



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: American Pennzoil
Allen County
DHWM, NWDO
Complaint 2574
Return to Compliance

November 28, 2007

Mr. Jeff Ciminillo
American Pennzoil
2919 West Elm Street
Lima, Ohio 45805

Dear Mr. Ciminillo:

Thank you for sending the response to the Ohio Environmental Protection Agency's (Ohio EPA's) Notice of Violation (NOV) dated September 26, 2007. Ohio EPA received the response from American Pennzoil (AP) on November 19, 2007. This response was not dated by AP. The photographs included in AP's response show that the used oil containers were labeled "waste oil." However, this is not the proper labeling for these containers.

Prior to receiving the response from AP, Ohio EPA visited the AP site the morning of November 19, 2007. Ohio EPA found the containers to be labeled "waste oil." Ohio EPA explained that this was not the proper labeling and the correct "used oil" labels were applied to the containers during my visit.

The following is a summary of the violations cited and the facility's compliance with respect to each violation:

1. **OAC Rule 3745-279-22 (C)(1): Used Oil Storage Requirements for Generators:** "Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

AP failed to mark the following used oil containers with the words "Used Oil": 17 totes located in the used oil storage area behind the store; one, 55 gallon drum located in the basement; two, 5 gallon buckets in the basement; and one large tank located in the basement.

Mr. Jeff Ciminillo
November 28, 2007
Page 2

To abate this violation, AP must immediately mark these containers with the words "Used Oil". AP must document that this task has been completed by photographing the containers and submitting the photographs to Ohio EPA's Northwest District Office within 30 days of receipt of this letter.

During the Ohio EPA site visit on November 19, 2007, the words "Used Oil" were applied to all used oil containers.

With this information, this violation is considered abated.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3065.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/lr

Enclosure

pc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO Allen County File: Allen County-General 2005-
ec: Gary Deutschman, 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.