

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korieski, Director

October 19, 2010

RE: GREENTOWN AUTO CARE, CESQG
^{stark} ~~SUMMIT~~ COUNTY
COMPLAINT No. 7273
FOURTH NOTICE OF VIOLATION

Mr. Ted Parker
Greentown Auto Care
10177 Cleveland Ave. NW
Uniontown, OH 44685

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

And,

Vaughn Vukovich, property owner
11277 Mogadore Ave.
Uniontown, OH 44685

Dear Mr. Parker and Mr. Vukovich:

On November 5, 2009, April 6, May 19 and October 13, 2010, the Ohio EPA's Division of Hazardous Waste Management, conducted inspections of your Greentown Auto facility at 10177 Cleveland Avenue in Uniontown. We have not received a written response or, on inspection, observed that the release and causes of the release of used oil has been abated. The containers of used oil were finally labeled during the inspection. The following violation has been abated:

1. **OAC 3745-279-22(C): Used Oil Storage Requirements for Generators (Labels).**

NOTICE OF VIOLATIONS

The following violations of Ohio's hazardous waste rules and regulations remain:

2. **OAC 3745-279-22(D) Response to Releases of Used Oil** - "Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil...". You have failed to cleanup and manage properly a wide area of oil release to the ground from your used oil storage area and aboveground tank and drum storage area behind your facility and including the following:
 1. At least three used oil filters are lying on the ground with oil staining around them;
 2. Several drum containers of used and new oil are oil staining the ground at their location;
 3. Two five gallon buckets that are overflowing to the ground with oily water and watery gasoline waste were emptied in to a labeled drum and closed;

4. Oily debris is staining the ground along a fence on the north side of the building; and
5. A large diameter sewer drain had a significant amount of used oil. Observations you presented indicates this drain may be connected to a storm sewer.

To abate this violation, You must clean all areas by removing visually stained soil, oily debris and accumulated used oil and oily water and make proper disposal of this waste as follows:

- 1) Please remove all accumulated used oil and oily water fluids and debris. This includes all fluids from drums, tanks, totes and building sewer drains. The sewer drain may need pumped multiple times and cleaned of residual oil staining;
- 2) Remove all visually contaminated soil and oily debris. Please notify me prior to back-filling with clean material so that I may have an opportunity to inspect these areas;
- 3) Provide written documentation and photographs to Ohio EPA showing you completed this effort;
- 4) Provide analytical data, where needed, verifying proper disposal; and
- 5) Provide documentation of waste disposal (receipt, manifest, bill of lading etc.).

Regulations for the management of "used oil" were previously provided and are again presented in the enclosed *Fact Sheet* on "The Regulation of Used Oil". This information is also found at: http://epa.ohio.gov/portals/32/pdf/Used_Oil_Generators_Guidance.pdf.

3. **OAC 3745-279-22(B) Condition of units:** You failed to provide containers that were in good condition and without leaks. An above ground tank leaked oil onto the ground this past winter where used oil has been released. Clean up of this area has not been completed. Other tanks and containers do not appear to be maintained in good condition or kept closed so that they do not leak or over flow.

To abate this violation provide documentation that shows leaking containers have been repaired or sent for scrap, permanently removing them from service and implement "Best Management Practices" that minimizes such releases and addresses clean up of a release when it occurs.

4. **OAC 3745-52-11, Waste Evaluation - Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.** There is an open 55 gallon drum and an open above ground storage tank that both have unknown fluid contents. The drum contents appeared to have a solvent odor.

To abate this violation, you must identify the contents of all containers, properly label the containers and ensure proper management. Analytical data may be needed to verify the contents of each container.

GREENTOWN AUTO CARE
OCTOBER 19, 2010
PAGE - 3 -

Please note that Ohio EPA considers these violations serious in nature. Your failure to respond to this and past Notices of Violations may result in referral of the Greentown Auto Care property violations to our Central Office Enforcement Section for consideration of escalated enforcement. The Division of Hazardous Waste Management (DHWM) has copies of the rules and other information on the DHWM's web page at: <http://www.epa.ohio.gov/dhwm/>.

You must respond providing the information requested above **within 30 days** of the date of this letter. Should you have any questions, contact me at (330) 963-1146 or at: ron.shadrach@epa.state.oh.us.

Sincerely,

Ron Shadrach

Ronald J. Shadrach
District Representative
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO
Harry Sarvis, DHWM, CO
cc: Rich Blasick, DSW, NEDO

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.