

Environmental
Protection Agency

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

May 24, 2010

RE: GREENTOWN AUTO CARE, CESQG
SUMMIT COUNTY
COMPLAINT NO. 7273
SECOND NOTICE OF VIOLATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Dear Mr. Parker:

On April 6 and May 19, 2010, Kris Coder and I, representing the Ohio EPA's Division of Hazardous Waste Management, conducted an inspection of your Greentown Auto facility at 10177 Cleveland Avenue in Uniontown. You represented the facility on April 6, 2010, but you were not present on May 19, 2010. The initial complaint alleged that used oil, antifreeze and other automobile fluids were on the ground outside and leaking into a sewer inside.

Observations determined there is an ongoing problem with proper management of used oil. Releases are continuing to occur to the floor and ground outside. Containers were observed left open and unlabeled. Two above ground storage tanks were observed. One of these was known to have leaked fuel onto the ground last winter when you filled it for use to provide heat and continued to use it until it was replaced by a wood burner several months later. The second above ground tank was open and noted to have an unknown fluid. There was also a black 55 gallon drum that was open and unlabeled that contained an unknown fluid. Your used oil storage tote and a smaller container were also unlabeled. Since the original NOV of November 5, 2009, very little clean up of oil stained ground has occurred. The current area of release is more extensive than when Ohio EPA first visited the site. The labeling and container violations that had been abated at one time are again violations.

NOTICE OF VIOLATIONS

The following violations of Ohio's hazardous waste rules and regulations were identified during the inspection on May 19, 2010:

1. **OAC 3745-279-22(C): Used Oil Storage Requirements for Generators (Labels)** - "Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil". One approximate 250 gallon tote of "used oil" and one approximate 10 gallon plastic bin containing used oil were not labeled per this rule.

To abate this violation, you must label all containers of used oil with the words "Used Oil". You must provide to me a photograph that shows these containers have been properly labeled.

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

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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.

In November 2009, this release area appeared to be largely confined to the area of the man door on the back (west) side of the building. The release now appears to extend further along and away from the building.

To abate this violation, You must clean this area by removing all visually stained soil and properly dispose this material. Provide **notification to me at least 10 days in advance** of when you will remove this contamination, and:

- 1) Once removal of the contaminated area has been completed notify me immediately so that I may verify whether the effort appears complete prior to placing any back-fill cover material in this area.
- 2) Provide written documentation and photographs to Ohio EPA showing you completed this effort and include,
- 3) Analytical data, as needed, verifying proper disposal method, and
- 4) All documentation of disposal.

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](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. Clean up of this area has not been completed. Other tanks and containers do not appear to be maintained in good condition or closed so that they do not leak or over flow.

To abate this violation provide documentation that shows leaking containers have been repaired, sent for scrap or permanently removed from service. You need to implement a "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.

RECOMMENDATIONS

The following is a summary and additional details for the management of wastes and spent materials that you appear to commonly generate:

- **Spent lamps** that are recycled are not subject to the hazardous waste rules. Fluorescent lamps and high intensity discharge lamps have mercury and other metals that could cause them to be a hazardous waste when disposed. It is recommended that you recycle your waste lamps or insure

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that they are properly disposed as a hazardous waste. Enclosed is guidance for the recycling and management of lamps as a universal waste.

- According to Ohio Administrative Code (OAC) 3745-273-13(A) - Waste management-standards, **Lead-acid batteries from vehicles** (and other components of universal waste) must be stored in a manner to prevent damage and releases to the environment. Should you accumulate batteries on site, the batteries or their container should be labeled according to OAC 3745-273-14(A) as: 'Universal Waste-Batteries or Waste Batteries, or Used Batteries'.
- **Propane cylinders** or refrigerant containers could be considered a hazardous waste or regulated substance when not empty. If your cylinders are empty, they should be stored to protect their value or sent off site as scrap.

Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues related to air, land, and water. If desired, this can include an on-site assessment of your operations with a resulting report containing waste minimization and energy conservation suggestions. OCAPP can be contacted at (800) 329-7518, or <http://www.epa.state.oh.us/ocapp/ocapp.html>.

You may also contact Adrienne Lafavre of this office at (330) 963-1250 for compliance assistance.

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.state.oh.us/dhwm/>

Enclosed you will find a copy of the Used Oil and CESQG Checklists completed for the inspection. You must respond providing the information requested above **within 30 days** of the date of this letter. Should you have any questions, please feel free to 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:cl
Enclosures

ec: Frank Popotnik, DHWM, NEDO
Natalie Oryshkewych, DHWM, NEDO

cc: Harry Sarvis, DHWM, CO
Vaughn Vukovich, Property Owner
Marlene Kinney, DHWM, 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.