



**Environmental
Protection Agency**

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

August 23, 2012

**TUSCARAWAS COUNTY
GENERAL FILE
(CONNER'S CORNER GARAGE)
DMWM/SEDO
OHR000114058**

Mr. Denny Polilli, Manager
Conner's Corner Garage
107 S. Johnson Avenue
Dover, Ohio 44622

Dear Mr. Polilli:

On, August 17, 2012, I investigated a complaint at Conner's Corner Garage in Dover, Ohio. According to the complaint received by Ohio EPA, the complainant alleged that leaking oil containers were being stored outside the garage, that oil was leaking on to the ground, and that there was some type of kitty litter like material on the ground outside the garage. This letter will explain the validity of the complaint, the violation found, and what you need to do to correct the violation, other general concerns we have and what you need to do to respond to our general concerns.

To investigate the complaint I spoke with you and discussed your used oil management. Conner's Corner Garage generates used oil from oil changes done on customer's vehicles. The oil is stored in a tank located outside against the back wall of the building. The tank is filled through piping inside the facility. You use the oil to fuel a Clean Burn used oil furnace. In the summer when the tank is full you have the oil collected for recycling.

When I walked around the outside of your building I found that the ground on the end of the building under the dumpsters and the ground behind the building next to the used oil tank was heavily stained with used oil. You reported that some time ago used oil had spilled from the tank when a line feeding the tank had broken. I did not observe any kitty litter type material as described in the complaint.

The following violation of Ohio's used oil laws was found.

- (1) **Ohio Administrative Code 3745-279-22(D), Used Oil Storage Requirements for Generators:** Response to releases. Upon detection of a release of used oil to the environment a generator must perform the following cleanup steps: (1) Stop the release; (2) Contain the released used oil; (3) Clean up and manage properly the released used oil and other materials; and (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

Conner's Corner Garage had a release of used oil from their used oil tank that was not cleaned up. In order to return to compliance with this rule you must dig up and properly dispose of all visibly stained ground behind and to the side of the building.

I discussed this with you, and you agreed that you could have the work done within 30 days of receiving this letter. Instead of sending me pictures to verify that the work has been completed, you requested that I come back and observe the area. Please be prepared to show all receipts for municipal solid waste landfill disposal of the cleanup materials.

Comments

- (A) While I was at your garage I provided you with a copy of Ohio EPA's fact sheet titled *The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil*.
- (B) When I was at your garage you had several empty drums that you no longer wanted. As we discussed, I have enclosed a list of drum reconditioners and recyclers.

Conner's Corner Garage needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 30 days of receipt of this letter, Conner's Corner Garage is requested to provide documentation to this office including the steps taken to abate the violations 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 Elizabeth.Herron@epa.ohio.gov.

Please be advised that 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 violations Conner's Corner Garage is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Should you have any questions, please feel free to call me at (740) 380-5248. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dmwm/>.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Materials and Waste Management

EAH/dh

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.

Send to Central Office <input checked="" 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 Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHR000114058	Website: (Optional)								
	Name: Conner's Corner Garage									
	Street Address: 107 S. Johnson Avenue									
	City, Town, or Village: Dover									
County Name: TUSCARAWAS		State: OH								
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:12.5%; text-align: center;">Private <input checked="" type="checkbox"/></td> <td style="width:12.5%; text-align: center;">County <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">District <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">Federal <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">Indian <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">Municipal <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">State <input type="checkbox"/></td> <td style="width:12.5%; text-align: center;">Other <input type="checkbox"/></td> </tr> </table>		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: 44622
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"/>			

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Denny	MI:	Last Name: Polilli
	Title: Manager		
	Phone Number: 330 364 5859		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State: OH		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:	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:	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 checked="" 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). <i>Check the box for the applicable generator status and provide a comment.</i>	<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"/> 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

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.

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 (Tanks are used oil tanks)
 Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron		8/17/2012 11:30 AM

Comments: