



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

Re: Custom Sales
Complaint # 3222
Hazardous Waste
Ashland County
NOV/RTC

February 27, 2013

Mr. Randy Burson, Owner
Custom Sales
925 Township Road 2375
Perrysville, Ohio 44864

Dear Mr. Burson:

On February 6, 2013, the Ohio EPA conducted a complaint investigation at Custom Sales located at 925 Township Road 2375, Perrysville, Ohio. The complaint was received by the Division of Materials and Waste Management (DMWM) on January 9, 2013. The complainant suspected that you may not be managing auto fluids (used oil, used antifreeze) properly and that freon may be discharged into the environment. This letter will explain the validity of the complaint.

Custom Sales buys Dodge Ram trucks, disassembles the trucks for parts, then sells these parts. Custom Sales also buys Dodge Ram truck parts then resells the parts.

Upon arriving at your business I discussed the complaint with you and you stated the following: you have recently talked with the Ohio Bureau of Motor Vehicle and decided you did not want to obtain a license as a salvage yard, thus at most you will only be buying five trucks per year to disassemble (most allowed before a license is required); however you plan to not buy whole trucks at all anymore to disassemble but to only buy parts for resale; your used oil is drummed and picked up by Stan Vale from Lucas, Ohio to burn in his on-site used oil burner; used antifreeze is placed in a container and re-used or you stated you needed to find someone to pick it up; used oil filters are drained and recycled as scrap metal at Milliron; you stated you do not discharge freon as you do not empty out the AC; and after removing the parts you need, the trucks are taken to Milliron or Ross Brothers salvage yards.

I observed drums of used oil and used antifreeze being stored. In addition, I stated that freon cannot be discharged and you stated that you understood and you do not discharge freon to the environment. For additional information pertaining to freon, please contact U.S. EPA at 1-800-296-1996 or visit U.S. EPA's website at <http://www.epa.gov/ozone/title6/609/index.html>.

You also stated that you have a parts washer but you only wash plastic parts. You utilize Greenstuff J30 degreaser in the parts washer.

During the investigation, I gave you a list of Antifreeze recyclers, Ohio EPA's Environmental Compliance Guide for Motor Vehicle Salvage Yards; the Ohio EPA fact sheet The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, a list of used oil collection centers and a list of used oil recyclers.

I found the following violations of Ohio's hazardous waste laws:

**1. Used oil storage requirements - proper labels.
OAC Rule 3745-279-22 (C) (1)**

Containers used to store used oil shall be labeled or marked clearly with the words "Used Oil."

Custom Sales failed to mark the drum storing used oil with the words "Used Oil".

- ***The drum was labeled "Used Oil" during the complaint investigation on February 6, 2013, thus this violation is abated.***

**2. Off-site shipments of used oil by generators.
OAC Rule 3745-279-24**

Generators shall ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

You stated that your used oil is not being picked up by a transporter with a U.S. EPA identification number. Currently, Stan Vale from Lucas, Ohio comes and picks up your used oil to burn in his used oil burner. Mr. Vale is not a used oil recycler, used oil collection center or marketer, thus he does not have a U.S. EPA identification number and you are unable to give your used oil to him.

Used oil generators have three options for handling their used oil: 1) Generators must have their used oil transported by an entity that has a U.S. EPA identification number and ensure their used oil is recycled; 2) Generators may transport less than 55-gallons of their own used oil to a registered used oil collection center; or 3) generators may burn their own used oil in an on-site space heater as long as all applicable requirements are met. Please consult the Used Oil fact sheets given to you during the inspection for more information.

- ***During the investigation, while I was present, you called Clean Waters Ltd, in Mansfield to have them pick up approximately 20 gallons of used oil (mixed with parts washing solvent) and 40 gallons of used antifreeze. You stated during the investigation that you will no longer have Mr. Vale pick up your used oil, but that you will have Clean Waters Ltd, continue to pick up the wastes and used oil generated from your shop. Based on this information from the February 6, 2013, investigation, this violation is abated.***

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Please note that if you have not already, you should ensure to properly evaluate the waste generated from your parts washer which you plan to mix with your used oil. This evaluation can be conducted by obtaining a Material Safety Data Sheet for the Greenstuff degreaser you utilize as well as other generator knowledge (process information) and sampling. I have enclosed the Ohio EPA fact sheet Identifying Your Hazardous Waste which you may find useful. If you have any questions pertaining to this information, please contact me.

You should ensure that you are properly managing and disposing of lamps generated at Custom Sales. Ohio EPA encourages the management of all lamps as universal waste destined for recycling. I have enclosed the following information pertaining to the proper management and disposal of spent lamps: the Ohio EPA fact sheets Universal Waste Rules for Handlers of Lamps; Fluorescent Lamps: What you Should Know and a list of lamp recyclers in Ohio.

Ohio EPA did discover two used oil violations, however, they were corrected during the investigation; thus this complaint is closed.

Pollution Prevention:

If you find additional 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. Furthermore, you may possibly reduce your regulatory requirements. Or if you would like a free, non-regulatory on-site pollution prevention assessment or more information about pollution prevention, please contact me at (419) 373-3082. Ohio EPA has helpful information about this at the following web address: <http://epa.ohio.gov/ocapp/ComplianceAssistanceandPollutionPrevention.aspx>.

Ohio EPA will issue an EPA ID number to track our investigation activity at Custom Sales. You cannot use this number for manifesting hazardous waste shipments. If you want 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. 9/2010)*) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/Default.aspx?tabid=3915> or you can call me or the Division of Materials and Waste Management, Central Office at (614) 644-2621 and we will mail you a copy.

The Division of Materials and Waste Management (DMWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>. Please feel free to share this information with your colleagues.

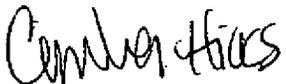
No response to this letter is necessary. Should you have any questions, please feel free to call me at (419) 373-3082 or email me at amber.hicks@epa.ohio.gov.

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Please be advised that a full compliance evaluation inspection was not conducted. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations.

You can find copies of the rules and other information on the division's web page at <http://epa.ohio.gov/dmwm/dmwmrules.aspx>.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

/cg

Enclosures

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO (w/ checklist)

ec: Amber Hicks, DMWM, NWDO
Colleen Weaver, DMWM, 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.

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 RCRAInfo.Data@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: NA Name: Custom Sales Website: (Optional) Street Address: 925 Township Road 2375 City, Town, or Village: Perrysville State: OH County Name: Ashland Zip Code: 44864 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table>	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																				
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Randy MI: Last Name: Burson Title: Owner Phone Number: 419-496-9675 Phone Number Extension: E-Mail Address: customsales1@gmail.com 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): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> 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): <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: City, Town or Village: Operator Phone #: State: Country: Zip Code:	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>															
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VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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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"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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
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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

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> 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.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> 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	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Amber Hicks		02/06/13 11:18

Comments:
 This was a complaint investigation pertaining to management of used oil, antifreeze and freon. A full CEI was not conducted and thus I do not know the facility's hazardous waste generation status. The facility does generate small amounts of degreasing waste (which they intend to mix with used oil for pickup). They are most likely a CESQG.