



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

November 30, 2009

Dan Harris
Service Manager
Harrison Ford Mercury
820 North Main Street
Wellington, OH 44090

**RE: HARRISON FORD MERCURY/HARRISON BROS AUTO BODY, OHR000110387
RESOURCE CONSERVATION & RECOVERY ACT (RCRA), COMPLAINT
INVESTIGATION # 7269, NOTICE OF VIOLATION (NOV)/RETURN TO
COMPLIANCE (RTC), LORAIN COUNTY**

Dear Mr. Harris:

On November 17, 2009, this writer and John Paquelet, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), conducted a complaint investigation of Harrison Ford Mercury located at 820 North Main Street, Wellington, Ohio. The purpose of the visit was to investigate a complaint received by Ohio EPA alleging the potential for mismanagement of used oil and other wastes generated by Harrison Ford Mercury. You, Rodney Harrison and Jerry Walker represented Harrison Ford Mercury.

The following represents Ohio EPA's findings:

The Harrison Ford Mercury dealership operates a vehicle maintenance and body shop at this location. The vehicles service department generates used oil and used oil filters. The body shop generates paint booth filters and spent solvent from the gun cleaner. In 2002, the body shop notified as a conditionally exempt small quantity generator of hazardous waste. The hazardous waste generated at the body shop is shipped offsite to a hazardous waste treatment, storage and disposal facility.

The used oil is managed in tanks and containers onsite. Two tanks were noted next to the used oil burner. These tanks store used oil that feeds the used oil burner. The used oil burner heats the service garage during the winter months. Additionally, two tanks located outside at the rear of the facility store used oil. Used oil in these tanks is used to feed the used oil burner or is shipped offsite to a used oil recycler. Recently, Harrison Ford Mercury shipped 300 gallons of used oil offsite to a used oil recycler. Ohio EPA noted other containers and portable oil cans on wheels in the service department that were storing used oil.

Enclosed is Ohio EPA's Used Oil checklist.

HARRISON FORD MERCURY
NOVEMBER 30, 2009
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Ohio EPA found the following violation:

Harrison Ford Mercury is found in violation of Ohio Administrative Code (OAC) 3745-279-22 (C) (1) for failing to mark or label used oil containers and tanks with the words "Used Oil".

On November 24, 2009, Ohio EPA received an e-mail message from you with attached digital photos showing that the used oil tanks and containers are clearly marked "Used Oil". This documentation shows that Harrison Ford Mercury has abated the violation.

Ohio EPA is providing you with the following guidance information which may help you in your daily operations:

- Guidance Document: The Regulation of Used Oil (including page 3 of the Spring 2004 Notifier)(Common Used Oil Management Standards Table)(Used oil filter recyclers);
- Guidance Document: Universal Waste Rules for Handlers of Lamps;
- Guidance Document: Universal Waste;
- Guidance Document: Lead-Acid Batteries Must Be Recycled;
- Guidance Document: Burning Used Oil in a Space Heater-For Businesses.

Please visit the Division of Hazardous Waste's web site for additional information including a list of recycling vendors in the State of Ohio at: <http://epa.ohio.gov/ocapp/Recycle.aspx>

Thank you for your cooperation in this matter. If you have any questions, please call me at (330) 963-1266. A response to this letter is not required.

Failure to list specific deficiencies in this communication does not relieve Harrison Ford Mercury from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve your facility from liability for any past or present violations of the state's hazardous waste laws.

Sincerely,



Kris Coder
Environmental Specialist
Division of Hazardous Waste Management

KC:ddw
Enclosure

ec: Nyall McKenna, NEDO, DHWM
John Paquelet, NEDO, DHWM

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: OHR000110387 Name: Harrison Ford Mercury/Harrison Bros Website: Auto Body (Optional) Street Address: 820 N Main Street City, Town, or Village: Wellington State: OH County Name: Lorain Zip Code: 44090 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: Jerry MI: Last Name: Walker Phone Number: 4406473261 Phone Number Extension: E-Mail Address: Fax Number: Fax Number Extension: Street or P.O. Box: 820 N Main ST City, Town or Village: Wellington Zip Code: 44090 State: OH
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: Rodney Harrison Date Became Owner (mm/dd/yyyy): 01/01/0001 Owner Type: 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"/> Street or P.O. Box: 820 N Main ST City, Town or Village: Wellington Owner Phone #: Country: USA Zip Code: 44090 State: OH Date Became Operator (mm/dd/yyyy): Name of Site's Operator: Harrison Ford Mercury Operator Type: 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"/> Street or P.O. Box: same as above City, Town or Village: Wellington Operator Phone #: 440-647-3614 State: OH United States Zip Code: 44004-3974

VIOLATIONS CITED? Yes No

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

<input type="checkbox"/> Not a HW Generator	<input 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 checked="" 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"/> 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.

D001 F003 F005

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: **Rodney Harrison, Owner/Dealer, and Dan Harris, Service Manager, Harrison Ford/Mercury/Wellington; On this date the facility was inspected for the Used Oil requirements regarding a complaint received by Ohio EPA.**

Tanks Yes No Other Comments: **the container/tank designation are in reference to used oil storage, only**

Containers Yes No

Name of Inspector(s) Name of Inspector(s) Date of Inspection/Time
 (mm/dd/yyyy) (hh:mm)
Kris Coder John Paquelet 11/17/2009

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)



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

NOTE: 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.

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 checked="" type="checkbox"/> N/A <input 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)1]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Ohio EPA noted that several tanks and containers, storing used oil, failed to be marked with the words "Used Oil".
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> unknown
	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"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>			
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]		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> N/A <input 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"/>
<i>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).</i>			
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"/>
<i>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.</i>			

