

**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 27, 2011

**WASHINGTON COUNTY
GENERAL FILE (MICHAEL
BRADLEY APPARATUS)
DMWM/SEDO
OHD010460806**

Mr. Jon Pollard, Safety Coordinator
Michael Bradley Apparatus
16 Industry Road
Marietta, OH 45750

Dear Mr. Pollard:

I received your response to my April 28, 2011 NOV letter on May 26, 2011. The documentation submitted included analytical results for wastes that had been unevaluated. According to the analytical results, none of the wastes were hazardous.

My review of this documentation reveals that Michael Bradley Apparatus has adequately demonstrated abatement of the following violation discovered during the April 14, 2011 inspection:

(1) OAC Rule 3745-52-11, Waste Evaluation

However, Michael Bradley Apparatus remains in violation of the following hazardous waste laws:

- (2) OAC Rule 3745-279-22 (C) and (D), Used Oil Storage Requirements for Generators:** (C) Containers of used oil must be labeled with the words "Used Oil"; (D) Upon detection of a release of used oil to the environment, a used oil generator must stop the release, contain the released used oil, clean up and properly manage the released used oil and any 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.

(C) A black drum containing used oil stored behind the shop was not labeled. In order to abate this violation, you must immediately label the drum as described above and submit photographs of the properly labeled drum to this office. Alternatively, you may recycle the contents of the drum to a used oil recycler and submit evidence that this has been done.

(D) The above described black drum and several open top steel containers with slotted bottoms which held scrap metal were releasing used oil onto the ground, thus contaminating soils and gravel.

Mr. Jon Pollard, Safety Coordinator
Michael Bradley Apparatus
May 27, 2011
Page 2

In order to abate this violation, you must immediately stop all used oil from releasing onto the ground; excavate all visibly oil-contaminated soils and gravel; clean up any oil which may have contaminated the concrete pad; dispose of oily soils, gravel and cleanup materials in your dumpster or at a licensed solid waste landfill; and submit photographs of the cleaned area and disposal receipts to me.

In addition, you must prevent all future releases of used oil by improving your used oil and scrap metal housekeeping operations, and by training your employees in proper handling of used oil and oily scrap metal, and cleanup procedures to take immediately upon the release of used oil. Please submit a detailed description of the steps you will take to improve housekeeping, train employees, and address any future spills.

Please submit documentation demonstrating abatement of the above outstanding violation to this office within 15 days of the date of this letter.

GENERAL COMMENTS

- (a) As a generator of used oil, you must maintain in your files receipts for all offsite shipments of used oil to a recycler. You may self-transport no more than 55 gallons at a time of your used oil in your company vehicle or your own vehicle or that of one of your employees. Used oil must be delivered to a used oil collection center that is registered with the Ohio EPA to manage used oil. If you have your used oil transported by someone other than as described above, the transporter must have obtained a USEPA ID number. In other words, you cannot provide your used oil to someone who is using it for heating oil unless they have the proper EPA registration and have done the proper analysis to determine that your used oil is not contaminated with excess levels of hazardous waste (such as spent lacquer thinner or paint) that you mix into your used oil. Mixing small quantities of hazardous waste into your used oil is permissible so long as you generate no more than 27.5 gallons per month of hazardous waste. More information on management for used oil generators and a list of registered used oil recyclers can be found at the following links:

http://www.epa.ohio.gov/dhwm/used_oil.aspx

<http://www.epa.state.oh.us/ocapp/p2/recyc/oilmark.html>

Please submit information that documents that you will manage all future used oil in accordance with the above information.

Mr. Jon Pollard, Safety Coordinator
Michael Bradley Apparatus
May 27, 2011
Page 3

(b) As previously requested, please submit all receipts for the past year for spent solvents managed by Safety Kleen or other contractors. Information that you submitted to me appears to be for purchase of solvents rather than for removal of spent solvents.

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

Sincerely,



Donna Goodman
District Representative
Division of Materials and Waste Management

DG/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.