



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

September 6, 2007

**ROSS COUNTY
GENERAL FILE
(HAROLD TATMAN AND SONS)
DHWM/SEDO
NON NOTIFIER**

Mr. Delbert Tatman
Harold Tatman and Sons
Box 448
Adelphi, OH 43101

Dear Mr. Tatman:

On August 27, 2007, Ohio EPA conducted a complaint investigation at Harold Tatman and Sons' mulch manufacturing plant ("HTS") located in Kingston, Ohio to determine HTS's 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). According to the complainant, odors, runoff and possible mismanagement of automotive fluids was occurring at the site.

This letter will address only the management of automotive fluids and other hazardous waste-related concerns discovered during the investigation. Any other concerns or violations which may have been discovered as a result of an investigation done by another division of the Ohio EPA will be addressed under separate cover.

Based on my investigation, I 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 the date of this letter:

- (1) **OAC Rule 3745-279-22 (C), Used Oil Storage Requirements for Generators:**
Used oil generators must store used oil in containers which are labeled with the words "used oil."

One large used oil tank located in trailer behind the automotive shop, and numerous five-gallon buckets located outside the automotive shop were not properly labeled with the words "used oil". In addition, several 350-gallon totes located outside the shop which are used for the accumulation of used oil are not labeled. According to my telephone conversation with your employee, Mr. George Diehl, on September 5, 2007, one or more of these totes contain used oil in excess of that which can be burned in the used oil heater in your shop. This excess used oil is sent to Thompson's Oil for recycling. Please submit a receipt for the last shipment of used oil to Thompson's Oil.

During the inspection, your employee properly labeled with the words "used oil." However, the numerous five-gallon buckets and the 350-gallon totes were not labeled. HTS must immediately label all containers and totes used for accumulation of used oil. In order to abate this violation, please submit a photograph to this office of properly labeled buckets and totes.

- (2) **OAC Rule 3745-279-22 (D), Used Oil Storage Requirements for Generators:** Upon detection of a release of used oil, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

Numerous areas of your automotive shop and surroundings were saturated with used oil. These areas included the trailer that contains the used oil, and soils next to the trailer; the floor of your shop beneath a tray where used oil is transferred into the tank; and the paved area outside your shop where trucks and other heavy equipment are stored and repaired.

To correct this violation, you must clean up all paved areas and soil where used oil has been released. This can be done by soaking up used oil with oil dry (which then should be disposed of in your solid waste dumpster). You must dig up the soil until the soil that remains is no longer visibly contaminated with used oil and appears clean. The oil-stained soil that has been excavated can be managed as a solid waste, and disposed of by your regular solid waste/garbage disposal company. You may wish to contact your solid waste disposal company to determine if they have any additional requirements for the disposal of this waste. To demonstrate a return to compliance with this rule, you must send a photograph of all cleaned up areas to this office.

Ohio EPA recommends that you implement a used oil management protocol which includes a procedure for managing all used oil under roof, closing all used oil containers unless adding or removing oil, and immediately cleaning up all spills and disposing of oil dry when it is spent. Additionally, we recommend that you upgrade your system for transferring used oil into your used oil tank, which feeds the used oil heater. An overhead shallow tray which is used for transferring use oil is the source of much of the spillage in your shop, which may then exit the floor where the floor and walls meet. Please replace this system with one that is less prone to spillage.

GENERAL COMMENTS

- (a) According to Mr. George Diehl, at least one or more of the 350-gallon totes stored next to the shop contain used antifreeze that is either reused in company trucks or collected by Thompson Oil for recycling. If the latter is the case, please submit a receipt for your last shipment of spent antifreeze to Thompson's used oil. If you are

reusing antifreeze on-site and wish to recondition it prior to reuse, the following link includes information on this option:

<http://www.epa.state.oh.us/opp/auto/antfrez2.html>

- (b) HTS generates a large volume of spent oil filters. Ohio EPA recommends that you begin to recycle these as they contain recoverable metals. Information on this option and a list of companies that can recycle filters is as follows:

<http://www.epa.state.oh.us/opp/recyc/oiltrans.html>

- (c) During the investigation, I observed that the concrete block dike surrounding your fuel storage tanks had been breached, and a small volume of diesel-contaminated precipitation that had collected in the diked area had leaked through the breach onto the surrounding soils. Please immediately excavate any fuel-contaminated soil, dispose of it in your solid waste dumpster, and take steps to repair the dike.

Should you have any questions, please feel free to call me at (740) 380-5293. 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,



Donna Goodman
District Representative
Division of Hazardous Waste Management

DG/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
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
 McConnell, Central Office

2. Site EPA ID No.	EPA ID Number: Non Notifier								
3. Site Name	Name: Harold Tatman and Sons					Website: (Optional)			
4. Site Location Information	Street Address: 9171 State Route 180								
	City, Town, or Village: Kingston					State: OH			
	County Name: Ross					Zip Code: 45644			
5. 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"/>	
6. NAICS code(s) www.census.gov/epcd/www/naics.html	424910								
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: Delbert			MI:	Last Name: Tatman				
	Phone Number: 740-655-2880				Phone Number Extension:				
	E-Mail Address:								
	Fax Number: 740-655-2887				Fax Number Extension:				
	Street or P.O. Box: Box 448								
	City, Town or Village: Adelphi								
	State: OH			Country: USA		Zip Code: 43101			
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	Name of Site's Legal Owner: Phyliss Tatman				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: Box 448								
	City, Town or Village: Adelphi				Owner Phone #: 740-655-2880				
	State:				Country:		Zip Code:		
	Name of Site's Operator: Harold Tatman and Sons				Date Became Operator (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: Box 448								
	City, Town or Village: Adelphi				Operator Phone #: 740-655-2880				
	State: OH				Country:		Zip Code:		
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes):									
<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)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. Universal Waste Activities (Indicate types of universal waste managed (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		10C. 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	
11. 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.			
D001			
12. 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: Used oil tanks and containers only.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)		Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Donna Goodman			8/27/2007
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)