



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

Central District Office

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MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

June 24, 2010

Mr. Chad Price
The Greenskeeper Sales & Service
140 S. Main Street
London, OH 43140

Re: **The Greenskeeper Sales & Service**
Non-Notifier – Madison County OHR000159855
Complaint Investigation
Notice of Violation / Return to Compliance

Dear Mr. Price:

On June 9, 2010, Ohio EPA received a complaint alleging improper management of used oil by The Greenskeeper Sales & Service (Greenskeeper) facility located at 140 S. Main Street in London, Ohio. Specifically, the complainant alleged that Greenskeeper personnel would open the valve on a 1,000 gallon red used oil tank and drain the used oil to the ground.

On June 17, 2010, Ohio EPA conducted a complaint investigation at the Greenskeeper facility. During this investigation you represented Greenskeeper and I represented Ohio EPA. We discussed the Greenskeeper business and facility operations. In general, Greenskeeper is a sales and service organization for lawn care and/or gardening products and equipment. All types of lawn and garden equipment are serviced on-site. Oil changes are one of the services provided. The used oil is managed in a 1,000 gallon tank located outside on the north side of the service building. This tank is connected to a "Clean-Burn" used oil heater for heating the building in the winter months. Initially, this used oil tank was not appropriately labeled, but was then labeled in my presence upon request.

Therefore, Greenskeeper was found to be in violation of the following Ohio Administrative Code (OAC) Rule:

OAC Rule 3745-279-22(C)(1), Labels: Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

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

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Initially, the 1,000 gallon used oil tank was not appropriately labeled. In my presence, the tank was labeled with the words "Used Oil," as required.

No further action regarding this complaint is necessary at this time, as this violation was abated in my presence. Please be advised, any other container used for management of used oil must also be appropriately labeled.

During the complaint investigation, we also discussed the appropriate management of used oil filters, cleanup of small oil spills, and lead acid batteries and spent fluorescent light bulbs management.

As we discussed, used oil filters must be punctured or crushed as they are hot drained. After draining, these filters could be recycled (i.e., scrap metal, fuel) instead of disposal with the regular trash. Small used oil spills should be immediately cleaned/removed.

I have enclosed information regarding the management of lead acid batteries and requirements for retailers. As you already sell new and accept used lead acid batteries for recycling through Piqua Battery, I have enclosed associated regulatory documents for your information and signage required to be posted at your facility.

I have also enclosed information regarding the management of spent fluorescent light bulbs for your review.

With the above information, you will also find a used oil generator inspection checklist completed as a result of the complaint investigation.

We also discussed, as a preventative measure, you may want to better secure your used oil tank. Specifically, as this tank is located on the outside of your facility, vandals could easily access this tank. Besides the tank itself being open to vandalism, the valve at the bottom of the tank is not secure or locked and could easily be opened and cause a potentially large release of the used oil. You may want to consider additional measures to better secure this tank (i.e., move the tank inside, lock the tank valves/bungs, provide secondary containment). Please be advised, a facility with an aggregate sum of 1,320 gallons or greater of petroleum substances in containers of at least 55-gallons in size is subject to the Spill Prevention, Control and Counter Measure (SPCC) regulations. If you have any questions concerning the SPCC requirements, please contact Chris Bonner, Ohio EPA at telephone number 614-728-3829.

Should you have any other questions or need additional information, I can be reached by telephone at 614-728-5037.

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NOTICE: Ohio EPA's failure to list specific violations or deficiencies in this letter does not relieve Greenskeeper from having to comply with all applicable regulations.

Respectfully,



Randy Sheldon
Environmental Specialist
Division of Hazardous Waste Management
Central District Office

Enclosures

C: RISS, DHWM, CO
~~DHWM, CDO, File~~

RS/nsm nov6-10



Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number:	
Site Name	Name: The Greenskeeper Sales & Service	Website: (Optional)
Site Location Information	Street Address: 140 South Main Street	
Site Land Type (check only one)	City, Town, or Village: London	State: OH
NAICS code(s) www.census.gov/epcd/www/naics.html	County Name: Madison	Zip Code: 43140
	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	First Name: Chad	MI:	Last Name: Price
Additional names can be recorded in number 12	Title:		
Only provide address information if it is different than the site address	Phone Number: 614-207-5358		Phone Number Extension:
	E-Mail Address:		
	Fax Number: 740-845-1543		Fax Number Extension:
	Street or P.O. Box: 140 South Main Street		
	City, Town or Village: London		Zip Code: 43140
	State: OH		Zip Code: 43140

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: Ned J. Speasmaker		Date Became Owner (mm/dd/yyyy):	
	Owner Type: <input checked="" type="checkbox"/> Private	<input type="checkbox"/> County	<input type="checkbox"/> District	<input type="checkbox"/> Federal
	Street or P.O. Box: PO Box 368		<input type="checkbox"/> Indian	<input type="checkbox"/> Municipal
	City, Town or Village: London		<input type="checkbox"/> State	<input type="checkbox"/> Other
	State: OH		Owner Phone #: 740-845-1543	
	Country: USA		Zip Code: 43140	
	Name of Site's Operator: The Greenskeeper Sales & Service		Date Became Operator (mm/dd/yyyy):	
	Operator Type: <input checked="" type="checkbox"/> Private	<input type="checkbox"/> County	<input type="checkbox"/> District	<input type="checkbox"/> Federal
	Street or P.O. Box: 140 South Main Street		<input type="checkbox"/> Indian	<input type="checkbox"/> Municipal
	City, Town or Village: London		<input type="checkbox"/> State	<input type="checkbox"/> Other
	State: OH		Operator Phone #: 740-845-1543	
	Country: USA		Zip Code: 43140	

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK 'X' AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<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
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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"/> 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	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications	

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 checked="" 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)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
R Sheldon		06/17/2010 9:30 am

Comments:
 Used oil complaint investigation. Cited for used oil labeling requirements and the violation was abated on the same day as the investigation. Lead acid batteries are managed under the lead acid battery recycling provision, as found in the OAC (not universal waste). A hazardous waste compliance evaluation inspection was not completed on this day.

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
a.	Stopped the release?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:		
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24] (All used oil is burned in an on-site space heater)		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]		
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	

NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).

COLLECTION CENTERS AND AGGREGATION POINTS

13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.