



Environmental
Protection Agency

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

Re: Bluffton Aeration Service, Inc.
Allen County
Hazardous Waste
Complaint # 3063
Notice of Violation

November 3, 2011

Mr. Terry George, Manager
Bluffton Aeration Service, Inc.
P. O. Box 209
9485 Shifferly Road
Bluffton, Ohio 45817

Dear Mr. George:

On May 6, 2011, the Ohio EPA, Division of Materials and Waste Management (DMWM) received an incident report from the Ohio EPA Division of Environmental Response and Revitalization (DERR). The incident occurred on April 19, 2011, at the Bowling Green Waste Water Treatment Plant (BG WWTP) and involved a black substance and sheen which passed through the BG WWTP into Poe Ditch outside of the BG WWTP. This black petroleum substance was emptied from a tanker truck belonging to Bluffton Aeration Service, Inc. (BA) at the BG WWTP on the morning of April 19, 2011, and had passed through the plant and eventually was discharged to Poe Ditch. BG WWTP took a sample of the material as BA was dumping its load into the screen in the WWTP. The analysis of this sample dated April 27, 2011, indicated that this material was a hazardous waste for flashpoint (D001) and benzene (D018), as described in OAC rules 3745-51-21 and 3745-51-24.

On June 8, 2011, I conducted a compliance evaluation inspection (CEI) at Bluffton Aeration Service, Inc. (BA) located at 9485 Shifferly Road, Bluffton, Ohio as a follow-up to the incident described above. The inspection included a tour of your facility and you specifically showed me your tankers and the cleaning pad associated with the underground storage tank. This inspection was conducted to determine BA's compliance with Ohio's hazardous waste laws found in Ohio Revised Code (ORC) Chapter 3734. and the rules promulgated thereunder in the Ohio Administrative Code (OAC). BA was represented by you. Ohio EPA was represented by the writer. This letter will explain the violations I found, what you need to do to correct these violations, an area of concern, what you need to do to address this area of concern and a request for additional information.

Upon arriving at your facility I discussed the BG WWTP event with you. You described the activities pertaining to your business services and the events which led up to the incident which occurred at BG WWTP on April 19, 2011. Generally, you described the following:

Normally, BA is a septic waste hauler, who occasionally hauls oil/water separator waste and rarely industrial waste. BA is not authorized to haul hazardous waste.

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On February 28, 2011, and March 1, 2011, BA picked up approximately 2300 gallons of gas/water wastewater generated from recent rain events which flooded the underground gasoline storage tank(s) at Alger Carry Out (ACO) located in Alger, Ohio. From ACO, the 2300 gallons of gas/water wastewater was transported from ACO to BA in a tanker truck. The contents of tanker truck were transferred to a storage tank at the BA facility. Of the 2300 gallons of gas/water wastewater, approximately 1550 gallons of this gas/water wastewater mixture was removed and ultimately managed at a facility for purposes of fuel recovery. The remaining approximately 750 gallons of gas/water wastewater, which was ultimately determined to be characteristically hazardous for ignitability and benzene as described above was transferred to an underground storage tank at BA, via a cleanout pad. This gas/water wastewater hazardous waste was then ultimately transported to BG WWTP on April 19, 2011.

Based upon the information provided during the inspection and subsequent correspondence, I have determined the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 30 days** of your receipt of this letter:

**1. Treatment, storage, or disposal of a hazardous waste.
ORC Section 3734.02 (E) & (F)**

No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976" 90 Stat. 2806, 42 U.S.C.A. 6921, as amended.

On or around February 28 & March 1, 2011, BA unlawfully received hazardous waste for storage from off-site. BA stored the viscous portion of hazardous waste generated from the ACO facility in a tanker at BA. BA then subsequently transferred this hazardous waste to their UST. At a minimum, BA stored 750 gallons and up to 1500 gallons (the capacity of the UST) of hazardous waste (D001, D008) at their facility from approximately March 2, 2011, to April 19, 2011, for a total of up to 48 days without a hazardous waste installation and operation permit.

Since BA violated ORC §3734.02(E) and (F), BA is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have BA begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

Please be advised that due to the nature of the violation, Ohio EPA may require closure pursuant to OAC rules 3745-55-11 through 3745-55-20 and OAC rules 3745-55-42 through 3745-55-47 at this site. In addition, please note that violation of ORC Section 3734.02 (E) & (F) is a serious violation of Ohio's hazardous waste laws and BA may be referred to Ohio EPA's Central Office for possible escalated enforcement action.

**2. Tank System Requirements.
OAC Rule 3745-55-91 to 3745-55-100**

Tank system requirements apply to owner or operators of facilities that use tank systems for storing or treating hazardous waste.

BA failed to comply with any of the tank system requirements while hazardous waste was in storage on-site. Specifically, BA stored approximately 750 gallons and up to 1500 gallons of hazardous waste (D001, D018) in their underground storage tank from approximately March 2, 2011, to April 19, 2011, for a total of 48 days. This hazardous waste rinse waste was generated from the cleaning of their tanker trucks on the cleaning pad above the underground storage tank.

BA must either upgrade their underground storage tank to meet the tank system requirements or comply with the closure requirements for tank systems found in OAC rule 3745-55-97, which includes compliance with OAC rules 3745-55-11 through 3745-55-20 and OAC rules 3745-55-42 through 3745-55-47.

Please notify Ohio EPA at least seven days in advance if you plan to conduct any activities which may be performed related to closure of this tank system so that I or an Ohio EPA representative may be present.

**3. Acceptance of Hazardous Waste and the Manifest System.
OAC rule 3745-53-20(A)**

A transporter may not accept hazardous waste from a generator, or transport hazardous waste in the state of Ohio, unless such waste is accompanied by a manifest in accordance with OAC rule 3745-52-20.

On at least two separate occasions, BA transported hazardous waste without a uniform hazardous waste manifest prepared in accordance with OAC rule 3745-52-20. BA transported approximately 2300 gallons of hazardous waste from ACO to BA on February 28, 2011, & March 1, 2011, and on April 19, 2011, transported 4000 gallons of hazardous waste from its facility to BG WWTP without a uniform hazardous waste manifest.

Since the load has been transported and managed at the BG WWTP, no further response to this violation is required. In the future, BA is expected to comply with all hazardous waste laws, including the use of a hazardous waste manifest when required.
This violation is abated.

**4. Use of Hazardous Waste Manifest.
OAC Rule 3745-54-71(C)**

When a shipment of hazardous waste is initiated from a hazardous waste facility, the owner and/or operator must prepare a uniform hazardous waste manifest before transporting the hazardous waste off-site in accordance with OAC Chapter 3745-52.

BA transported hazardous waste from its facility to BG WWTP without a uniform hazardous waste manifest in accordance with OAC Chapter 3745-52. On April 19, 2011, BA transported approximately 4000 gallons of hazardous waste from its facility to BG WWTP without a uniform hazardous waste manifest. This is the hazardous waste BA transported from ACO to their facility on February 28, 2011, & March 1, 2011, and had previously stored at their facility in a storage tanker and the underground storage tank.

Since the load has been transported and managed at the BG WWTP, no further response to this violation is required. In the future, BA is expected to comply with all hazardous waste laws, including the use of a hazardous waste manifest when required. ***This violation is abated.***

**5. Waste Evaluation.
OAC Rule 3745-52-11**

Any person, who generates a waste, as defined in OAC rule 3745-51-02 must determine if that waste is a hazardous waste.

BA failed to properly evaluate the booms/clean-up material generated from the clean-up of the oily discharge from the BG WWTP to Poe Ditch on April 19, 2011. This material was disposed of at Hancock County Landfill, a RCRA subtitle D solid waste (non-hazardous) landfill, without a proper waste evaluation to determine if it was hazardous waste, in accordance with OAC rule 3745-52-11.

On June 8, 2011, you stated to me that a Hancock County Landfill representative informed you that a representative sample and analysis of the waste generated from the Poe Ditch cleanup was not needed for acceptance at Hancock County Landfill. However, as the generator of the waste stream it is your responsibility to properly evaluate this waste stream. Since the waste stream was petroleum based (the material that was cleaned up) and due to the unknown nature of what else may be cleaned up by the booms, BA was required to conduct a proper waste evaluation to determine if this waste stream was a hazardous waste.

In the future, BA must comply with OAC rule 3745-52-11 when BA generates waste. Since the wastes generated from the cleanup activity in Poe Ditch have been disposed of in a solid waste landfill, no further response is required at this time in regards to this violation. ***This violation is abated.***

Area of Concern:

Used oil storage.

During the CEI, we discussed the management of your used oil. You stated that BA will pick up used oil and separator water which is usually 1-2% oil bring back to your facility, put in a storage tank and allow gravity to separate water from oil and used oil is skimmed off of the top and put in a collection tank. The decanted water is taken to the Lima Wastewater Treatment Plant for disposal. Grand Vista in Springfield, OH then picks up your used oil for recycling. The used oil may be on site for more than a month as you do these types of job relatively infrequently. In addition, on August 17, 2011, you stated that you only have one tanker truck which stores used oil and its capacity is approximately 5,000 gallons.

Please be advised that based on the processes generating that oil/water separator that you pick up, this material may be a waste that is regulated under the hazardous waste rules (not the used oil rules) and thus is subject to waste evaluation. You need to inquire to your customers if these materials are generated from an industrial type process which generates a used oil that has a high water content or if this is simply a waste or wash water which contains some used oil (examples of waste/wash water may include: waste generated from a parking lot, cleaning basin from inside of an auto service shop where cleaning/wash water which picks up some used oil drains off the floor into a basin where the water is collected, etc.). If this material is truly a wash water with some used oil, this is a waste which the generator must evaluate to determine if it a hazardous waste.

Please see the article entitled "Can Washwater Be Considered Used Oil?" in the Spring 2007, Notifier enclosed with this letter. In addition, the used oil fact sheet enclosed with this letter outlines what is considered used oil.

- If this material is wash water and based on proper waste evaluation conducted by the generator, this material is determined to be a non-hazardous waste then you may haul this material and manage as you have under the used oil generator requirements. You would essentially be taking the non-hazardous waste water and separating it to generate a used oil and thus you would need to follow the used oil generator requirements at your facility. Please consult the used oil generator fact sheet enclosed with this letter for used oil generator requirements.
- If it is a hazardous waste, then you may not haul it.
- If the oil/separator water you pick up is used oil, then you will need to comply with the requirements as outlined below.

During the CEI and our telephone conversation on August 17, 2011, I explained you may have to comply with additional used oil regulations including developing a Spill Prevention, Control and Countermeasure (SPCC) plan and possibly either the used oil transfer or used oil processors and re-refiners requirements.

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SPCC regulations apply to any facility that has an above ground storage capacity of oil or oil product of 1,320 gallons or more. Since you have a capacity to store used oil up to 5,000 gallons, the SPCC requirements may apply to BA. The U.S. EPA regulates the SPCC program. Please consult the information included with this letter for additional information and/or the U.S. EPA website <http://www.epa.gov/region5oil/plan/spcc.html>.

In addition, if you store used oil that you pick up from off-site at your facility for more than 24 hours but less than 35 days, then you would be a used oil transfer facility and must comply with OAC Rules 3745-279-40 through 3745-279-47. These regulations include secondary containment and used oil labeling. For all of the requirements for a used oil transfer facility please consult the Ohio EPA fact sheet The Regulation of Used Oil: Transporters and Transfer Facilities enclosed with this letter and the used oil regulations found at this link: <http://www.epa.state.oh.us/Default.aspx?tabid=2212>.

If you store used oil for greater than 35 days, then you would be subject to the requirements for used oil processors and re-refiners, and must comply with OAC Rules 3745-279-50 through 3745-279-59. These regulations are more comprehensive than the used oil transfer requirements and would require that BA follow a preparedness and prevention plan; require the development, maintenance and distribution of a facility contingency plan and perform closure on your used oil storage areas. For all of the requirements for a used oil processor and re-refiner facility please consult the Ohio EPA fact sheet Used Oil Processors and Re-Refiners enclosed with this letter and the used oil regulations found at this link: <http://www.epa.state.oh.us/Default.aspx?tabid=2212>.

To satisfy this area of concern, 1.) please provide information on your procedures to verify that the oil/water separator you pick-up from your customers is a used oil. If you have not verified this in the past, please state how you plan to verify whether this material is a used oil or non-hazardous wash water which you may haul; 2.) In addition, please provide the procedures for managing and storing your used oil on-site including if you plan to be a used oil generator, used oil transfer facility or used oil processor and re-refiner. Based on this determination, please state how you have met (or plan to meet) the requirements for either a used oil transfer facility or used oil processor and re-refiner.

Additional information:

Please provide the following additional information:

- A. Please confirm the amounts of and from where the waste was generated for the load that went to the BG WWTP on April 19, 2011. You stated approximately 1500 gallons of material was pumped from BA's on-site cleaning pad/tank and I believe 1000 gallons of septic waste from Bluffton Pre-Cast. According to the receipt from the BG WWTP, BA unloaded 4000 gallons of waste on April 19, 2011. Please indicate from where and how many gallons of waste comprised this 4000 gallons.

Pollution Prevention:

- If you find additional 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. Furthermore, you may possibly reduce your regulatory requirements. You can find helpful information about pollution prevention at the following web address:
<http://www.epa.ohio.gov/ocapp/>
- In addition, the Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. Their website is at:
<http://www.development.ohio.gov/cdd/oeef/>

I have enclosed the following Ohio EPA fact sheets: Identifying Your Hazardous Waste; Use of Generator Knowledge In Complying with OAC rule 3745-52-11, Hazardous Waste Evaluation; The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil; Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements; The Regulation of Used Oil: Transporters and Transfer Facilities; Used Oil Processors and Re-Refiners and information from Answer Place Ohio EPA's online question service pertaining to the regulation of above ground oil storage tanks and page 9 from the publication Environmental Compliance Guide for Motor Vehicle Salvage Yards with applicable information pertaining to Oil Spill Prevention.

If BA generates spent lamps, you should ensure that you are properly managing and disposing of these lamps. Ohio EPA encourages the management of all lamps as universal waste destined for recycling. I have enclosed the following information pertaining to the proper management and disposal of spent lamps: the Ohio EPA fact sheets Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know, a sample universal waste management plan for lamps, and a list of lamp recyclers in Ohio.

Ohio EPA will issue an EPA ID number to track our investigation activity at BA. You cannot use this number for manifesting hazardous waste shipments. If you want to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (*EPA Form 9029 (Rev. 9/2010)*) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/Default.aspx?tabid=3915> or you can call me or the Division of Materials and Waste Management, Central Office at (614) 644-2621 and we will mail you a copy.

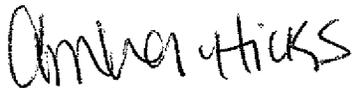
The Division of Materials and Waste Management (DMWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link 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.

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Enclosed you will find a copy of the checklists that I completed during the inspection. Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082 or email at amber.hicks@epa.ohio.gov.

You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dmwm.aspx>.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

/llr

Enclosures

pc: Cindy Lohrbach, DMWM, NWDO
~~DMWM-HW, NWDO File: Bluffton Aeration Service, Inc.~~

ec: Amber Hicks, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
Pat Tebbe, DSW, NWDO

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

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: Bluffton Aeration Service, Inc. Website: www.blufftonaeration.com (Optional) Street Address: 9485 Shifferly Road City, Town, or Village: Bluffton State: OH County Name: Allen Zip Code: 45817 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table>	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Terry MI: Last Name: George Title: Manager Phone Number: 419-358-1936 Phone Number Extension: E-Mail Address: terrygeorge_basi@yahoo.com Fax Number: 419-358-9673 Fax Number Extension: Street or P.O. Box: P.O. Box 209 City, Town or Village: Bluffton State: OH Zip Code: 45817
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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: <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Date Became Owner (mm/dd/yyyy): Street or P.O. Box: City, Town or Village: State: Owner Phone #: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: State: Operator Phone #: Country: Zip Code:	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other		<input type="checkbox"/>	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other		<input type="checkbox"/>														
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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 checked="" 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). <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 checked="" 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 checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Containers | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

Name of Inspector(s)

Amber Hicks

Name of Inspector(s)

Date of Inspection/Time

(mm/dd/yyyy) (hh:mm)

06/8/11 13:09

Comments:

This was a complaint investigation and inspection based on an incident report received from DERR. Facility does not currently or routinely generate hazardous waste, but had a one-time incident where they stored hazardous waste in an UST for 48 days (thus the tank is marked).

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Bluffton Aeration Service, Inc. **Facility Type:** LQG SQG CESQG TSD **Date of Inspection:** 6-8-11 **EPA ID#:**

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Cleaning of tanker trucks	Cleaning/rinse water stored in UST	Unknown ** facility stated it varies.		Various WWTP's. Cited for 52-11.	
2	Pick-up of oil/water seperator waste	Used oil	Unknown**		Grand Vista Oil LLC, Ohio	Burnt for energy recovery
3	Pick-up of oil/water seperator waste	Water	Unknown		Lima WWTP - Ohio	
4	Cleaning of tanker trucks	Solid residual cleaning waste left on cleaning pad	Unknown **		Scooped up and disposed at a solid waste landfill. Cited for 52-11.	
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REMARKS-GENERAL INFORMATION

General Process Information:

** Facility generally does not generate hazardous waste. During a one-time event of cleaning out the UST the facility generated a hazardous waste - 1500 gallons (cited for 52-11). Facility cited for 52-11 and requested information on how much waste and how often generate cleaning/rinse water waste from the UST and the solid residual waste from cleaning pad.

Facility provides the service of picking up used oil and separator water from other facilities. Facility skims used oil from separated water and oil is stored in a tank. This oil sent to Grand Vista. Unknown how much used oil is generated. Requested information on how much used oil is generated and how managed. Facility may be a used oil transfer or processor and re-refiner.

I did not inquire to the management of spent lamps. Gave facility information on proper management and recycling of spent lamps with letter.

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

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:

Bluffton Aeration Service, Inc.

CEI – June 8, 2011

Narrative from inspection:

On May 6, 2011, the Ohio EPA, Division of Materials and Waste Management (DMWM) received an incident report from the Ohio EPA Division of Environmental Response and Remediation (DERR). The incident occurred on April 19, 2011, at the Bowling Green Waste Water Treatment Plant (BG WWTP) and involved a black substance and sheen which passed through the BG WWTP into Poe Ditch outside of the BG WWTP. This black petroleum substance was emptied from a tanker truck belonging to Bluffton Aeration Service, Inc. (BA) at the BG WWTP on the morning of April 19, 2011, and had passed through the plant and eventually was discharged to Poe Ditch. BG WWTP took a sample of the material as BA was dumping its load into the screen in the WWTP. The analysis of this sample dated April 27, 2011, indicated that this material was a hazardous waste for flashpoint (D001) and benzene (D018).

Thus on June 8, 2011, I conducted a compliance evaluation inspection (CEI) at Bluffton Aeration Service, Inc. (BA) located at 9485 Shifferly Road, Bluffton, Ohio as a follow-up to this incident.

Upon arriving at the facility I discussed the BG WWTP event with Mr. Terry George, Manager.

Mr. George stated the following pertaining to BA's business services and the incident on April 19, 2011:

- BA is a septic and oil/water separator tank service.
- Most business is the hauling of septic waste and occasionally oil water separator waste. BA very rarely hauls industrial waste.
- BA does not haul hazardous waste – if BA needs a hazardous waste hauler for a job BA will call Environmental Remediation Services, Inc. (ERS) in Bowling Green, OH.
- BA will pick up used oil and separator water which is usually 1-2% oil, bring back to the facility, put in storage tank and allow gravity to separate water from oil and used oil is skimmed off of the top and put in a collection tank. The decanted water is taken to Lima WWTP for disposal. Grand Vista Oil LLC (Grand Vista) in Springfield, OH then picks up the facility used oil for recycling.
- The used oil may be on site for more than a month as BA does these types of job relatively infrequently.
- BA has a pad where they out any residues from their tanker trucks. This pad is connected to an underground storage tank (UST) which collects the wash water and waste from this cleaning. This tank was originally built to be a septic tank; however, BA does not utilize this tank for that purpose.
- On April 19, 2011, one of BA's tanker trucks contained 1000 gallons of septic waste from Bluffton Pre-Cast and approximately 1500 gallons of material which was pumped from BA's on-site cleaning pad/tank. I sent an email to Mr. George on 8-17-11, to double-check this information (amount and where tanker material generated from) but to date have not received a response.

- The driver of this truck decided he would take this load to BG WWTP to dump this material on his way to another job.
- There is no schedule for pumping out the on-site cleaning pad; however, BA will clean out more often during heavy rain events as the tank will fill up. There had been a lot of rain and thus why the driver decided to empty the pad tank and dispose at BG WWTP.
- On February 28, 2011, and March 1, 2011, BA picked up some rain/flood water from monitoring wells at Alger Carry Out (ACO). ACO has ground water contamination. BA picked up approximately 1500 gallons from ACO which went into their tanker and the tanker returned to the BA facility.
- This liquid material was pumped from the truck into a storage tanker which was then stored on-site.
- BA did not suspect anything odd with this waste until it came back to the BA facility and they began to pump it out from tanker truck into a storage tanker. At this time, BA smelled petroleum fumes. At the time BA was pumping at ACO, BA could not smell as was so diluted.
- The facility then contacted ERS on March 4, 2011, to come pick up the ground water waste from ACO (approximately 2200 gallons of gasoline impacted water). This material was picked up by ERS on April 29, 2011.
- BA had pumped for ACO before and never had any issue with their waste.
- After the tanker truck which picked up the gasoline impacted water from ACO was emptied, this tanker truck was cleaned out of any debris which may have been in the bottom of the truck.
- This truck was cleaned on a cleaning pad which runs into a UST. The sludge/debris from the tanker went onto the cleaning pad then entered the UST. Due to all the rain, the sludge/debris mixed with water in the UST and this was what was pumped out and went to BG WWTP on April 19, 2011.
- BA believes that this sludge from the pick-up of ACO's waste is what caused BA's waste that was un-loaded to the BG WWTP to be a hazardous waste (D001, D018).
- On April 19, 2011, BG WWTP took a sample of BA's off-loaded waste because they smelled a petroleum odor.
- BA was responsible for cost and clean-up of the material that was discharged into Poe Ditch from the BG WWTP. BA collected and disposed of the booms at the Hancock County Landfill.
- Mr. George asked Hancock County Landfill if they wanted a sample of the booms/materials from the clean-up of Poe Ditch (Mr. George stated he described what waste was used for) and the landfill stated that no, BA did not need to sample this waste stream. Thus, BA disposed of the clean-up waste at the Hancock County landfill without any analysis conducted.

We then conducted a tour of the facility and Mr. George showed me the tankers and the cleaning pad/UST. I took three pictures of the cleaning pad at 2:18 pm (UST under clean pad not visible).

On June 20, 2011, Missy from BA faxed me the following items:

- A copy of the bill of lading from ERS from the pick-up of 1550 gallons of non-hazardous petroleum impacted water from their facility on April 29, 2011.

- A copy of BA's receipt for the disposal of 8.31 tons of the combined waste from Hicksville car wash and Bowling Green WWTP Booms on May 2, 2011, at the Hancock County Landfill.

On June 27, 2011, I spoke with Tim Miller, Operation Manager from DISC Environmental Service (DISC) in Northwood, Ohio. DISC was the receiver of the 1550 gallons of material that ERS picked up from their facility on April 29, 2011 (based on the bill of lading I received from BA). Mr. Miller stated that all loads are sent to Usher Oil Company (Usher Oil) in Detroit, MI for recovery of petroleum product and burnt for energy recovery. Any water from this process is then sent to the Detroit WWTP. Thus the gasoline contaminated with water picked up by BA from ACO on February 28 & March 1, 2011, was ultimately utilized for its BTU value (burned for energy recovery).

On July 12, 2011, I spoke with Jim Mancha from ERS. Mr. Mancha stated that the material they picked up from BA on April 29, 2011, went to DISC. On July 12, 2011, Mr. Mancha faxed me a generator knowledge documentation for disposal of non-hazardous liquid waste for virgin unleaded gasoline impacted water generated due to a UST flooding event cleanup which Mr. George signed on April 29, 2011.

On July 12, 2011, I spoke with Joe Tilson from the BG WWTP. Mr. Tilson stated he was servicing a screen in the area at the time that BA was dumping its load on April 19, 2011. Mr. Tilson smelled a diesel odor from the material that BA was dumping and immediately proceeded to take a sample of the waste from the screen that BA was dumping into. Mr. Tilson stated there was no other material in the screen from where he took the sample – it was only from the waste that BA was unloading.

On August 4, 2011, I conducted an inspection at ACO. I gathered the following information based on paperwork reviewed during my CEI at ACO and information gathered from Mr. Glenn Rader, Owner of ACO:

- BA picked up 1900 gallons of gasoline/water from ACO on February 28, 2011 and 400 gallons of gasoline/water from ACO on March 1, 2011.
- The material that was pumped by BA on February 28, 2011, and March 1, 2011, was from a rain water flooding event of ACO's underground gasoline tank, not from ground water monitoring wells.
- Mr. Rader stated that BA knew that they were pumping gasoline and water mixed. The driver for BA knew it was pure gas (phase) as the mixture had not had time to separate.
- Mr. Rader stated that BA gave him the impression that BA was happy to get the gas as BA would take it to recover and sell the gas; however Mr. Rader did not know where BA planned to recover the gas nor the name of the driver for BA.

On August 17, 2011, Mr. George and I spoke via telephone. At this time Mr. George stated the following:

- The UST of storage under the cleaning pad is not connected to the facility septic system. This was originally a septic tank, but BA does not utilize it for this purpose.
- BA's septic system is on the other side of the yard thus BA's UST from the cleaning pad is not connected to the septic system.
- The UST is one tank with no outlets – a self-containing tank.
- Mr. George re-iterated that approximately 1500 gallons was removed from the UST and taken to the BG WWTP on April 19, 2011, and the material that was picked up from ACO was placed into another tanker for storage and the residue at the bottom of the tanker from the pickup of ACO's waste was cleaned out onto the storage pad (into the UST).
- BA has a 5,000 gallon tanker truck for oil/water separation. The oil is skimmed off the top and the decanted water is sent to Lima WWTP. There is not necessarily a time frame for emptying but will spot check and water is pumped out as needed.

In addition, on August 17, 2011, I sent Mr. George an email to confirm the amounts of and from where the waste was generated for the load that went to the BG WWTP on April 19, 2011. However, to date I have not received a response.

On August 22, 2011, I received a receipt from the BG WWTP indicating that BA disposed of 4000 gallons of material on April 19, 2011.

Mr. George and spoke again via telephone on September 1, 2011. Mr. George stated that the cleaning pad is concrete. The tanker trucks back-up onto pad and any residual waste is cleaned out of the tanker. The white PVC pipe is pulled out of the pad and any liquid from cleaning goes down the PVC pipe hole into the 1500-gallon UST. Any solids cleaned out of the tanker trucks are left on the pad. This material is then scooped up off the pad and taken to a solid waste landfill.