



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: Marion County
Complaint #2692
General Recycling of Ohio, LLC
Notice of Violation

November 19, 2007

Mr. Tim Via, Plant Manager
General Recycling of Ohio, LLC
400 Bartram Avenue
Marion, Ohio 43302

Dear Mr. Via:

On October 30, 2007, Kara Reynolds and I investigated a complaint at General Recycling of Ohio, LLC (GRO), located at the above address. The complaint received by Ohio EPA alleged the mismanagement and illegal disposal of used oil. This letter will explain the validity of the complaint, the violations found during our investigation, and what you need to do to abate the violations.

GRO is a recycler of scrap metals. The recycled metals are sorted and compacted. The recycled metal is then transported to Nucor Steel Marion, Inc., where it is re-melted into new steel. GRO generates used oil as a result of maintenance conducted on company equipment and vehicles.

At the time of my arrival, I spoke with you about the complaint. You accompanied us and showed us the sump servicing the building housing the metal shredder/bailer near the center of the property. The sump was not pumping at the time of our visit and we did not see any evidence of oil at the end of the hose where the water from the sump usually discharges. A slight sheen was observed on top of the water within the sump. You stated that used oil is collected by Marion Oil/Central Ohio Farmers Co-op (MO/COFC) and sent for recycling. I checked with MO/COFC who stated that used oil is picked up by Oil Distributing Company, Cincinnati, Ohio, who sells the oil for energy recovery. Although the final destination of the used oil is an approved used oil management activity, MO/COFC is not registered with Ohio EPA to transport the used oil. Therefore, you must not allow the used oil to be picked up by MO/COFC.

I did not find any evidence to validate the complaint; therefore, it is considered closed.

However, during my investigation, I observed the following violations of the Ohio Administrative Code (OAC) regarding the management of used oil. In order to correct these violations, you must do the following and send me the required information **within 30 days** of receipt of this letter.

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1. **OAC Rule 3745-279-22(C)(1): Labeling**

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

Several containers used to store used oil were not properly labeled.

To abate this violation, GRO must properly label the containers with the words "Used Oil" and send me photographic documentation.

2. **OAC Rule 3745-279-24: Off-site shipments of used oil**

Generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers, except as provided in OAC Rule 3745-279-24 paragraphs (A) to (C).

GRO did not ensure that its used oil was being picked up by a transporter who has obtained a U.S. EPA identification number or the transporter was exempted to do so as provided in OAC Rule 3745-279-24 paragraphs (A) to (C).

To abate this violation, GRO must not allow MO/COFC to pick up its used oil any longer or until MO/COFC obtains a U.S. EPA identification number. In the response letter, GRO shall identify a used oil hauler that has obtained a U.S. EPA identification number to pick up your used oil and send me this information.

Ohio EPA will issue an EPA ID number to track our inspection activity at GRO. GRO cannot use this number for manifesting hazardous waste shipments. If GRO wants to use an EPA ID number for manifesting hazardous waste, used oil or universal waste activities, GRO must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 [Rev. 11/2002]) to Ohio EPA. This form is available at <http://www.epa.state.oh.us/dhwm/notiform.html> or GRO can call me at (419)373-3015 or the Division of Hazardous Waste Management, Central Office, RIS at (614)644-2977 and we will mail you a copy.

The Division of Hazardous Waste Management (DHWM) 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://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

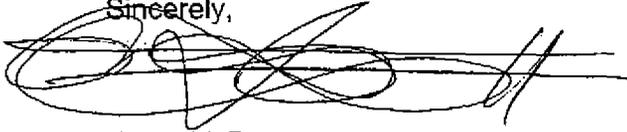
You can find copies of the rules and other information at <http://www.epa.state.oh.us/dhwm>.

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Enclosed you will find a copy of the checklists that I completed during the inspection. I am also inclosing information on the proper management of light bulbs and a universal waste recyclers list. Please address all correspondence to Ed Pulido, Ohio EPA, Northwest District Office, Division of Hazardous Waste Management, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Should you have any questions, please feel free to call me at (419)373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/cs

Enclosures

pc: Colleen Weaver, Supervisor, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO File: General Recycling, Marion County

ec: Ed Pulido, DHWM, NWDO
NWDO Follow-up File

<p>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.</p>
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Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to
tammy.mcconnell@epa.state.oh.us or mail it to Tammy
McConnell, Central Office

2. Site EPA ID No.	EPA ID Number:									
3. Site Name	Name: General Recycling						Website: (Optional)			
4. Site Location Information	Street Address: Bartram Avenue									
	City, Town, or Village: Marlon						State: OH			
	County Name: Marion						Zip Code: 43302			
5. Site Land Type (check only one)	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"/>		
6. NAICS code(s) www.census.gov/epcd/www/naics.html										
7. Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Tim			MI:		Last Name: Via				
	Phone Number:				Phone Number Extension:					
	E-Mail Address:									
	Fax Number:				Fax Number Extension:					
	Street or P.O. Box:									
	City, Town or Village:			State:			Country:		Zip Code:	
8. 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: Nucor Corporation						Date Became Owner (mm/dd/yyyy): 05/26/2005			
	Owner Type:	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"/>	
	Street or P.O. Box: 1915 Rexford Road									
	City, Town or Village: Charlotte				Owner Phone #: (704)366-7000					
	State: NC				Country: US		Zip Code: 28211			
	Name of Site's Operator: Nucor Corporation						Date Became Operator (mm/dd/yyyy):			
	Owner Type:	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"/>	
	Street or P.O. Box:									
	City, Town or Village:				Operator Phone #:					
	State:			Country:		Zip Code:				
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)										
<input type="checkbox"/> Not Regulated					<input type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11					<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)					<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)										
<input type="checkbox"/> Hazardous Waste Transporter					<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste					<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste					<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility										

10B. 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"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C: Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. 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 RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
12. 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	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)	
Edgar Pulido	Kara Reynolds	10/30/2007 3:00	
14. 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 (Short Version)

NOTE: *This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.*

PROHIBITIONS

- 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#
- Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK#
- 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

- 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#
- 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#
- 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#
- 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#
- 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# 1
- 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#

Does the generator burn used oil in used fired space heaters? [3745-279-23] If so:

Yes No N/A RMK#

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 No N/A RMK#

b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?

Yes No N/A RMK#

c. Are the combustion gases from heater vented to the ambient air?

Yes No N/A RMK#

Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24]

Yes No N/A RMK# 2

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

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 No N/A RMK#

Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]

Yes No N/A RMK#

Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]

Yes No N/A RMK#

WASTE EVALUATION

Have all wastes generated at the facility been evaluated? [3745-52-11]

Yes No N/A RMK#

C:\Inspection Checklists\used_oil_short..wpd

REMARKS

#1 – Storage containers were not properly labeled.

#2 – At the time of this investigation, General Recycling was having the used oil being picked up by Marion Oil/Central Ohio Farmers Coop who was not a certified hauler.