



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

February 21, 2007

**MUSKINGUM COUNTY
GENERAL FILE
(KIRK NATIONALELEASE)
DHWM/SEDO
NON-NOTIFIER
OHD 084440007**

Ms. Sharon Didier
Kirk NationaleLease
P.O. Box 4369
Sidney, Ohio 45365

Dear Ms. Didier:

On February 8, 2007, Melody Stewart and I visited the Kirk NationaleLease facility, located at 9350 E. Pike, Norwich, Ohio, to investigate an anonymous complaint received by this office on February 5, 2007. The complaint alleged that Kirk NationaleLease is mismanaging used oil and antifreeze by disposing of these materials on the ground and into a floor drain inside the facility. We observed no evidence to substantiate the complaint.

During our visit, we also inspected Kirk NationaleLease to determine 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). This letter will explain the violations we found and what you need to do to correct the violations, as well as other general concerns we have and what you need to do to respond to those concerns.

We found the following violation of Ohio's hazardous waste laws:

- (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".

One approximately 1,000-gallon used oil tank and several 55-gallon drums containing used oil were not labeled with the words "Used Oil".

On February 21, 2007, Kirk NationaleLease submitted photographs of the used oil tank and 55-gallon drums, demonstrating that they have been properly labeled with the words "Used Oil". Kirk NationaleLease has demonstrated a return to compliance with this rule.

Ms. Sharon Didier
Kirk NationalLease
February 21, 2007
Page 2

GENERAL COMMENTS

- (a) At the time of the inspection, Kirk NationalLease had not yet shipped any spent parts cleaner solvent off-site for disposal. Your facility must evaluate the spent ZEP parts cleaner solvent to determine if it is a hazardous waste prior to its disposal. Your facility should keep a copy of the evaluation on-site for your records.

- (b) During the inspection, Kirk NationalLease indicated that the truck maintenance bays connect to an oil-water separator. Used oil sludges from the oil-water separator are sent off-site and the water discharges to an on-site holding pond. I have contacted Scott Foster in our Division of Surface Water to determine if your facility needs to obtain a discharge permit for this activity.

You will find enclosed a copy of the checklists that were completed during the inspection. I have also enclosed several fact sheets that you may find useful. You can find copies of the hazardous waste rules and other information on our division's web page at <http://www.epa.state.oh.us/dhwm>. Compliance assistance and pollution prevention information is available at <http://www.epa.state.oh.us/ocapp/ocapp.html>.

Should you have any questions, please feel free to call me at 740-380-5237.

Sincerely,



Vicky D. German
Environmental Specialist
Division of Hazardous Waste Management
Ohio EPA, Southeast District Office

VDG/mlm

cc: Scott Foster, Ohio EPA, DSW-SEDO

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@pa.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: Non-Notifier								
3. Site Name	Name: Kirk NationalLease						Website (optional:)		
4. Site Location Information	Street Address: 9350 E. Pike								
	City, Town, or Village: Norwich				State: OH				
	County Name: Muskingum				Zip Code: 43767				
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.	First Name:			MI:	Last Name:				
	Phone Number: 740-844-0005			Phone Number Extension:					
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:								
	State:			Country:			Zip Code:		
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):					
	Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
		<input checked="" type="checkbox"/>							
	Street or P.O. Box:								
	City, Town, or Village:			Owner Phone #:					
	State:			Country:		Zip Code:			
	B. Name of Site's Operator:			Date Became Operator (mm/dd/yyyy):					
	Kirk NationalLease								
	Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
		<input checked="" type="checkbox"/>							
Street or P.O. Box: 3885 Michigan Avenue, P.O. Box 4369									
City, Town, or Village: Sidney			Operator Phone #: 937-498-1151 or 1-800-860-2128						
State: OH			Country:		Zip Code: 45365				
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									

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
See Remarks Section

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)]

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

The facility must evaluate spent ZEP parts cleaner solvent prior to its disposal. At the time of the inspection, there had not yet been an off-site shipment of spent parts cleaner solvent for disposal.

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
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] **See Remarks Section**
- 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 fired space heaters? [3745-279-23]
If so:
- 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 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

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

One approximately 1000-gallon above ground used oil tank located inside the building was not labeled with the words "Used Oil".

Several drums of used oil located near the used oil tank were not labeled with the words "Used Oil".

WASTE ACTIVITIES SUMMARY

Facility Name: Kirk National Lease

Facility Type: CESQG

EPA ID#: Non-Notifier

Waste Generated

On-Site and Off-Site Management

Pollution Prevention Activities

Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities
1 Maintenance and Repair Activities (Oil Changes, etc.)	Used Oil	NA	Varies	1000-G used oil tank Several 55-G drums	Burned in on-site used oil furnace	NA	NA	NA
2 Maintenance and Repair Activities (Oil Changes, etc.)	Oily Sludge and Water from Oil-Water Separator	NA	~ 1500 G Generated yearly	NA – Pumped from Oil-Water Separator as needed	NA	Heritage-Crystal Clean Elgin IL Disposal	NA	NA
3 Maintenance and Repair Activities (Parts Cleaning)	Spent ZEP parts cleaner solvent	UNK	UNK – Not yet sent off-site	NA – Parts Washer	NA	NA	UNK	NA
4 Maintenance and Repair Activities	Spent Antifreeze	NA (if recycled)	Varies	55-G drums behind building	NA	Heritage-Crystal Clean Elgin IL Recycled	Recycled	NA
5 Maintenance and Repair Activities	Spent Lead-Acid Batteries	NA (if recycled)	Varies	Stored inside building	NA	Exide Sandusky OH	Recycled via Core Exchange Program-Exide	NA

GENERAL FACILITY INFORMATION

Process Information:

Kirk NationLease operates a full-service truck, tractor and trailer leasing and maintenance company. The company has approximately 18 locations in Ohio. The Norwich location does truck maintenance and repair work in several on-site truck bays, which are connected to an oil-water separator. Used oil is collected and burned in an on-site used oil furnace. Oily sludges from the oil-water separator and spent antifreeze are collected and taken off-site by Heritage-Crystal Clean. The facility has one ZEP parts cleaner.

Regulatory/Enforcement History:

File information indicates that Kirk NationalLease's Norwich facility has not previously been inspected for compliance with Ohio's hazardous waste laws. The facility is located at the address formerly occupied by Haliburton Services.

Pollution Prevention Remarks and/or Other Information:

Would this facility be interested in a P2 assessment?

Yes No NA

REMARKS

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 or www.epa.state.oh.us/ocapp/ocapp.html.