



State of Ohio Environmental Protection Agency

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December 22, 2009

Mr. Scott Snedegar  
Central Ohio Oil  
809 Marion Road  
Columbus, OH 43207

Re: **Notice of Violation** based on Site Investigation Conducted August 7, 2009  
Central Ohio Oil Inc. (Facility I.D. ~~012010003~~)

01 2 5043008

Dear Mr. Snedegar:

On August 7, 2009, Ohio EPA Central District Office (CDO) responded to odor complaints from the 800 block of Marion Road. After further investigation, the odors were determined to be originating from Central Ohio Oil Inc. (COOI), located at 809 Marion Road, Columbus Ohio. This letter serves to memorialize the complaint investigation and identify the observed violations at COOI.

**Finding 1:** Odor Complaints

Ohio EPA inspector Luke Mountjoy of CDO-DAPC responded to odor complaints on August 7, 2009 at Central Ohio Oil Inc. and upon arrival spoke with employees Tom Phillips, Craig Owens, and yourself, regarding the odor issues and the Agency's concerns.

After investigating the site on August 7, and again on August 11 with Peter Maneff of the Division of Hazardous Waste Management, it was determined that several areas of the facility were contributing to the odor from the facility.

These areas include:

- Solidification pits located inside the building at 805 Marion Road,
- Fluid Transfer Area of property located north of the tank farm,
- Uncapped Drums located within the Soil & Waste Processing Areas at 805 & 809 Marion Road,

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

- Uncapped Storage Tanks throughout facility, some with manhole lids unattached (Tank 5 & 6),
- Various areas throughout the facility including uncapped transfer hoses, waste buckets, and odorous streams from the water treatment process area.

Notably, the odors emitted from the facility were also investigated by the Columbus Division of Fire (CDF). In addition to the complaints received by our agency, CDF received 8 calls regarding odors from the Marion Road Champion Avenue location since June 14, 2009 (Incident # 9071586, 9073970, 9089702, 9090029, 9093872, 9096461, 9097318).

COOI indicated that they have been working to determine the source of the odors and have concluded the most odorous waste streams originated from the "Light Oil" product received from Heartland Petroleum and from a separate waste stream comprised of natural gas distillates. After reviewing the records, the dates that COOI began receiving the "Light Oil" product directly correlates to the inflow of complaint calls to both Ohio EPA-DAPC and Columbus Division of Fire.

As a result of the odor issues, COOI stated they no longer will receive shipments of the "Light Oil" from Heartland Petroleum, and in fact have not received any additional shipments since June of 2009.

However, COOI retained approximately 10,000 gallons of the "Light Oil" contained in tank 10B of the tank farm, and until recently, had several hundred gallons of the odorous oil dispersed throughout the facility. In our communication, COOI indicated they wished to retain the remaining odorous material to utilize as a fuel source for an unpermitted hot oil boiler located at 795 Marion Road. As our office stated in the phone conference held on August 28, 2009, in order to be in compliance and utilize that emission unit and fuel type, a permit application and the appropriate documentation would need to be submitted to our office.

### **Requested Action**

To reduce the immediate odor issues, Ohio EPA suggested several action steps be taken by COOI. As witnessed during a site visit by CDO DAPC contact Luke Mountjoy on August 31, 2009, COOI has followed through and completed the following action steps:

- Clean out solidification pits of odorous residue,
- Keep overhead doors and windows closed of the buildings which contain solidification pits,

- Install manhole covers on storage tanks and minimize opening size to prevent odor dispersion,
- Cover all drums, buckets, and containers on site, both indoors and outdoors until time to be processed.

In addition, Ohio EPA requests that COOI take the following action steps and submit the following information to CDO within 45 days.

- 1.) Identify the odorous compound(s) present in the light oil stream from Heartland Petroleum, and provide documentation to support the identification.
- 2.) Submit and adhere to an Odor Management Plan which includes standard operating procedures (SOP) for the facility that will actively reduce the risk of future odor problems. The plan should include but not be limited to:
  - maintenance and cleaning schedule for the Fluid Transfer Areas
  - maintenance and cleaning schedule for the Solidification Pits
  - plans to incorporate hose caps on transfer hoses
  - SOP for loading and unloading material from tankers and pump trucks to ensure odors emitted from top lids are minimized
  - SOP for minimizing time heated tanks are utilized

**Finding 2:** Unpermitted Emission Units

According to facility personnel, Central Ohio Oil installed multiple emission units without first obtaining a PTIO. These emission units include but are not limited to storage tanks, mixing pits, storage piles. In addition, if the facility will be burning used oil in onsite heaters and/or boilers, a permit application may be required.

**Violation**

The installation and operation of any new air pollution source without first applying for and obtaining a PTIO is considered a violation of OAC rule 3745-31-02(A), which states that *"no person shall cause, permit, or allow the installation of a new source of air pollutants...without first obtaining a PTI from the director."*

Mr. Scott Snedegar  
Central Ohio Oil  
Page -4-

Violations of OAC rule 3745-31-02 are also considered violations of Ohio Revised Code (ORC) 3704.05(A) which states in part that "No person shall cause, permit, or allow emission of an air contaminant in violation of any rule adopted by the director of environmental protection..."

**Requested Action**

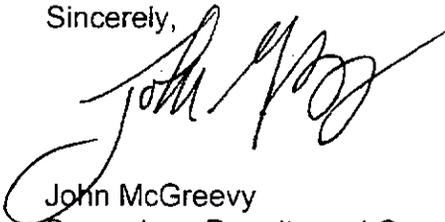
Please evaluate all emission units or sources of air contaminants installed at the facility and submit necessary permit applications within 30 days of receipt of this letter. If a permit is not required, please submit appropriate written justification and supporting information including emissions calculations demonstrating the facility's conclusions.

Please note that the Ohio EPA has the authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code (ORC). This letter or information pursuant to this letter does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in the ORC. The decision on whether or not to seek such penalties will be made by the Ohio EPA at a later date.

If at some time in the future Central Ohio Oil plans to install/modify an air contaminant source, please contact CDO at (614) 728-3800 to obtain the appropriate forms and discuss the applicability of any rules in question.

If you have any questions, please do not hesitate to contact Luke Mountjoy at (614) 995-0672.

Sincerely,



John McGreevy  
Supervisor, Permits and Compliance  
Division of Air Pollution Control  
Central District Office

ec: John McGreevy

c: Adam Ward, Air Unit Manager, DAPC/CDO  
John Paulian, DAPC/CO