



State of Ohio Environmental Protection Agency

401 East Fifth Street  
Dayton, Ohio 45402-2911

Southwest District

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Laura Powell, Acting Director

January 30, 2007

Mr. Mark Greve  
Jim's Auto Clinic  
5481 North Bend Road  
Cincinnati, Ohio 45427

**RE: Notice of Violation**

Dear Mr. Greve:

On January 29, 2007 Tom Koch and I investigated a complaint called to this office alleging that used oils and other vehicle fluids were being mismanaged by Jim's Auto Clinic. Thank you for taking the time to accompany me around your facility to determine if these allegations were accurate.

The complainant stated that a 1500 - 2000 square foot area had been contaminated with used oil from an above ground tank overflow. The area in question did appear to have some staining. You stated that there was only a ten (10) gallon release to the asphalt surface and the wet conditions spread the release to a twelve by twelve foot area next to the tank. You used cat litter to absorb the oil which was still present upon our arrival. Jim's Auto Clinic also made a modification to the above ground tank overflow pipe which appears to be the solution to the overflow problem.

Based on my observations, the complainant allegations are accurate in regards to a spill occurring at Jim's Auto Clinic, therefore Jim's Auto Clinic is in violation of two (2) regulations.

**1. OAC 3745-279-22©)(1)** which states containers and aboveground tanks used to store used oil at a generator facilities must be labeled or marked clearly with the words "Used Oil".

Jim's Auto Clinic failed to label their used oil storage tank with the words "Used Oil".

Jim's Auto Clinic must label the storage tanks with the words "Used Oil" and notify Ohio EPA.

**2. OAC 3745-279-22(D)(3)** which states upon detection of a release of used oil to the environment, the generator must clean up and manage properly the released used oil and other materials.

Mr. Mark Greve  
January 30, 2007  
Page 2

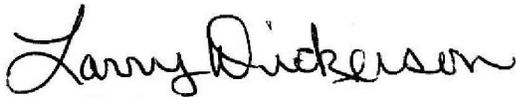
Jim's Auto Clinic failed to clean up the oil contaminated absorbent material around the release point.

Jim's Auto Clinic must clean up the absorbent material and notify Ohio EPA.

Ohio EPA requests that Jim's Auto Clinic clean up the remaining absorbent material and any other visually contaminated media and label the tanks with the words "Used Oil" within 14 days of receipt of this correspondence and contact Ohio EPA when the task is complete.

Please feel free to call me at (937) 285-6092 in regards to this investigation or any other environmental issues that you may have.

Sincerely,



Larry Dickerson  
Division of Hazardous Waste Management  
Southwest District Office

cc: Dinah Crawford DHWM/SWDO/ File

LD/mab

**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.

## 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

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)? [3745-279-21(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# 1
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?  No  N/A  RMK# 2
- 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 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#
11. 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#

#### USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. 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#
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes  No  N/A  RMK#
14. 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

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes  No  N/A  RMK#

C:\Documents and Settings\ldickers.018910-LDICKERS\My Documents\Jim's Auto Oil Checklist.wpd

#### REMARKS

1. Violation cited-279-22(C)
2. Violation cited 279-22(D)