



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: OHR 000 156984
Red Line Racing, LLC
Sandusky County
Compliance Evaluation
Inspection/Complaint #2906
Notice of Violation

September 4, 2009

Mr. Bradley J. Smith, Owner
Red Line Racing, LLC
112 South Granville Road
Fremont, Ohio 43420

Dear Mr. Smith:

On August 28 and 31, 2009, I representing the Ohio Environmental Protection Agency's (Ohio EPA's) conducted a complaint investigation and subsequent compliance evaluation inspection of Red Line Racing, LLC (RLR) located at the address stated above. I spoke with Jay Dirnberg during my visit to follow-up on a referral from the Ohio EPA Division of Air Pollution Control which expressed concerns regarding your management of used oil. Consequently, I inspected RLR to determine its 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). Pollution prevention options were also discussed during this inspection. This letter will list violations I found during the inspection, and what you can do to correct those violations.

RLR is a race track for motorcycles and go-cart racing. Races are typically run during the weekend. Individuals wanting to participate on the races bring their vehicles and for a nominal fee practice or race on the track. Wastes generated at the facility include used oil that is generated when race participants change the oil on their vehicles. As a courtesy to their clients, RLR provides 55-gallon drums for the used oil storage. At the time of the inspection, RLR was not a generator of hazardous waste. I found the following violations of Ohio's used oil rules. You must provide me the requested information within 30 days of receipt of this letter.

1. **OAC Rule 3745-279-22(C)(1): Used Oil – Storage container labeling**

Containers, aboveground tanks and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

Two plastic 55-gallons drums storing used oil were not properly labeled with the words "used oil" at the time of the inspection.

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This violation was abated during the inspection.

2. **OAC Rule 3745-279-24: Used Oil – Off-site shipments of used oil by generators.**

Generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

RLR failed to have its used oil transported by a transporter that has obtained U.S. EPA identification numbers.

Mr. Jay Dirnberg stated during the inspection that you have been giving the used oil to another individual or business that has been burning the used oil in a used oil furnace for energy recovery. During the inspection, I advised you to stop this practice immediately.

To abate this violation, RLR must identify a proper way to manage its used oil. If you decide to send the used oil off-site for recycling, you must ensure that the transporter has the proper U.S. EPA identification number and the used oil is being properly recycled. You must state in writing what you are planning to do and include a copy of used oil recycling agreement if you decide to send the used oil for recycling. Please reference the fact sheet I left on site to help you choose an appropriate recycling facility.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign up for this free service. You can find more information at http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage Please feel free to share this information with your colleagues.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>.

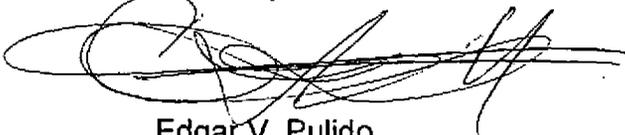
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For your information, I provided Mr. Dirnberg with the following documents: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, April 2006; Registered Used Oil Collection Centers, May, 2005; Used Oil Recyclers List; Managing Your Hazardous Waste – A guide for small businesses, December, 2001; and Burning Used Oil in a Space Heater, July, 2009.

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/csl

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO File: Red Line Racing, LLC – Sandusky Co.

ec: Ed Pulido, DHWM, NWDO

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.



Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: Name: Red Line Racing	Website: (Optional)
	Street Address: 708 Bartson Road City, Town, or Village: Fremont County Name: Sandusky	State: OH Zip Code: 43420
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Jay Phone Number: (419680-6106) E-Mail Address: Fax Number: Street or P.O. Box: City, Town or Village: State:	MI: Last Name: Dirnberg Phone Number Extension: Fax Number Extension: Zip Code:
	Name of Site's Legal Owner: Bradley J. Smith Owner Private County District Federal Indian Municipal State Other Type: <input checked="" type="checkbox"/> <input type="checkbox"/>	Date Became Owner (mm/dd/yyyy): Street or P.O. Box: City, Town or Village: State: Name of Site's Operator: Owner Private County District Federal Indian Municipal State Other Type: <input checked="" type="checkbox"/> <input type="checkbox"/>

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - A MINIMUM OF ONE BOX MUST BE CHECKED

<input checked="" type="checkbox"/> Not a Generator <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Small Quantity Generator (SQG)
	<input 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"/> Recycler of Hazardous Waste | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Underground Injection Control Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | |

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

- 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. Oil
 Used Oil Fuel Marketer to Off-Specification Used Oil Burner

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 if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRA info source record, you do not need to list them all. 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 Yes No Additional Facility Representatives:
 Tanks Yes No Other Comments:
 Containers Yes No

Name of Inspector(s) _____ Name of Inspector(s) _____ Date of Inspection/Time
 Ed Pulido _____ (mm/dd/yyyy) (hh:mm)
 8/28/2009 10:30am

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative _____ Name and Title (Print) _____ Date (mm/dd/yyyy) _____

**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 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 containers, 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)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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:	
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 that 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"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>			
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
12.		If the generator self-transport 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"/>
<i>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).</i>			
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"/>
<i>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.</i>			

