



**Environmental
Protection Agency**

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

March 30, 2012

**PIKE COUNTY
GENERAL FILE
(PISTOLE'S AUTO)
DMWM-SEDO
NON-NOTIFIER**

Mr. Michael Pistole, Jr.
Pistole's Auto Truck & Equipment
16127 US Route 52
West Portsmouth, Ohio 45663

Dear Mr. Pistole:

On March 21, 2012, Vicky German and I inspected Pistole's Auto Truck & Equipment's Piketon, Ohio facility to determine Pistole's Auto Truck & Equipment's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). During the inspection we also helped you identify ways to prevent pollution by reducing waste. This letter will explain the violation we found and what you need to do to correct the violation.

We found the following violation of Ohio's hazardous waste law. In order to correct this violation you must do the following and send me the required information ***within 21 days*** of your receipt of this letter:

1. **Waste Evaluation, Ohio Administrative Code rule 3745-52-11**: 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.
 - Pistole's Auto Truck & Equipment has failed to determine whether material in twenty (20) and fifty-five (55) gallon containers in the tire storage building is a hazardous waste. At the time of the inspection, the facility representative could not tell us what is in the fifty-five gallon containers.
 - Pistole's Auto Truck & Equipment must immediately determine what the material is in the containers and then manage it correctly. If the material is used oil then the containers must be labeled as required. Once Pistole's Auto Truck & Equipment has made this determination, you must send me the documentation.

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Pistole's Auto Truck & Equipment needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Pistole's Auto Truck & Equipment is requested to provide documentation to this office including the steps taken to abate the violation 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 melody.stewart@epa.ohio.gov.

Please be advised the 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 of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violation, Pistole's Auto Truck & Equipment is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Enclosed is a copy of the checklists that we completed as a result of the inspection. I also have attached the Scrap Tire, Used Oil, Automotive Collision Repair Shop, and Spent Fluorescent Lamp fact sheets and a list of commercial facilities accepting hazardous waste. You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>

Should you have any questions, please feel free to call me at 740.380.5256.

Sincerely,



Melody Stewart
District Representative
Division of Materials and Waste Management

Enclosures

MS/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 applicable regulations.

Send to Central Office <input 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 brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: Non-notifier	
Site Name	Name: Pistole's Auto Truck & Equipment	Website: (Optional)
Site Location Information	Street Address: 129 East Main Street	
	City, Town, or Village: Piketon	State: OH
Site Land Type (check only one)	County Name: PIKE	
NAICS code(s) www.census.gov/epcd/www/naics.html	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"/>	Zip Code: 45661

Facility Representative	First Name: Michael	MI:	Last Name: Pistole, JR
Additional names can be recorded in number 12	Title:		
Only provide address information if it is different than the site address	Phone Number: 740.858.2886		Phone Number Extension:
	E-Mail Address:		
	Fax Number: 740.858.3329		Fax Number Extension:
	Street or P.O. Box: 16127 US Route 52		
	City, Town or Village: West Portsmouth		State: OH
	Zip Code: 45663		

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:		Date Became Owner (mm/dd/yyyy):	
	Owner Type: <input type="checkbox"/>	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: <input type="checkbox"/>	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 type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <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"/> 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

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	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> 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.

<input type="checkbox"/> College or University	
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university	
<input type="checkbox"/> 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 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	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Melody Stewart	Vicky German	3/21/2012 1:00

Comments:

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

The facility has been collecting spent solvent in five gallon containers. Facility representative requested names of disposal companies so this material could be sent off-site. Approximately 20-55 gallon containers of unknown material is being stored in garage outside.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Pistole's Auto Truck & Equipment

Facility Type: CESQG

EPA ID#: Non-notifier

<i>Description of Waste</i>				<i>On-Site Management</i>			<i>Off-Site Management</i>
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small>	Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small>	EPA Waste Code	Average QTY Generated per Month	Type of Accumulation/ Storage <small>(e.g. container, tank, etc)</small>	Type of On-Site Treatm ent <small>(recycle, wwt, etc)</small>	Waste Location <small>(Include map if possible)</small>	Name, state, and type of activity occurring at the facility.
1 Auto Maintenance	Spent paint	F-listed	Varies	5 gallon container	NA	Inside main building near paint booth	Collecting spent paint for future disposal

REMARKS-GENERAL INFORMATION

General Process Information:

Pistole's Auto Truck & Equipment repairs and paints trailers.

Regulatory/Enforcement History (if applicable):

This is the first full inspection of the facility.

Other: