



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 Korleski, Director

November 4, 2010

**WASHINGTON COUNTY
GENERAL FILE
(GARY'S TOWING)
DHWM/SEDO
NON GENERATOR**

Mr. Gary Caldwell, Owner
Gary's Towing
1409 Pike Street
Marietta, Ohio 45750

Dear Mr. Caldwell:

On October 28, 2010, Ohio EPA inspected Gary's Towing of Marietta, Ohio 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). Gary's Towing was represented by you.

I found the following violations of Ohio's hazardous waste laws:

- (1) **OAC Rule 3745-279-22(c), Used Oil Storage Requirements for Generators:** Containers of used oil must be labeled with the words "Used Oil".

Numerous drums of used oil located at your business were not properly labeled. During the inspection, you properly labeled the containers. Therefore, this violation has now been abated.

GENERAL COMMENTS

- (a) Used oil that your company generates from automotive repairs is burned in your onsite used oil furnace ("space heater"). Additionally, you burn used oil that has come from other offsite businesses that generate used oil. For example, I recently inspected another company that told me that they routinely take their used oil to you. As we discussed during the inspection, you may burn used oil that has been generated by another business only if either you or that other business has first determined that the used oil is not off-specification (contaminated with hazardous waste) per Ohio Administrative Code 3745-279-11. Should the used oil be off-spec, it may not be burned in your furnace but rather would need to be sent offsite to a reputable recycler for further processing or burning in an industrial boiler or furnace. It is acceptable, however, for you to accept and burn used oil from household do-it-yourselfers. More information on burning used oil in a space heater, including under what conditions you may accept offsite used oil, can be found at the following link:

<http://www.epa.ohio.gov/LinkClick.aspx?fileticket=4ihPk1xKym8%3d&tabid=3923>

- (b) Some of the containers at your facility held used oil that is contaminated with water and/or antifreeze, rendering it unusable in your furnace. As we discussed, any used oil/water or antifreeze mixture that you cannot use in your furnace should be sent offsite for recycling to a reputable used oil recycler. The links below will provide a fact sheet on management of used oil and a list of used oil recycling companies. As discussed, you should take steps to send this oil offsite as soon as possible:

<http://www.epa.ohio.gov/LinkClick.aspx?fileticket=XEg%2fu%2bpZGaM%3d&tabid=3923>

<http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp?category=17>

- (c) Any spent antifreeze that is not mixed with used oil and that cannot be reused onsite should be sent offsite to an antifreeze recycler. The following link will provide a list of antifreeze recyclers:

<http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp>

Enclosed, you will find a copy of the checklists that were completed as a result of the inspection. 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.

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
---	---	-----------------------

Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: Non notifier		Website: (Optional)
Site Location Information	Name: Gary's Towing		Street Address: 1409 Pike St.
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	City, Town, or Village: Marietta	State: OH	
County Name: Washington	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
Zip Code: 45750	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>
488410	State <input type="checkbox"/>	Other <input type="checkbox"/>	

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Gary	MI:	Last Name: Caldwell
Title: Owner	Phone Number: 740-373-1280		
Phone Number Extension:	E-Mail Address:		
Fax Number:	Fax Number Extension:		
Street or P.O. Box:	City, Town or Village:		
State:	Zip Code:		

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:	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:	
State:	Owner Phone #:	Zip Code:
Name of Site's Operator:	Date Became Operator (mm/dd/yyyy):	
Operator 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:	
State:	Operator Phone #:	Zip Code:
Country:	Zip Code:	

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------	---

TYPE OF HANDLER - MARK "X" AS APPROPRIATE	
<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11
<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Large Quantity Generator (LQG)
<input type="checkbox"/> Small Quantity Generator (SQG)	<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
<input type="checkbox"/> U.S. Importer of Hazardous Waste	<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

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"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
- Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
- Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
- Non-profit institute that is owned by or has a formal written affiliation agreement with a college or university

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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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 type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Name of Inspector(s)
Donna Goodman

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
10/28/10 12:30 PM

Comments:

Tanks and containers of used oil only.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 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.
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	--	--

GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
----	--	--

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"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
----	---	--

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Gary's Towing Facility **Type:** non generator **Date of Inspection:** 10/28/10 **EPA ID#:** nonnotifier

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Vehicle maintenance	Used oil drums Amount varies	Recycled in onsite used oil furnace			Recycled onsite
2	Vehicle maintenance	Spent antifreeze Amount varies		Company will need to send this offsite for recycling.		recycling
3						
4						
5						
6						
7						
8						

9.							
----	--	--	--	--	--	--	--

REMARKS **BGENERAL INFORMATION**

General Process Information:

Gary's Towing tows disabled vehicles of all sizes and has several bays at their shop where vehicle maintenance occurs.

Regulatory/Enforcement History (if applicable):

NA

Additional P2 remarks and information:

NA

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other: