



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

Re: Mytee Discount Auto Care  
Lucas County  
Hazardous Waste  
NOV/PRTC

November 26, 2010

Mr. Brent Gilley  
Mytee Discount Auto Care  
2746 N. Holland-Sylvania Road  
Toledo, Ohio 43615

Dear Mr. Gilley:

Thank you for accompanying Melissa Boyers and me during the Ohio Environmental Protection Agency's (Ohio EPA's) November 9, 2010, hazardous waste compliance evaluation inspection of Mytee Discount Auto Care (hereafter Mytee) located at 2746 Holland-Sylvania Road in Toledo, Ohio. I inspected Mytee to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code. Pollution prevention options were also discussed during this inspection. This letter will explain the violations found and what you need to do to correct these violations.

Mytee provides full service vehicle maintenance. Wastes generated include used oil and used oil filters which are recycled by Future Environmental, parts washer solvent which is taken by Vesco and lead acid batteries which are taken to battery wholesale. You are currently disposing of spent fluorescent lamps in the solid waste dumpster. At the time of my inspection, Mytee was operating as a conditionally exempt small quantity generator of hazardous waste. This means you generate less than 25 gallons of hazardous waste per month.

I found the following violations of Ohio's hazardous waste and used oil laws. In order to correct these violations you must do the following and send me the required information within 30 days of your receipt of this letter:

**1. Waste Evaluation, OAC Rule 3745-52-11:**

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

Mytee failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Mytee must immediately cease disposing of the fluorescent lamps as non-hazardous waste until a proper waste evaluation has been completed. Incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous

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waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed.

A copy of Fluorescent Lamps: What You Should Know, was given to you at the time of my inspection. I recommend that you review this document and contact me if you have any questions.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

Basically, you can run analytical to determine if the bulbs contain mercury, lead, or cadmium (if you would like to continue to dispose of them) OR you can choose to handle them through the **universal waste rules by recycling**. When the lamps are recycled as a universal waste, they are not considered a hazardous waste. You must ensure that they are recycled within one year of being generated and that you keep documentation showing this. Also, you must label the box containing the burned out bulbs (prior to recycling) with the words "universal waste lamps".

**To abate this violation, please confirm how you plan to manage the lamps in the future and where they will be recycled if you choose to handle them as universal waste.**

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

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

Mytee had one tank of used oil and three containers that were not properly labeled, "Used Oil".

At the time of my inspection, Mytee properly labeled the tank and three containers with the words "Used Oil". A copy of the fact sheet, The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, was given to you at the time of my inspection. Please review this information and contact me if you have any questions.

***Therefore, this violation is considered abated.***

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs. You may possibly reduce your regulatory requirements. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. You can find copies of the rules and other information on the division of hazardous waste management web page at <http://www.epa.ohio.gov/dhwm/>.

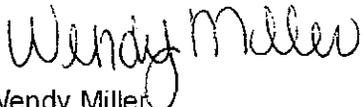
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Ohio EPA will issue an EPA ID number to Mytee to track our inspection activity. Mytee cannot use this number for manifesting hazardous waste shipments. If Mytee wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (*EPA Form 9029 (Rev. 11/2002)*) to Ohio EPA. You can obtain this form by contacting the Division of Hazardous Waste Management, Central Office, at (614) 644-2977 or on the Ohio EPA's website [www.epa.ohio.gov](http://www.epa.ohio.gov). *This form can also be submitted electronically.*

Enclosed you will find a copy of the checklists that I completed during the inspection.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3114.

Sincerely,



Wendy Miller  
Division of Hazardous Waste Management

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
~~DHWM, NWDO-2010-Lucas County-General-File (w/original enc)~~

ec: Wendy Miller, DHWM, NWDO

Send to Central Office <input type="checkbox"/>	<b>Ohio Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE</b> <b>IDENTIFICATION/VERIFICATION FORM</b>	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us).

<b>Site EPA ID No.</b> <b>Site Name</b>	EPA ID Number: _____ Name: <b>Mytee Discount Auto Care</b>		Website: (Optional) _____					
<b>Site Location Information</b>	Street Address: <b>2746 N. Holland-Sylvania Road</b>							
	City, Town, or Village: <b>Toledo</b>		State: <b>OH</b>					
	County Name: <b>Lucas</b>							
<b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	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"/>

<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: <b>Brent</b>		MI: _____	Last Name: <b>Gilley</b>	
Title: <b>President</b>					
Phone Number: <b>419-531-5660</b>			Phone Number Extension: _____		
E-Mail Address: <b>osugilley@hotmail.com</b>					
Fax Number: _____			Fax Number Extension: _____		
Street or P.O. Box: _____					
City, Town or Village: _____					
State: _____			Zip Code: _____		

<b>Legal Owner And Operator of the Site.</b> 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: _____									
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?**     Yes     No

**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

<input 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 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 checked="" 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"/> Receives Hazardous Waste from Off-site        |

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)**

(CHECK ALL BOXES THAT APPLY)

- |   |   |
|---|---|
| <input checked="" 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<br>(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. Oil  
 Used Oil Fuel Marketer to Off-Specification Used Oil Burner

**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)  
**Wendy Miller**

Name of Inspector(s)  
**Melissa Boyers**

Date of Inspection/Time  
(mm/dd/yyyy) (hh:mm)  
**11/9/2010 12:30**

**Comments:**

**no lamps stored, will be handling as UW per discussion**

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Mytee Discount Auto Care    Facility Type: CESQG UO    Date of Inspection: 11/9/10    EPA ID#:

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Parts Cleaning	Parts washer solvent (DCOD)	1 x /quarter 20 gallons - approx.		Vesco	
2	Maintenance	Used oil	200 gal/per month		Future Environmental	
3	Clean up	Shop rags			Aero	
4	Lighting	Fluorescent lamps			TBD	
5	Maintenance	Lead acid batteries			Battery Wholesale	
6	Maintenance	Used Oil filters	varies		Future Environmental	
7						
8						

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.  
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

**WASTE EVALUATION**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**TREATMENT OF HAZARDOUS WASTE**

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

**MIX HAZARDOUS WASTE WITH USED OIL**

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

*NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.*

**PROHIBITIONS**

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: For example, used oil contaminated scrap metal stored in a pile.*

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).*

**GENERATOR STANDARDS**

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.*

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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*NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.*

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked Used Oil? [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**ON-SITE BURNING IN SPACE HEATER**

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).*

**GENERATOR TRANSPORTATION**

11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

**COLLECTION CENTERS AND AGGREGATION POINTS**

13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*