



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

August 11, 2008

**RE: J. PARKER & SONS
COMPLAINT # 7117
SUMMIT COUNTY**

Mr. Dale West
J. Parker & Sons
1238 S. Cleveland Massillon Rd.
Copley, Ohio

Dear Mr. West:

On July 28, 2008, Sherry Slone and I performed a complaint inspection at J. Parker & Sons facility in Copley, Ohio to determine J. Parker & Sons compliance with Ohio's used oil regulations and rules as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). The complainant alleged that the business is collecting used oil for their used oil burner. This letter will explain the validity of the complaint, explain the violation we found and what you need to do to correct the violation.

We observed and were told that used oil is being stored in one of two 1000 gallon tanks outside and burned in the used oil burner.

We found the following violation of Ohio's used oil regulations. In order to correct this violation you must do the following and send me the required information **within 30 days** of the date of this letter:

1. ***Containers labeled or marked "Used Oil"***
(OAC 3745-279-22(C))

J. Parker & Sons did not have their used oil tanks labeled "used oil". One tank was labeled, "waste oil", and the white tank was not labeled at all.

To abate this violation please document that an appropriate label has been added to the containers of used oil by submitting a photo or a written confirmation that all used oil containers have been appropriately labeled with the words, "used oil." Please describe in writing what procedures have been instituted to ensure continued compliance with this rule.

We did not observe any collected or dropped off containers of used oil. Aside from orphaned used oil buckets or jugs, you said that the business does not collect used oil from other generators. This complaint is unfounded in regards to the collection of used oil generated elsewhere.

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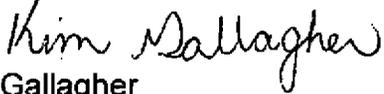
Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your facility from having to comply with all applicable regulations.

You may be able to reduce the waste your company generates. If you find ways to recycle, reduce or eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs as well as regulatory requirements. If you would like a free, non-regulatory on-site compliance assistance/pollution prevention assessment or if you would like more information about pollution prevention, please contact Adrienne LaFavre at (330) 963-1250. Ohio EPA has helpful information about this at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

The Division of Hazardous Waste Management has created an electronic news service to provide you with updates on events and news related to hazardous waste activities in Ohio. You can find more information at: <http://www.epa.state.oh.us/dhwm/listserv.html>.

If you should have any questions, please do not hesitate to contact me at (330) 963-1214.

Sincerely,



Kim Gallagher
District Representative
Division of Hazardous Waste Management

KG:cl

Enclosure: Lamp Recycling

cc: Natalie Oryshkewych, Environmental Manager, NEDO

ec: Frank Popotnik, DHWM, NEDO
Sherry Slone, DHWM, NEDO
JimParker

10:45
11:10

7-28-08
Dale W.

USED OIL INSPECTION CHECKLIST (Long Version)

PROHIBITIONS

Sherry Stone

- 1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No ___ N/A ___ RMK# ___
 Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes ___ No N/A ___ RMK# ___
- 2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No ___ N/A ___ RMK# ___
- 3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A ___ RMK# ___

USED OIL GENERATOR STANDARDS

- 4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A ___ RMK# ___
- 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 ___ No N/A ___ RMK# ___
- 6. Does the generator only store used oil in tanks, containers; or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes ___ No N/A ___ RMK# ___
- 7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes ___ No N/A ___ RMK# ___
- 8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes ___ No N/A ___ RMK# ___
- 9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
 - a. Stopped the release? Yes ___ No N/A ___ RMK# ___
 - b. Contained the release? Yes ___ No N/A ___ RMK# ___
 - c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A ___ RMK# ___
 - d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No N/A ___ RMK# ___
- 10. Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: Yes ___ No ___ N/A ___ RMK# ___

