



State of Ohio Environmental Protection Agency

Southeast District Office

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

February 14, 2008

**WASHINGTON COUNTY
GENERAL FILE
(STERLING SERVICE STORE)
DHWM/SEDO
OHR000028100**

Mr. Evan Chichester
Sterling Service Store
400 Second Street
Marietta, Ohio 45750

Dear Mr. Chichester:

On February 6, 2008, Ohio EPA conducted a compliance evaluation inspection at your facility located at 400 Second Street in Marietta to determine compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). During the inspection, I also helped Sterling Service Store identify ways to prevent pollution by reducing waste. This letter will explain the violation I found and what you need to do to correct the violation.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation, you must do the following and send me the required information **within 45 days** of your receipt of this letter:

- (1) **OAC Rule 3745-279-72(A), On-Specification Used Oil Fuel:** Analysis of used oil fuel. A generator, transporter, processor/re-refiner, or burner shall determine that used oil that is to be burned for energy recovery meets the fuel specifications of rule 3745-279-11 of the Administrative Code by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications.

During the inspection, you indicated that used oil is given to Boley's Garage to burn in their used oil shop heater. However, you have not analyzed the oil to determine if it meets the used oil specifications in OAC 3745-279-11, in violation of this rule. If Sterling Service Store wants to continue giving used oil to Boley's Garage to burn in a used oil shop heater, the used oil has to meet the specifications in OAC 3745-279-11. The specifications are as follows:

<u>Constituent</u>	<u>Allowable Level</u>
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100 degF minimum
Total Halogens	4,000 ppm maximum ¹

To abate this violation, you or Boley's Garage must test the used oil to determine if the specifications are being met, and submitting the results to this office. This entails submitting a sample of the used oil to a laboratory for analysis.

¹Used 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 OAC 3745-279-10(B)(1).

GENERAL COMMENT

- (a) As we discussed during the inspection, Ohio EPA recommends that Sterling Service Store begin recycling used oil filters. Attached is a guidance document regarding used oil filters and a listing of companies that recycle filters.

As discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates, you may be able to reduce treatment and disposal costs, and you may possibly reduce your regulatory requirements. The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You may benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. You can find more information about pollution prevention, including fact sheets, at the following web address: http://www.epa.state.oh.us/ocapp_recycle.html. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me.

Enclosed, you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to contact me at (740) 380-5288. 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,



Scott N. Bergreen
Environmental Specialist
Division of Hazardous Waste Management

SNB/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.