



**Environmental
Protection Agency**

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

March 12, 2012

**MONROE COUNTY
GENERAL FILE
(GARY RUBLE LLC)
DMWM/SEDO
NON NOTIFIER
OHR000156927**

Mr. Gary Ruble
Gary Ruble LLC
35479 SR 78
Lewisville, Ohio 43754

Dear Mr. Ruble:

On March 5, 2012, Ohio EPA received a complaint alleging that used oil has been improperly managed at your facility on SR 78. On March 7, 2012, Scott Bergreen and I performed a complaint investigation of your property to determine the validity of the complaint. I also determined your facility's compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on the observations made during the investigation, we observed that used oil had been spilled on the ground across SR 78 from your office which had not been cleaned-up. Therefore you are in violation of the following regulation:

- (1) Used oil storage requirements for generators, OAC Rule 3745-279-22(D):** Upon detection of a release of used oil... a generator shall perform the following cleanup steps: (1) stop the release; (2) contain the released used oil; (3) clean up and properly manage the released used oil and other materials; and (4) if necessary, to prevent future releases, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

We understand the spill may have occurred recently in conjunction with the disassembly and removal of equipment. Regardless, these types of releases must be addressed immediately to meet these requirements and the Division of Surface Waters requirements. To demonstrate compliance with this rule, provide photographs of the excavated soils prior to disposal and provide the name of the permitted solid waste landfill where they will be disposed.

Additionally, while investigating the complaint, we found that spent mineral spirits from parts washing are generated and have not been evaluated to determine if it is a hazardous waste prior to disposal. Therefore you are in violation of the following regulation:

- (2) **Hazardous waste determination, OAC rule 3745-52-11:** 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 using the following method...determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35, and then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

The spent mineral spirits must be sampled and analyzed by the Toxic Characteristic Leaching Procedure (TCLP) or it can be placed into your used oil. To demonstrate compliance with this regulation, provide samples results for this waste or state that this waste will be recycled with your used oil.

Other compliance issues:

- (A) As I discussed with Mr. Sulsberger, you should begin to track the amount of used oil you are storing in your 1500 gallon storage tank. This will let you know when you will need to schedule a used-oil pick-up and prevent overfilling the tank and help demonstrate compliance with OAC rule 3745-279-24: Offsite shipments of used oil by generators. Please provide the amount of used oil currently accumulated on-site.
- (B) Also when we were on-site, we observed a broken lead truck battery sitting on the ground outside the maintenance shop. Broken batteries should be contained immediately (such as placed into a plastic tub or bag) and placed into the shop until they can be recycled, thereby reducing employees exposure to lead and to minimize release into the environment. Provide a photograph indicating that this battery has been addressed.

You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. **Within 15 days** of receipt of this letter, you are requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to rich.stewart@epa.ohio.gov.

Mr. Gary Ruble
Gary Ruble, LLC

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Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty. It is imperative that you return to compliance. If circumstances delay the abatement of violations, you are requested to submit written correspondence of the steps that will be taken by a date certain to attain compliance.

Additional information on the hazardous waste rules, pollution prevention assessments and other useful information are available on Ohio EPA's website at www.epa.state.oh.us. If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Richard Stewart
District Representative
Division of Materials & Waste Management

RS/sb

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 paula.canter@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHR000156927							
Site Name	Name: Gary Ruble LLC					Website: (Optional)		
Site Location Information	Street Address: 35479 SR 78							
	City, Town, or Village: Lewisville					State: OH		
	County Name: Monroe							
Site Land Type (check only one)	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"/>
NAICS code(s) www.census.gov/epcd/www/naics.html								

Facility Representative	First Name: Dick		MI:	Last Name: Sulsberger	
Additional names can be recorded in number 12	Title:				
Only provide address information if it is different than the site address	Phone Number:			Phone Number Extension:	
	E-Mail Address:				
	Fax Number:			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: Gary Ruble				Date Became Owner (mm/dd/yyyy):				
	Owner Type:	Private <input 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"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Operator Type:	Private <input 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"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:				Country		Zip Code:		

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"/> Large Quantity Generator (LQG)
	<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"/> 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"/> 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"/> 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 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 Yes No Additional Facility Representatives:
Tanks Yes No
Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Rich Stewart		03/07/2012 11:30

Comments: