



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: Mono Muffler & Brake Service
Williams County **PARTIAL**
Complaint #2939/Compliance
Evaluation Inspection
Used Oil Generator
Notice of Violation/Return to compliance

January 6, 2010

Mr. Tom Giannone, Environmental Manager
Mono Muffler & Brake Service
200 Holleder Parkway
Rochester, New York 14615

Dear Mr. Giannone:

Thank Mr. Matt Keber, Site Manager, for accompanying me during the Ohio Environmental Protection Agency's (Ohio EPA's) December 15, 2009, complaint investigation (#2939) and subsequent compliance evaluation inspection of Mono Muffler Brake Service (MMBS) located at 1385 South Main Street, in Bryan, Ohio. The complainant alleged mismanagement of used oil at the site and potential off-site releases. I visited MMBS to determine the validity of the complaint and to determine its 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 inspection consisted of a facility walkthrough and paperwork review. Pollution prevention options were also discussed during this inspection. This letter will list a violation I found during the inspection and a recommendation for better waste handling.

MMBS is a full service automotive company. Some of the services provided by the company include: Brakes, tires, routine maintenance, suspension, steering and alignment, and air conditioning. At the time of this inspection, MMBS was not generating any hazardous waste. Other wastes generated at the site included used oil which was mostly burned in a used oil burner on site (a portion of the used oil is sent off-site for recycling), and waste antifreeze which is recycled off-site. Lead acid batteries are managed through a core exchange program. Furthermore, spent lamps are maintained by an electrical contractor off-site. Spent lamps are eventually recycled. Finally, a potential waste stream represents spent sand blasting media from a small sand blaster that according to Mr. Keber is seldom used. Also, metal shavings and debris from a brake rotor grinding machine is also being generated. No evidence to substantiate the complaint was found; therefore, this complaint is closed.

Mr Tom Giannone, Manager
January 6, 2010
Page 2

I found the following violations of Ohio's hazardous waste laws. You must provide me the requested information within 30 days of receipt of this letter.

1. OAC Rule 3745-52-11: Waste Evaluation

Any person, who generates a waste, as defined in Rule 3745-51-02 of the administrative code, must determine if that waste is a hazardous waste.

MMBS has failed to properly evaluate the metal shaving and debris generated during the rotor grinding process at the facility. The waste is currently being stored in two 5-gallon buckets.

During the inspection, you stated that this waste is generated when the rotors are sanded down to remove imperfections due to use. Although the waste is generated sporadically and it has not been disposed of in a long time, you must determine if it is a hazardous waste in order to implement adequate waste handling management practices.

To abate this violation, MMBS must conduct a proper waste evaluation by taking a representative sample of this waste stream through a laboratory analysis which lists constituents present and at what concentration. MMBS must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate this waste.

MMBS may run total concentrations for the RCRA metals as a screening tool. If concentrations are detected for the RCRA metals at or above regulatory limits, a TCLP may be required to ensure these constituents are not present above Ohio EPA regulatory levels. MMBS may also choose to run TCLP test from the start.

If the waste is determined to be hazardous through a proper waste evaluation, MMBS will have to manage this waste from now on as hazardous waste and follow all the requirements for storage, labeling, and proper disposal.

To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page: http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html.

Ohio EPA may request the documentation needed to confirm the validity of the data submitted. Please submit a brief narrative of each sampling event which includes: sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

Mr Tom Giannone, Manager
January 6, 2010
Page 3

Please note, if the waste is hazardous, you must evaluate it to determine if it is restricted from land disposal in accordance with OAC Chapter 3745-270. In addition, you must properly dispose of it. A copy of the waste disposal documentation and EPA waste codes applicable to the waste must be submitted to me at the Ohio EPA, Northwest District Office (NWDO) prior to disposal.

2. OAC Rule 3745-279-22(C)(1): Used Oil – labeling

Containers, aboveground tanks and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

All containers storing used oil were not properly labeled with the words "used oil" at the time of the inspection.

This violation was abated during the inspection.

Recommendations:

During the inspection I noticed that you have a small sand blaster. Be aware that any waste generated from any process in your shop must be properly evaluated to determine if the waste is a hazardous waste prior to disposal and during accumulation to determine how to properly manage it.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

As we 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 your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>.

I am enclosing the following documents for help: Burning Used Oil in a Space Heater – For Businesses, July 2009; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, April 2006; Used Oil Recyclers, 2009; Registered Used Oil Collection Centers, May, 2005 and Managing Your Hazardous Waste – A Guide for Small Businesses, December 2001.

Tom Giannone
January 5, 2010
Page 4

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/llr

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO, File: Expressway Auto Parts (new) }
ec: Ed Pulido, DHWM, NWDO

<p>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.</p>
--

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: Name: Monro Muffler Brake & Service Website: http://www.monro.com/ (Optional) Street Address: 1385 S. Main Street City, Town, or Village: Bryan County Name: Williams State: OH Zip Code: 43506 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"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Tom MI: Last Name: Giannone Phone Number: (585)-647-6400 Phone Number Extension: 3378 E-Mail Address: Fax Number: (585)647-0947 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: Monro Muffler Brake, Inc. Date Became Owner (mm/dd/yyyy): 02/22/1995 Owner 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"/> Type: Street or P.O. Box: 200 Holleder Parkway City, Town or Village: Rochester Owner Phone #: (585)647-6400 State: NY Country: Zip Code: 14615 Name of Site's Operator: Date Became Operator (mm/dd/yyyy): Owner 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"/> Type: Street or P.O. Box: City, Town or Village: Operator Phone #: State: United States Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<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"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

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. Oil
 Used Oil Fuel Marketer to Off-Specification Used Oil Burner

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.

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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments: Universal waste lamps generated at the site are managed off-site by an electrical contractor. In addition, used oil generated is burned on a used oil burner on site. During the summer months when used oil storage capacity is exceeded, used oil is picked up by Safety-Kleen and recycled.
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Ed Pulido		12/15/2009 1:00pm

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)
---	------------------------	-------------------