



**Environmental
Protection Agency**

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

October 5, 2012

**WASHINGTON COUNTY
GENERAL FILE
(BURKHART TRUCKING
AND EXCAVATING)
DMWM/SEDO
NON NOTIFIER**

Mr. Brad Mason
Burkhart Trucking and Excavating
9950 State Route 60
Lowell, Ohio 45744

Dear Mr. Mason:

On October 3, 2012, Ohio EPA conducted a complaint investigation of your company in Lowell, Ohio in response to a complaint received by this office alleging disposal of spent antifreeze and fuel oil on the ground. Based on my investigation, I found no evidence of improper disposal of these materials. However, during the inspection I noted that Burkhart Trucking was in violation of the following rule of the Ohio Administrative Code:

(1) OAC Rule 3745-279-22(C), Used Oil Storage Requirements for Generators:
Containers and tanks of used oil must be labeled with the words "Used Oil".

Two tanks (1200 gallon and 2500 gallon) and one 55-gallon container of used oil were not labeled. During the inspection you labeled them, therefore, Burkhart Trucking has now abated this violation.

Please note that because you store, or have the capacity to store, more than 1320 gallons of used oil onsite in aboveground storage, and because a discharge of oil could reach a waterway or storm sewer (your facility is adjacent to a stream which enters the Muskingum River), you are subject to the federal Spill Prevention Control and Countermeasure (SPCC) regulations. Please see the enclosed fact sheet on SPCC requirements which include secondary containment for your used oil and a plan for managing the oil.

GENERAL COMMENTS

- A. Ohio EPA recommends that you begin to accumulate used oil filters in a closed container and send them offsite for recycling as scrap metal to either a local scrap metal dealer or to one of the recyclers on the enclosed list of oil filter recyclers.

Burkhart Trucking and Excavating

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If you have any questions, please contact me by telephone at (740) 380-5293 or by e-mail at donna.goodman@epa.ohio.gov.

Sincerely,



Donna Goodman

Inspector

Division of Materials and Waste Management

DG/mr

Enclosure

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.	EPA ID Number:	
Site Name	Name: Burkhart Trucking and Excavating	Website: (Optional)
Site Location Information	Street Address: 9950 State Route 60	
	City, Town, or Village: Lowell	State: OH
Site Land Type (check only one)	County Name: WASHINGTON	
NAICS code(s) www.census.gov/epcd/www/naics.html	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: 45744
	811111	

Facility Representative	First Name: Brad	MI:	Last Name: Mason
Additional names can be recorded in number 12	Title: Co-owner		
Only provide address information if it is different than the site address	Phone Number: 740-896-2244		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:	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 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:	

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"/> 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"/> 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"/> 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
Containers Yes No

Name of Inspector(s)
Donna Goodman

Name of Inspector(s)

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
10/3/2012 9:30 AM

Comments:

Used oil is stored in tanks.