yes  No  N/A
- b. Does each record include the name and address of the burner who receives the oil? [3745-279-74(A)(2)] Yes  No  N/A
- c. Does each record include the U.S. EPA ID# of the transporter that delivers the used oil to the burner? [3745-279-74(A)(3)] Yes  No  N/A
- d. Does each record include the U.S. EPA ID# of the burner? [3745-279-74(A)(4)] Yes  No  N/A

- e. Does each record include the quantity of the used oil shipped? [3745-279-74(A)(5)] Yes  No  N/A
- f. Does each record include the date of shipment? [3745-279-74(A)(6)] Yes  No  N/A
8. Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil **meets the fuel specifications** under 3745-279-11 keep a record of each shipment of used oil to an on-spec used oil burner? [3745-279-74(B)] Yes  No  N/A
- a. Does each record include the name and address of the facility receiving the shipment? [3745-279-74(B)(1)] Yes  No  N/A
- b. Does each record include quantity of used oil fuel delivered? [3745-279-74(B)(2)] Yes  No  N/A
- c. Does each record include date of shipment or delivery? [3745-279-74(B)(3)] Yes  No  N/A
- d. Does each record include a cross-reference to the record of used oil analysis or other information used to make the determination that the used oil meets the specification as required in 3745-279-72(A)? [3745-279-74(B)(4)] Yes  No  N/A
9. Are the records described in 3745-279-74(A) and (B) maintained for at least three years? [3745-279-74(C)] Yes  No  N/A
10. Before the used oil generator, transporter or processor/re-refiner directs the first shipment of **off-spec** used oil to a burner, does he obtain a one time written and signed notice from the burner certifying that:
- a. The burner has notified Ohio EPA stating the location and general description of the used oil management activities? [3745-279-75(A)(1)] Yes  No  N/A
- b. The burner will burn the off-spec used oil only in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-75(A)(2)] Yes  No  N/A
11. Is the certification maintained for at least three years from the date the last shipment of off-spec used oil was shipped to the burner? [3745-279-75(B)] Yes  No  N/A

Keyword: UsedOilforMarketers.Oct.2007.doc

**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

**PROHIBITIONS**

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: Yes  No  N/A
- a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] Yes  No  N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? Yes  No  N/A

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

**GENERATOR STANDARDS**

4. Does the generator mix hazardous waste with used oil? If so, Yes  No  N/A
- a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] Yes  No  N/A

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.*

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

*NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.*

6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes  No  N/A
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
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
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
- b. Contained the release? Yes  No  N/A
- c. Cleaned up and properly managed the used oil and other materials? Yes  No  N/A
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes  No  N/A

**ON-SITE BURNING IN SPACE HEATER**

- 10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes  No  N/A 
  - 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
  - b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes  No  N/A
  - c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A

**GENERATOR TRANSPORTATION**

- 11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes  No  N/A 
  - a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24] Yes  No  N/A
  - b. Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24] Yes  No  N/A

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

**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
- 13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes  No  N/A
- 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

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc