



**Environmental
Protection Agency**

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

Re: Charlie's Auto Repair
Complaint #3124
Allen County
Hazardous Waste
Notice of Violation/Partial Return to Compliance
OHR000166678

January 5, 2012

Mr. Charlton Fuqua
Charlie's Auto Repair
207 Watt Avenue
Lima, Ohio 45801

Dear Mr. Fuqua:

On December 15, 2011, the Ohio Environmental Protection Agency (Ohio EPA) conducted a complaint investigation at Charlie's Auto Repair located at 207 Watt Avenue in Lima, Ohio. The Ohio EPA received a complaint that you were mismanaging used oil and leaving hazardous trash on the ground outside of your facility.

Jeff Skebba, Ohio EPA Division of Air Pollution Control, also participated in the complaint investigation. Findings related to your compliance with the air regulations will be addressed in a separate letter. This letter will explain the validity of the complaint and any hazardous waste violations I found as a result of the complaint investigation.

During my visit I spoke with you, observed your operations and reviewed applicable paperwork. Charlie's Auto Repair is a full service automotive repair shop (brakes, engine tune-ups, oil changes). You stated that you no longer do any painting on-site. You ceased painting operations less than six months ago and have approximately seven gallons of paint waste solvent (D001, D035, F003, F005) currently on-site. Used oil that is generated is stored in 30-gallon poly drums and is given to Ray's Repair Shop in Delphos, Ohio, for use in their on-site used oil burner. Used oil filters are hot drained and managed as a solid waste. Charlie's Auto Repair services the one parts washer on-site and adds solvent as needed. The Ohio EPA requested at the time of the investigation that you submit a copy of the material safety data sheet for the solvent used in the parts washer. In addition, I reviewed with you the requirement to evaluate and properly dispose of any waste that is generated if you need to service the parts washer in the future. At the time of my inspection, Charlie's Auto Repair was operating as a conditionally exempt small quantity generator (CESQG) of hazardous waste.

Used oil generators are required to: store used oil in containers which are in good condition and which are labeled with the words "used oil"; clean up any releases of used oil; transport used oil through registered used oil transporters; and recycle or dispose of the used oil properly. A copy of the fact sheet, [The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil](#), was given to you at the time of my investigation. Please review this information and contact me if you have any questions.



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. Site Name	EPA ID Number: _____		Website: (Optional) _____	
Site Location Information	Name: Charlie's Auto Repair			
	Street Address: 207 Watt Avenue			
	City, Town, or Village: Lima		State: OH	
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	County Name: Allen		Zip Code: 45801	
	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <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: Charlton		MI: _____	Last Name: Fuqua	
	Title: Owner				
	Phone Number: 567-204-0219			Phone Number Extension: _____	
	E-Mail Address: _____				
	Fax Number: _____			Fax Number Extension: _____	
	Street or P.O. Box: _____				
	City, Town or Village: _____				
State: _____			Zip Code: _____		

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"/> Large Quantity Generator (LQG)
<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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
	<input type="checkbox"/> _____	

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))

Small Quantity Handler of Universal Waste Destination Facility for Universal Waste

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 Used Oil
 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.

College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 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.

D001	D035	F003	F005	
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) Melissa Boyers	Name of Inspector(s) Jeff Skebba-DAPC	Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 12/15/2011 10:40		
Comments: Plan to manage bulbs as universal waste when generated.				

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Charlie's Auto Repair **Facility Type:** LQG/SQG/CESQG/TSD **EPA ID#:**

Description of Waste				On-Site Management			Off-Site Management
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	QTY Generated per Month	Type of Accumulation/Storage <small>(e.g. container, tank, etc)</small>	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Waste Location <small>(Include map if possible)</small>	Name, state, and type of activity occurring at the facility.
1	Lighting					No spent bulbs in storage at the time of the inspection.	Plan to manage as universal waste. Fact Sheets given to the facility
2	Vehicle Maintenance			30- gallon poly drums		Shop area inside the building	Currently gives used oil to Ray's Repair in Delphos to use in their on-site used oil burner. Facility given used oil fact sheet and list of recyclers.
3	Vehicle Maintenance						Currently Managed as Solid Waste Facility encouraged to recycle the used oil filters once drained. Facility given a list of used oil filter recyclers.
4	Vehicle Touch-up Painting	D001, D035, F003, F005	Approx 1-2 gallons	5-gallon drum		Paint mixing area inside the building	Facility did very little painting in the past and has ceased painting within the past 6 months. Sending facility Auto Repair Shop Guidance that lists places who dispose of paint waste solvent.

5	Maintenance Work	Parts Washer Solvent			20-gallon parts washer		Maintenance Area inside the building	Facility services the parts washer themselves and adds new solvent as needed.
6								
7								
8								
9								

**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 No N/A

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes No N/A

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)] Facility has not generated enough to ship off-site to date. Yes No N/A

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 No N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? Yes No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

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.

REMARKS

No spent fluorescent bulbs generated at time of investigation. Facility given information on how to manage them as universal waste once they begin generating them. Very little painting was done in the past and the facility has not been painting for the past six months.

Charlie's Auto Repair/12-15-2011



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**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 type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> N/A <input checked="" 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 <u>containers</u> , above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	
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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).

GENERATOR TRANSPORTATION

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported 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 type="checkbox"/> N/A <input checked="" 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"/>

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).

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"/>

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.